

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

Global Interactive Media, Inc.,

Plaintiff,

v.

Time Warner Cable Inc.,

Defendant.

Case No. 1:15-cv-06805

Judge:

Magistrate Judge:

**JURY TRIAL DEMANDED**

**COMPLAINT FOR PATENT INFRINGEMENT**

Global Interactive Media, Inc. (“Global Interactive”) brings this patent-infringement action against Time Warner Cable Inc. (“TWC”).

**Parties**

1. Global Interactive is a Belizian company based in Belize.
2. TWC is a Delaware corporation, having its principal place of business in New York, New York.

**Jurisdiction and Venue**

3. This action arises under the patent laws of the United States, 35 U.S.C. §§ 101 *et seq.*
4. This Court has subject matter jurisdiction over this action under 28 U.S.C. §§ 1331 and 1338(a).
5. This Court may exercise personal jurisdiction over TWC. TWC maintains its principal place of business in this District; conducts continuous and systematic business in this District; and this patent-infringement case arises directly from TWC’s continuous and systematic activity in this District. In short, this Court’s exercise of jurisdiction over

TWC would be consistent with the New York long-arm statute and traditional notions of fair play and substantial justice.

6. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b)(1)-(2) and 1400(b).

**Count 1 – Infringement of U.S. Patent No. 8,032,907**

7. Global Interactive owns United States Patent 8,032,907 (the “‘907 patent”) (attached as Exhibit A).

8. TWC is infringing at least one of the 90 methods and systems claimed in the ‘907 patent by providing the TWC TV Listings service.

9. For example, and for illustration of one of the 90 claims of the ‘907 patent that Global Interactive alleges that the TWC TV Listings service infringes, the service infringes claim 18 of the ‘907 patent as follows:

- a. Claim 18 is a method of “broadcasting program material in at least one broadcast . . . .” (Ex. A, 19:16.) The TWC TV Listings service contains listings of television programs that are broadcasted to consumers. <http://tv.twcc.com/listings>.
- b. Claim 18 is a method of “receiving one or more user inquiries from one or more recipients of said at least one broadcast, said one or more inquiries including broadcast identifier information . . . .” (Ex. A, 19:17-19.) A consumer using the TWC TV Listings service may access the service’s website and inquire about the television show *Rachel Ray* broadcast by TWC.

- c. The method of claim 18 involves “creating a program description file comprising program information related to program material to be broadcast in the future . . . .” (Ex. A, 19:20-22.) The individual inquiring about *Rachael Ray* would learn from the TV Listings service: “Donny Osmond Is Rachael’s Co-Host for the Day, and He’s Being Put On the Spot.” <http://tv.twcc.com/listings> (May 29, 2015, 10:00 am EST).
- d. Next, claim 18 involves “communicating the program information into a programmed data processor . . . .” (Ex. A, 19:23-24.) The TWC TV Listings service user is able to learn about TWC’s broadcast of *Rachael Ray* because TWC has a programmed data processor that communicates the program information to the TWC TV Listings service.
- e. Claim 18 involves “synchronizing said communicated program information with said program material of said at least one broadcast. . . .” (Ex. A, 19:25-26.) TWC synchronizes the *Rachael Ray* program information with the broadcast of the *Rachael Ray* program.
- f. Claim 18 involves “using said data programmed data processor to communicate, to the one or more recipients, program information that corresponds to the broadcast identifier information included in said one or more inquiries, wherein at least one of the program description file, the program information, and the synchronized program information is associated with the broadcast identifier information.” (Ex. A, 19:28-35.) The TWC TV Listings service communicates the *Rachael Ray* program information to the TWC TV Listings service user.

**Count 2 – Infringement of U.S. Patent No. 6,314,577**

10. Global Interactive owns United States Patent 6,314,577 (the “577 patent”) (attached as Exhibit B).

11. TWC is infringing at least one of the 130 methods and systems claimed in the ‘577 patent by providing the TWC TV Listings service.

12. For example, and for illustration of one of the 130 claims of the ‘577 patent that Global Interactive alleges the TWC TV Listings service infringes, the service infringes claim 94 of the ‘577 patent as follows:

- a. Claim 94 is a “method for providing listeners or viewers of a radio or television broadcast with automated information about program material, comprising the steps of: broadcasting at least one radio or television broadcast . . . .” (Ex. B, 23:14-18.) The TWC TV Listings service website contains listings of television programs that TWC broadcasts to consumers. <http://tv.twcc.com/listings>.
- b. Claim 94 involves “receiving user inquiries from a listener or viewer of said radio or television broadcast . . . .” (Ex. B, 19-20.) A consumer using the TWC TV Listings service may access the TWC TV Listings service website and inquire about the television show *Rachael Ray* broadcast by TWC.
- c. Claim 94 involves “creating a program description file . . . .” (Ex. B, 23:21.) The individual inquiring about *Rachael Ray* would learn from the TV Listings service: “Donny Osmond Is Rachael’s Co-Host for the

Day, and He's Being Put On the Spot." <http://tv.twcc.com/listings> (May 29, 2015, 10:00 am EST).

- d. The method of claim 94 involves "communicating program list information into a programmed data processor . . . ." (Ex. B, 23:23-24.) The TWC TV Listings service user is able to learn about *Rachael Ray*, broadcast by TWC, because TWC has a programmed data processor that communicates the program information to the TWC TV Listings service.
- e. Claim 94 involves "correlating said program descriptions of program material with said program list information and generating information in a database responsive to only a broadcast identifier . . . ." (Ex. B, 23:24-27.) TWC correlates the communicated *Rachael Ray* program information with the broadcast of the *Rachael Ray* program.
- f. Claim 94 involves "using said programmed data processor to communicate said program description file responsive to said user inquiry." The TWC TV Listings service communicates the *Rachael Ray* program information to the TWC TV Listings service user.

**Count 3 – Infringement of U.S. Patent No. 7,574,721**

13. Global Interactive owns United States Patent 7,574,721 (the "721 patent") (attached as Exhibit C).

14. TWC is infringing at least one of the 35 methods and systems claimed in the '721 patent by providing the TWC TV Listings service.

15. For example, and for illustration of one of the 35 claims of the '721 patent that Global Interactive alleges the TWC TV Listings service infringes, the service infringes claim 1 of the '721 patent as follows:

- a. Claim 1 is “A method for identifying at least one broadcast provider through a combination of a geographic identification code and a broadcast identifier, the method comprising: digitally storing, in a database, one or more geographic identification codes that are each associated with at least one area or location in which a broadcast is receivable from at least one broadcast provider; . . .” (Ex. C, 17:44-50.) The TWC TV Listings service digitally stores zip codes in a database, which are associated with service areas in which broadcasts are receivable from broadcast providers.
- b. Claim 1 involves “digitally storing, in the database, one or more broadcast identifiers that are each associated with at least one broadcast provider; . . .” (Ex. C, 17:51-53.) The TWC TV Listings service digitally stores in a database broadcast identifiers (e.g., date and time for which a user wants to identify a broadcast provider of programming) that are associated with broadcast providers.
- c. Claim 1 involves “receiving at least one user related geographic identification code; . . .” (Ex. C, 17:54-55.) The TWC TV Listings service receives a user related geographic identification code when the user enters her zip code into the service website. <http://tv.twcc.com/listings> (pop-up over “Local Listings” button).

- d. Claim 1 involves “receiving at least one user related broadcast identifier . . . .” (Ex. C, 17:56.) The TWC TV Listings service receives a user related broadcast identifier when the user selects the date and time for which she would like to identify a broadcast provider. <http://tv.twcc.com/listings>. The TWC TV Listings service also receives a user related broadcast identifier when the user inputs the channel for which she would like to identify a broadcast provider. *Id.* (“Jump to Channel” field).
- e. Claim 1 involves “determining, by a processor, a subset of data from the database using the received at least one user related geographic identification code . . . .” (Ex. C, 17:60-62.) The TWC TV Listings service determines by processor, using the user’s zip code, a subset of data comprising broadcast programming available to the user based on her service area. <http://tv.twcc.com/listings>.
- f. Claim 1 involves “identifying, by the processor, at least one broadcast provider using at least both the subset of data and received at least one user related broadcast identifier . . . .” (Ex. C. 18:1-3.) The TWC TV Listings service, identifies, for example, WCIU as the broadcast provider of the television show *Rachael Ray*, “Donny Osmond Is Rachael’s Co-Host for the Day, and He’s Being Put On the Spot” using the subset of data determining that ABC is available in the user’s service area of the 10001 zip code, and the user related broadcast identifiers of May 29, 2015 at 10:00 am and the channel 007.

**Prayer for Relief**

WHEREFORE, Global Interactive prays for the following relief against TWC:

- (a) Judgment that TWC has directly infringed claims of the '907 patent, the '577 patent, and the '721 patent;
- (b) For a reasonable royalty;
- (c) For pre-judgment interest and post-judgment interest at the maximum rate allowed by law; and
- (d) For such other and further relief as the Court may deem just and proper.

**Demand for Jury Trial**

Global Interactive demands a trial by jury on all matters and issues triable by jury.

Date: August 27, 2015

Respectfully submitted,

/s/ Matthew M. Wawrzyn  
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