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**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

CONTENT AGGREGATION
SOLUTIONS LLC, a Texas
limited liability company,

Plaintiff,

v.

BLU PRODUCTS, INC.

Defendant.

'16CV0527 BEN KSC

**PLAINTIFF'S ORIGINAL
COMPLAINT FOR PATENT
INFRINGEMENT**

Jury Trial Demanded

Plaintiff Content Aggregation Solutions LLC files this complaint against Blu Products, Inc. ("Blu" or "Defendant") for infringement of U.S. Patent No. 8,756,155.

THE PARTIES

1. Content Aggregation Solutions LLC ("CAS" or "Plaintiff") is a Texas limited liability company with its principal place of business at 8616 Turtle Creek Blvd., Suite 521, Dallas, Texas 75225. CAS is the owner by assignment of U.S. Patent No. 8,756,155 ("the '155 patent").

2. On information and belief, Blu Products, Inc. is a Delaware Corporation with its principal place of business located at 10814 N.W. 33rd St., Building 10, Miami, Florida 33172. Blu Products, Inc. may be served through its registered agent at The Company Corporation, 2711 Centerville Rd., Suite 400, Wilmington, DE 19808. This Defendant does business in the State of California and in the Southern District of California.

JURISDICTION AND VENUE

3. CAS brings this action for patent infringement under the patent laws of the United States, namely 35 U.S.C. §§ 271, 281, and 284-285, among others. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338.

4. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b)-(d) and

1 1400(b). On information and belief, Blue Products, Inc. transacts business in this District.
2 On information and belief, Blu has committed acts of infringement in this District.

3 5. The Defendant is subject to this Court's specific and general personal
4 jurisdiction pursuant to due process and/or the California Long Arm Statute, due at
5 least to its substantial business in this State and judicial district, including: (A) at
6 least part of its infringing activities alleged herein; and (B) regularly doing or
7 soliciting business, engaging in other persistent conduct, and/or deriving
8 substantial revenue from goods sold and services provided to California residents.

9 **COUNT I**

10 **(Patent Infringement - U.S. Patent No. 8,756,155)**

11 6. CAS incorporates paragraphs 1 through 6 herein by reference.

12 7. This cause of action arises under the patent laws of the United States, and
13 in particular, 35 U.S.C. §§ 271, *et seq.*

14 8. CAS is the owner of the '155 patent, entitled "Web Based
15 Communication of Information with Reconfigurable Format," with ownership of all
16 substantial rights in the '155 patent, including the right to exclude others and to
17 enforce, sue, and recover damages for past and future infringement. A true and
18 correct copy of the '155 patent is attached as Exhibit A.

19 9. The '155 patent is valid, enforceable and was duly issued in full
20 compliance with Title 35 of the United States Code.

21 10. The claims of the '155 patent are directed to solving a variety of
22 technical problems arising from the significant limitations of the Internet, and in doing
23 so improve the operation of certain types of devices using the Internet.

24 11. The claims are addressed, among other things, to the technical problem
25 of how to efficiently and practically assemble a combination of different information
26 from different sources on the Internet and return that information to a handheld
27 device, such as a Smartphone, that on its own would have been incapable of
28 assembling the information in a practical and useful way without modification of the

1 different sources. The claims additionally reduce technical complexity and improve
2 efficiency in the handheld device by allowing the aggregation to take place upon the
3 selection of at least one indicator with a single actuation. The precise way in which
4 these problems have been solved with the improvements of the '155 patent claims is
5 specified in each of the separate claims.

6 12. The Patent Office found that the claimed inventions were different from
7 any pre-existing technology known to the Patent Office and that a person of ordinary
8 skill in the technology related to the '155 patent would not have found it obvious to
9 combine preexisting technologies to arrive at the solutions set forth in the '155 patent.

10 13. The integrations in the claims of the '155 patent provide new results that
11 allow handheld devices to operate in a superior way that was not available before the
12 invention of the '155 claims, providing benefits that did not exist before the '155
13 claims.

14 14. None of the claims of the '155 patent preempts the use of handheld
15 devices, such as Smartphones, on the Internet. Nor do any of the claims preempt
16 commerce on the Internet, electronic shopping, Internet auctions, web browsing, or
17 any other fundamental and long prevalent Internet or economic practice.

18 15. There are technical alternatives to the claims of the '155 patent that are
19 directed to the same problems addressed by the patent claims.

20 16. Each claim of the '155 patent claims an apparatus for a specific
21 computing device, not a mere general computer or generic handheld device.

22 **DIRECT INFRINGEMENT (35 U.S.C. § 271(a))**

23 17. Defendant has directly infringed, and continues to directly infringe, one
24 or more claims of the '155 patent in this judicial district and elsewhere in California
25 and the United States.

26 18. Defendant has infringed at least claims 1, 15 and 16 of the '155 patent,
27 by using, selling, and/or offering to sell, within the United States, and/or by importing
28 into the United States, products, including, but not limited to, smartphones and/or

1 tablets that include Android operating systems with Google Now Cards functionality.

2 19. Defendant is liable for these direct infringements pursuant to 35 U.S.C. §
3 271.

4 **WHEREFORE**, CAS asks that the Court find in its favor and against
5 Defendant, and that the Court grant CAS the following relief:

- 6 a. Judgment that one or more claims of the '155 patent has been infringed,
7 either literally and/or under the doctrine of equivalents, by Defendant;
- 8 b. Judgment that Defendant account for and pay to CAS all damages and
9 costs incurred by CAS because of Defendant's infringing activities and
10 other conduct complained of herein;
- 11 c. Judgment that Defendant account for and pay to CAS a reasonable, on-
12 going, post judgment royalty because of Defendant's infringing activities
13 and other conduct complained of herein;
- 14 d. That CAS be granted pre judgment and post judgment interest on the
15 damages caused by Defendant's infringing activities and other conduct
16 complained of herein; and
- 17 e. That CAS be granted such other and further relief as the Court may deem
18 just and proper under the circumstances

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20 Dated: March 2, 2016

GARTMAN LAW GROUP, P.C.

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23 By: /s/John E. Gartman
John E. Gartman

24 *Attorney for Plaintiff Content*
25 *Aggregation Solutions LLC*
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REQUEST FOR TRIAL BY JURY

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Plaintiffs claim trial by jury on all issues so triable.

Dated: March 2, 2016

GARTMAN LAW GROUP, P.C.

By: /s/ John E. Gartman
John E. Gartman

*Attorney for Plaintiff Content
Aggregation Solutions LLC*