

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

SOUND VIEW INNOVATIONS, LLC,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. _____
)	
LINKEDIN CORP.)	JURY TRIAL DEMANDED
)	
Defendant.)	

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Sound View Innovations, LLC (“Sound View”), for its Complaint for Patent Infringement against LinkedIn Corp. (“LinkedIn”) alleges as follows:

INTRODUCTION

1. Sound View is an intellectual property licensing company. Sound View’s patent portfolio includes more than 900 active and pending patents worldwide, including approximately 500 U.S. Patents. Sound View’s patents were developed by researchers at Alcatel Lucent (“Lucent”) and its predecessors. Lucent is home to the world-renowned Bell Laboratories, which has a long and storied history of innovation. Researchers at Lucent’s Bell Laboratories have developed a wide variety of key innovations that have greatly enhanced the capabilities and utility of computer systems and networks. This has resulted in benefits such as better and more efficient computer networking, computer security, and user experiences.

2. Patents enjoy the same fundamental protections as real property. Sound View, like any property owner, is entitled to insist that others respect its property and to demand compensation from those who take it for their own use. LinkedIn has used, and continues to use Sound View’s patents. Moreover, despite Sound View’s licensing offers and repeated attempts to negotiate,

LinkedIn both refuses to take a license and even make a counteroffer, but continues to use Sound View's property.

NATURE OF THE CASE

3. This action arises under 35 U.S.C. § 271 for LinkedIn's infringement of Sound View's United States Patent Nos. 5,806,062 (the "'062 patent"), 5,847,972 (the "'972 patent"), 5,918,009 (the "'009 patent"), 6,240,391 (the "'391 patent"), 6,408,296 (the "'296 patent"), 6,502,133 (the "'133 patent"), and 7,894,859 (the "'859 patent") (collectively the "Patents-In-Suit").

THE PARTIES

4. Plaintiff Sound View is a Delaware limited liability company, with its principal place of business at 2001 Route 46, Waterview Plaza, Suite 310, Parsippany, New Jersey 07054.

5. Defendant LinkedIn is a Delaware corporation with its principal place of business at 2029 Stierlin Court, Mountain View, California 94043. LinkedIn may be served with process by serving its registered agent, Corporation Service Company, 2711 Centerville Road Suite 400, Wilmington, Delaware 19808.

JURISDICTION AND VENUE

6. This action arises under the patent laws of the United States, including 35 U.S.C. § 271 *et seq.* The jurisdiction of this Court over the subject matter of this action is proper under 28 U.S.C. §§ 1331 and 1338(a).

7. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1391(b) and (c) and 1400(b).

8. This Court has personal jurisdiction over LinkedIn because, among other things: LinkedIn is incorporated under the laws of the State of Delaware; LinkedIn has committed, aided, abetted, contributed to and/or participated in the commission of acts giving rise to this action within the State of Delaware and this judicial district and has established minimum contacts within the

forum such that the exercise of jurisdiction over LinkedIn would not offend traditional notions of fair play and substantial justice; LinkedIn has placed products and services that practice the claims of the Patents-In-Suit into the stream of commerce with the reasonable expectation and/or knowledge that actual or potential users of such products and/or services were located within this judicial district; and LinkedIn has sold, advertised, solicited customers, marketed and distributed its products and services that practice the claims of the Patents-In-Suit in this judicial district.

THE PATENTS-IN-SUIT

9. Sound View incorporates by reference the preceding paragraphs as if fully set forth herein.

10. The '062 patent, titled "Data Analysis System Using Virtual Databases," was duly and properly issued by the USPTO on September 8, 1998. A copy of the '062 patent is attached hereto as Exhibit A.

11. Sound View is the owner and assignee of the '062 patent and holds the right to sue for and recover all damages for infringement thereof, including past infringement.

12. The '972 patent, titled "Method And Apparatus For Graphically Analyzing A Log-File," was duly and properly issued by the USPTO on December 8, 1998. A copy of the '972 patent is attached hereto as Exhibit B.

13. Sound View is the owner and assignee of the '972 patent and holds the right to sue for and recover all damages for infringement thereof, including past infringement.

14. The '009 patent, titled "Technique For Sharing Information On World Wide Web," was duly and properly issued by the USPTO on June 29, 1999. A copy of the '009 patent is attached hereto as Exhibit C.

15. Sound View is the owner and assignee of the '009 patent and holds the right to sue for and recover all damages for infringement thereof, including past infringement.

16. The '391 patent, titled "Method And Apparatus For Assembling And Presenting Structured Voicemail Messages," was duly and properly issued by the USPTO on May 29, 2001. A copy of the '391 patent is attached hereto as Exhibit D.

17. Sound View is the owner and assignee of the '391 patent and holds the right to sue for and recover all damages for infringement thereof, including past infringement.

18. The '296 patent, titled "Computer Implemented Method And Apparatus For Enhancing Access To A File," was duly and properly issued by the USPTO on June 18, 2002. A copy of the '296 patent is attached hereto as Exhibit E.

19. Sound View is the owner and assignee of the '296 patent and holds the right to sue for and recover all damages for infringement thereof, including past infringement.

20. The '133 patent, titled "Real-Time Event Processing System With Analysis Engine Using Recovery Information," was duly and properly issued by the USPTO on December 31, 2002. A copy of the '133 patent is attached hereto as Exhibit F.

21. Sound View is the owner and assignee of the '133 patent and holds the right to sue for and recover all damages for infringement thereof, including past infringement.

22. The '859 patent, titled "Privacy Protection In Network-Based Phonebooks," was duly and properly issued by the USPTO on February 22, 2011. A copy of the '859 patent is attached hereto as Exhibit G.

23. Sound View is the owner and assignee of the '859 patent and holds the right to sue for and recover all damages for infringement thereof, including past infringement.

BACKGROUND FACTS

24. On July 15, 2014, Sound View sent a letter to LinkedIn notifying LinkedIn of its infringement of the '062 patent, the '972 patent, the '009 patent, and the '391 patent. In the letter, Sound View stated that it intended to continue to allow LinkedIn to use the inventions covered in

the many patents, including the '062, '972, '009, and '391 patents, through a license from Sound View. Sound View requested a meeting to discuss the matter in more detail.

25. On March 16, 2015, Sound View sent an additional letter to LinkedIn notifying LinkedIn of its infringement of the '296 patent. In the March 16, 2015 letter, Sound View again requested to meet with LinkedIn to discuss the matter with the intent of allowing LinkedIn to continue using inventions covered by Sound View's patents through a license agreement.

26. On May 12, 2015, Sound View sent an additional letter to LinkedIn notifying LinkedIn of its infringement of multiple patents including the '859 patent. In the May 12, 2015 letter, Sound View again requested to meet with LinkedIn to discuss the matter with the intent of allowing LinkedIn to continue using inventions covered by Sound View's patents through a license agreement.

27. The parties met on September 9, 2015 and Sound View notified LinkedIn of its infringement of various patents, including the '133 patent.

28. The parties had a telephone conference on January 19, 2016 during which Sound View offered LinkedIn a license agreement.

29. As of the date of the filing of this Complaint, LinkedIn has not provided Sound View with non-infringement positions relating to any of the Patents-In-Suit, accepted Sound View's licensing offer, or made any counteroffer.

30. LinkedIn has refused to engage in any meaningful discussions about reaching a license agreement to end its infringement of Sound View's patents. Instead, LinkedIn continues to willfully infringe Sound View's patents so as to obtain their significant benefits without paying any compensation to Sound View.

31. Unfortunately, LinkedIn has left Sound View no choice but to seek relief through

litigation.

COUNT ONE

INFRINGEMENT OF THE '062 PATENT

32. Sound View incorporates by reference the preceding paragraphs as if fully set forth herein.

33. The '062 patent generally relates to customizable data processing applications that rely on a combination of reusable software operators, such as initial operators, query operators, terminal operators, and/or external operators, to process source information from a virtual database in a particular schema, such as HTML or XML, and transform that source information into another virtual database having the same schema.

34. The '062 patent is valid and enforceable.

35. Various types of documents may be stored in a computer system, such as word processing files, computer programs, HTML documents, financial files, employee files, etc. When dealing with large or complex files, it is often desirable to analyze or alter the structure and content of the documents; e.g., comparing a first version to a second version or analyzing dependency relationships between various sections of computer code.

36. In order to aid such analysis, a database may be constructed which contains information describing the structure of the documents. Various database queries may be performed to extract and process information describing the structure of the source documents. A collection of source documents, along with an associated database that describes the structure of the documents, is called a repository.

37. To analyze source document information, it is necessary to process information contained in the repository. A computer program that extracts or converts information from a repository is called an operator. Thus, an operator receives a source document and/or a database as

input, processes the input, and produces some output. A simple example of an operator is a program that takes a source document as input and counts the number of occurrences of a particular word, and outputs a number containing the number of times the particular word occurs. The overall function of the analysis—in the above example a count of the number of occurrences of a particular word—is called an application.

38. At the time of the invention of the '062 patent, in existing repository analysis systems, operators were designed for single applications. Thus, the user indicated which operator he/she wished to apply to the repository, and the system processed the repository accordingly. The user was presented with the output when the processing was finished. Different operators processed the repository in a different manner, but there was no convenient mechanism for combining the various operators to create new applications. Thus, when a new application was desired, a new operator would need to be designed from scratch.

39. Prior art repository analysis systems generally were closed systems, in that all operators were applied within the confines of the system, and all database accesses were performed within the system. For example, a repository analysis system operator may have produced as output a file containing information about the structure of a computer program. In conventional closed systems, this output could not be further processed by, for example, an external graphics program that would format the output in a desired manner. Instead, the output could only be formatted according to operators that were internal to the repository system. There was no convenient mechanism to allow the repository analysis system to communicate with operators that were external to the system.

40. The inventors of the '062 patent solved these discrete computer-based problems by providing an apparatus and method for creating data analysis applications using reusable software

operators. For example, query operators receive data in a particular virtual database format, process the data in the virtual database, and output the results of the processing in another virtual database that has the same format as the received virtual database. A plurality of query operators can be combined to customize the processing of the data. In addition, initial operators convert source information into the virtual database format so that the query operators can analyze the source data. External operators take an external format as input and create another external format as output. Also, terminal operators are used to convert a virtual database into an external format. A user can combine initial, query, terminal, and external operators to create customizable data processing applications.

41. Creating data analysis applications using reusable software operators, as described in the '062 patent, is particularly useful in that the external format data may be processed in various ways, thus allowing flexible presentation of the analysis results.

42. LinkedIn's platforms, web pages, and servers use and have used the Document Object Model ("DOM") to create and process customizable data analysis and processing applications. The DOM is an application programming interface (API) that allows documents to be modelled using objects of a variety of data formats, including HTML and XML. It defines the logical structure of documents and the way the document is accessed and manipulated.

43. Using the DOM, the nodes (or objects) of every document are organized in a tree structure, called the "DOM tree," and can be manipulated individually using the DOM methods (or operators). With the DOM, programmers can build documents, navigate their structure, and add, modify, or delete elements and content. Anything found in an HTML or XML document can be manipulated in this way using the DOM, with few exceptions.

44. As an object model, the DOM identifies: (1) the interfaces and objects used to

represent and manipulate a document; (2) the semantics of these interfaces and objects - including both behavior and attributes the relationships; and (3) collaborations among these interfaces and objects.

45. LinkedIn uses and has used the DOM throughout its products and services.

46. LinkedIn has infringed one or more claims of the '062 patent under 35 U.S.C. § 271(a), either literally and/or under the doctrine of equivalents, by making, using, selling, and/or offering for sale in the United States, and/or importing into the United States, products and/or methods encompassed by those claims, including for example, by making, using, selling, offering for sale, and/or importing its LinkedIn platforms, including for example its web pages and servers that used the DOM.

47. On July 15, 2014, Sound View informed LinkedIn that at least its use of the DOM infringes the '062 patent. However, LinkedIn did not stop infringing.

48. For example, LinkedIn has infringed claim 14 by using:

a. a method for processing information (such as LinkedIn applications, web pages, and/or servers that used the DOM) comprising the steps of:

b. providing a plurality of software operators (such as DOM methods, including, for example, “-getAttribute(),” “-setAttribute (),” and “-removeAttribute()”) each configured to receive a virtual database (such as DOM nodes (or objects) or web pages, describing the structure of a document) having a first schema (such as HTML or XML), for processing information contained in said virtual database (such as by applying a DOM method to a node in the DOM tree), and for outputting a virtual database having said first schema;

c. combining at least two of said software operators to create an application (such as that used to construct and serve LinkedIn's web pages).

49. Sound View has been damaged by LinkedIn's infringement of the '062 patent.

Sound View is entitled to recover from LinkedIn the damages sustained by Sound View as a result of LinkedIn's wrongful acts in an amount adequate to compensate Sound View for LinkedIn's infringement subject to proof at trial.

50. In committing these acts of infringement, LinkedIn committed egregious misconduct including, for example, acting despite an objectively high likelihood that its actions constituted infringement of a valid patent, while LinkedIn actually knew or should have known that its actions constituted an unjustifiably high risk of infringement of a valid and enforceable patent.

51. LinkedIn's infringement of the '062 patent was deliberate and willful, entitling Sound View to increased damages under 35 U.S.C. § 284 and to attorney fees and costs incurred in prosecuting this action under 35 U.S.C. § 285.

COUNT TWO

INFRINGEMENT OF THE '972 PATENT

52. Sound View incorporates by reference the preceding paragraphs as if fully set forth herein.

53. The '972 patent generally relates to graphically displaying time-stamped messages and/or log file messages using symbols that correspond to the message and/or non-textual geometric representations.

54. The '972 patent is valid and enforceable.

55. At the time of the invention of the '972 patent, many systems generated log-files as part of their normal operation. Such files typically contained time-stamped reports on system performance, system status, software faults and other events. By examining a log-file, system operators could detect and correct system and software problems before such problems could affect system operation.

56. A common trait of log-files was that they included many unimportant reports in addition to the important ones. These “noise” reports cluttered up the log-file and obscured the important reports. For example, a log-file created during a 15 hour test of a new release of a software program could contain 55,000 reports comprising 100,000 lines of text, or the equivalent of 1600 pages. However, only a few hundred of those 55,000 reports may have been relevant. The “noise” reports thus may obscure the important reports, causing a problem where important reports were difficult to find and likely to be overlooked.

57. The inventors of the '972 patent solved that discrete computer-based problem by providing a specific method and apparatus for graphically representing messages and other records. The '972 patent teaches using a relational database to process unprocessed log-files into a set of relations stored in random access memory, and then using non-textual geometric representations to visually display the relations. The '972 patent further teaches using symbols, associated with multiple characteristics of the records, and allowing for the display of a time-stamped record upon selection of its corresponding symbol.

58. Graphically displaying time-stamped records, as described in the '972 patent, is particularly useful for analyzing large amounts of data, such as is generated by unprocessed log-files or, for example, in a LinkedIn member's Messages Inbox.

59. LinkedIn uses and has used Pinot to perform real-time analytics and provide LinkedIn members with valuable insights. Pinot is a real-time distributed online analytical processing (OLAP) data-store which is used at LinkedIn to deliver scalable real-time analytics with low latency. In conjunction with Pinot, LinkedIn also uses and has used: (1) Apache Kafka (“Kafka”)—a distributed messaging system; and (2) Hadoop—a programming framework that supports the processing of large data sets.

60. Pinot can ingest data from offline data sources (such as Hadoop and flat files) as well as online sources (such as Kafka). Pinot serves as the backend for more than 25 analytics products for LinkedIn customers and members, including Who's Viewed Your Profile and Who's Viewed Your Posts. LinkedIn also uses and has used Pinot to perform analytics related to job postings and advertisements in order to help LinkedIn customers and members be as effective as possible and get a better return on their investment.

61. For example, Who's Viewed Your Profile is LinkedIn's flagship analytics product. It allows members to see who has viewed their profile in real-time. In early 2014, LinkedIn launched a completely redesigned version of this product to give users more power. Who's Viewed Your Profile runs complex queries on large volumes of profile view data to dynamically identify interesting insights. Pinot is the infrastructure that powers Who's Viewed Your Profile.

62. Pinot's real-time server nodes store data in their main memory—as random access memory—and process over 100 million queries per day. Unprocessed log-files and other raw data are stored in a mass storage device, which is operated via Kafka, and are consumed by the Pinot real-time server nodes. After processing the unprocessed log-files, Pinot generates and stores a columnar representation of the raw data known as a "Pinot Index Segment." Pinot then offers LinkedIn members and customers a visual display of the Pinot Index Segments, such as a graph.

63. LinkedIn uses and has used White Elephant and Hadoop in a similar fashion. Like Pinot, White Elephant is a data engine used by LinkedIn to digest log files and provide visualization dashboards and statistics. White Elephant consumes its data from Hadoop, a software framework for distributed storage and processing of large data sets. LinkedIn uses and has used Hadoop for product development (e.g., predictive analytics applications like People You May Know and Endorsements, descriptive statistics for powering LinkedIn's internal dashboards, and ad hoc

analyses by data scientists.) LinkedIn uses and has used White Elephant to visualize and better understand the usage of its Hadoop cluster across all of its use cases. White Elephant parses Hadoop logs to provide visual drill downs and rollups of task statistics for LinkedIn's Hadoop clusters, including total task time, slots used, CPU time, and failed job counts.

64. LinkedIn has infringed, contributed to the infringement of, and/or induced others to infringe one or more claims of the '972 patent under 35 U.S.C. § 271, either literally and/or under the doctrine of equivalents, by making, using, selling, and/or offering for sale in the United States, and/or importing into the United States, products and/or methods encompassed by those claims, including for example, by making, using, selling, offering for sale, and/or importing LinkedIn's websites and servers that contained and/or utilized the Message Inbox feature as well as websites, servers, products, and services that used a combination of Pinot and Kafka and/or a combination of White Elephant and Hadoop.

65. On July 15, 2014, Sound View informed LinkedIn that it was infringing the '972 patent. However, LinkedIn did not stop infringing.

66. For example, LinkedIn has infringed claim 14 by using:

- a. an apparatus (such as LinkedIn's servers) comprising:
- b. a processor;
- c. a random access memory;
- d. a mass storage device having a plurality of unprocessed log file messages stored therein (such as Kafka's storage system or Hadoop's storage system);
- e. a relational data base process performed by said processor (such as is performed by Pinot or White Elephant) to process said plurality of unprocessed log file messages into a set of relations (such as Pinot Index Segments or White Elephant datasets) stored in said

random access memory; and

f. display means (such as the graph generated by Pinot within Who's Viewed Your Profile or the White Elephant Viewer) for visually displaying non-textual geometric representations (such as circles and rectangles) of said relations derived from said plurality of log file messages.

67. The functionality of LinkedIn's Messages Inbox also has infringed the '972 patent. The Inbox has allowed LinkedIn members to more conveniently and expeditiously browse, filter, sort, and select messages to read. Inbox messages were time-stamped according to when they were sent/received and comprised various other characteristics, including the sender's identity, the recipient's identity, the message text, whether a message is "Sponsored" or "InMail," etc. These messages were displayed alongside the sender's profile picture; the picture—therefore—varied for different messages depending on the sender.

68. Since a LinkedIn member's Inbox messages were presented chronologically, the location of the sender's profile picture in the LinkedIn user's Inbox varied according to the message's time-stamp (e.g., a newer message—along with its corresponding picture of the sender—will appear closer to the top of the user's Inbox). Also, the location of the sender's profile picture varied based on, e.g., whether the message is Sponsored or Inmail, since the layout of the words "Sponsored" or "Inmail" in such a message caused the sender's profile picture to appear further from the top of the message. LinkedIn members caused the sender's message to be displayed by clicking on the sender's profile picture that appeared alongside the message.

69. For example, LinkedIn has infringed claim 15 by performing:

- a. a method comprising the steps of:
- b. originating a plurality of time-stamped messages (such as LinkedIn Inbox

messages), each message having a set of characteristics (such as the sender's identity, the recipient's identity, the message text, whether a message is "Sponsored" or "InMail");

c. visually displaying a plurality of symbols (such as each sender's profile picture), each symbol corresponding to a respective message of said plurality of messages, each symbol having an appearance that varies according to a characteristic of its respective message (such as the identity of the sender, or whether a message is Sponsored or InMail);

d. locating each symbol at a position that is determined by its respective time-stamp (such as presenting the Inbox messages chronologically) and a second characteristic of its respective message (such as whether the message is "Sponsored" or "InMail");

e. selecting one of said plurality of symbols (such as in response to a user clicking on the sender's profile picture); and

f. displaying the message corresponding to said selected symbol.

70. LinkedIn also has induced infringement of one or more claims of the '972 patent under 35 U.S.C. § 271(b). LinkedIn actively, knowingly, and intentionally induced infringement of the '972 patent by selling, supplying, maintaining, and/or supporting LinkedIn's websites and servers that contain and/or utilize the Message Inbox feature as well as websites, servers, products, and services that use a combination of Pinot and Kafka, and/or a combination of White Elephant and Hadoop; with the knowledge and intent that third parties will access and use the servers and websites in the United States for their intended purpose to infringe the '972 patent; and with the knowledge and intent to encourage and facilitate the infringement through the dissemination, maintenance, and support of the servers and websites and/or the creation and dissemination of documentation related to the servers and websites, including by, for example, encouraging and instructing end-user customers to perform the steps identified above using the functionality

identified above, such as originating a message and identifying and locating symbols. For example, LinkedIn provides customer support, instructions, and advertisements encouraging members, users, and customers to perform the identified functionality.

71. LinkedIn also has contributed to the infringement by third parties, including LinkedIn's members, users, and customers, of one or more claims of the '972 patent under 35 U.S.C. § 271(c), by making, using, selling and/or offering for sale in the United States, and/or importing into the United States, LinkedIn's websites and servers that contain and/or utilize the Message Inbox feature as well as websites, servers, products, and services that use a combination of Pinot and Kafka, and/or a combination of White Elephant and Hadoop, knowing that the infringing LinkedIn software and hardware components (e.g., the software components that perform the functionality described above) constitute a material part of the inventions of the '972 patent, knowing that the infringing LinkedIn software and hardware components are especially made or adapted to infringe the '972 patent, and knowing that the infringing LinkedIn software and hardware components are not a staple article of commerce suitable for substantial noninfringing use.

72. Sound View has been damaged by LinkedIn's infringement of the '972 patent. Sound View is entitled to recover from LinkedIn the damages sustained by Sound View as a result of LinkedIn's wrongful acts in an amount adequate to compensate Sound View for LinkedIn's infringement subject to proof at trial.

73. In committing these acts of infringement, LinkedIn committed egregious misconduct including, for example, acting despite an objectively high likelihood that its actions constituted infringement of a valid patent, while LinkedIn actually knew or should have known that its actions constituted an unjustifiably high risk of infringement of a valid and enforceable patent.

74. LinkedIn's infringement of the '972 patent was deliberate and willful, entitling Sound View to increased damages under 35 U.S.C. § 284 and to attorney fees and costs incurred in prosecuting this action under 35 U.S.C. § 285.

COUNT THREE

INFRINGEMENT OF THE '009 PATENT

75. Sound View incorporates by reference the preceding paragraphs as if fully set forth herein.

76. The '009 patent generally relates to a technique that allows users of electronic devices to share electronic information on the World Wide Web ("the Web") based on representations of said electronic information stored in a memory space, through the issuance of a request for electronic information, said request including an indicator for said user.

77. The '009 patent is valid and enforceable.

78. At the time of invention of the '009 patent, users needed to have specialized software (e.g., browser plugin software or SHARED MOSAIC browser) in order to share a web browsing experience such as viewing the same dynamically generated web page. For example, SHARED MOSAIC required the users to link their browsers together before accessing the Web, and then actively select an option to allow the other users to access the same information. This created a problem in that the users were required to install and operate the same specialized software in order to view the same content.

79. The inventors of the '009 patent solved that discrete computer-based problem and improved upon the prior art by creating a specialized system and method in which a user can share data by storing a representation of the information sought to be shared in a memory space associated with an indicator indicative of the user. The user can then share the information by providing the indicator to others, who can then access the shared information without specialized

software.

80. LinkedIn allows two members to “connect,” that is, agree to be part of each member’s network. Once two LinkedIn members are connected, their profile information is shared and, subject to privacy settings, each member has access to the other member’s list of first-degree connections for further networking.

81. For example, a first LinkedIn member (M1) can request to “Connect” with a second LinkedIn member (M2). M1’s request will include M2’s unique Member ID, assigned to M2 by LinkedIn when M2’s user profile was created. By accepting M1’s request, a representation of M2’s Connections (including M2’s first-degree connections)—which have already been provided to M2 by LinkedIn—is then generated by LinkedIn’s distributed connection graph infrastructure (known as “GraphDB”) using the “GetConnections” application programming interface (API). The representation of M2’s Connections, which is stored in GraphDB and associated with M2’s unique Member ID, is then shared with M1.

82. By performing the above steps, LinkedIn members are afforded the benefit of having access to contact information for additional LinkedIn users in order to find additional opportunities to network and connect.

83. LinkedIn has infringed one or more claims of the ’009 patent under 35 U.S.C. § 271(a), either literally and/or under the doctrine of equivalents, by making, using, selling, and/or offering for sale in the United States, and/or importing into the United States, products and/or methods encompassed by those claims, including for example, by making, using, selling, offering for sale, and/or importing LinkedIn websites and servers containing LinkedIn’s Add Connections feature and other features that provide a LinkedIn member with access to the Connections of other LinkedIn members once those two LinkedIn members are connected.

84. On July 15, 2014, Sound View informed LinkedIn that at least its Add Connections feature infringes the '009 patent. However, LinkedIn has not stopped infringing.

85. For example, LinkedIn infringes claim 37 by using:

a. a method for providing information to at least a first receiver (such as M1) and a second receiver (such as M2) comprising the steps of:

b. providing to said first receiver for selection an option to issue a request for obtaining said information (such as the "Connect" icon available to M1 in order to connect with M2), said information (such as M2's Connections, including M2's first-degree connections) being provided to said second receiver, said request including an indicator indicative of said second receiver (such as M2's unique Member ID); and

c. generating said information based on a representation thereof in response to said request (such as by executing the GetConnections API within GraphDB), said representation being stored in a memory space (such as LinkedIn's GraphDB) associated with said indicator (such as M2's unique Member ID).

86. Sound View has been and continues to be damaged by LinkedIn's infringement of the '009 patent. Sound View is entitled to recover from LinkedIn the damages sustained by Sound View as a result of LinkedIn's wrongful acts in an amount adequate to compensate Sound View for LinkedIn's infringement subject to proof at trial.

87. In committing these acts of infringement, LinkedIn committed egregious misconduct including, for example, acting despite an objectively high likelihood that its actions constituted infringement of a valid patent, while LinkedIn actually knew or should have known that its actions constituted an unjustifiably high risk of infringement of a valid and enforceable patent.

88. LinkedIn's infringement of the '009 patent was, and continues to be, deliberate and

willful, entitling Sound View to increased damages under 35 U.S.C. § 284 and to attorney fees and costs incurred in prosecuting this action under 35 U.S.C. § 285.

COUNT FOUR

INFRINGEMENT OF THE '391 PATENT

89. Sound View incorporates by reference the preceding paragraphs as if fully set forth herein.

90. The '391 patent generally relates to a method and apparatus for assembling and sequentially presenting messaging elements stored in a database, said messaging elements being associated with the content of the message, and additional messaging elements containing instructions as to the structure of the unified message.

91. The '391 patent is valid and enforceable.

92. At the time of the invention of the '391 patent, messaging systems sent messages composed of various different types of components (such as audio, text, and images) as a monolithic chunk of data that was required to be sent all at once, and not assembled from separate sources or sent in parts.

93. The '391 patent solved that discrete computer-based problem by disclosing a novel method and apparatus for a message recipient's messaging system to assemble a structured message that includes a plurality of messaging elements.

94. The '391 patent teaches the assembly and presentation of messaging elements for delivery, and including imbedded instructions—as a separate messaging element—that define the structure of the message. These imbedded instructions are used to reassemble the messaging elements into a unified message for presentation to the recipient of the message. The messaging elements are related to the individual piece-part components associated with the content of the message.

95. The message, including its messaging elements, is delivered to an address associated with the recipient of the message. As described by the '391 patent, the recipient's messaging system has the capability of interpreting the instructions imbedded within the structured message. The recipient's messaging system, upon receiving the message, assembles the message using the messaging elements in accordance with the imbedded instructions that define the message's structure.

96. LinkedIn operates a "Messages" platform that it uses to allow its members to send and receive electronic messages from other LinkedIn members, users, and customers. These Messages comprise text, but can also include up to five files including either documents (such as csv, xls, xlsx, doc, docx, ppt, pptx, pdf, txt, html and htm documents), or images (such as gif, jpeg, jpg, png and bmp images).

97. LinkedIn uses Kafka for moving every type of data around between systems; Kafka touches virtually every LinkedIn server, including those used to receive, store, and retrieve Messages.

98. LinkedIn Messages are stored in a distributed fault-tolerant database called Espresso that powers approximately 30 LinkedIn applications including InMail (LinkedIn's member-to-member messaging system). More specifically, LinkedIn Messages are stored in an Espresso database called "MailboxDB." The MailboxDB contains two tables, including a "Message" table. The Message table contains a collection of messages for each mailbox. Each document in the Message table contains a subject and body of the message along with message metadata such as the sender and recipient's unique Member ID, read/unread status, etc. The message recipient's unique Member ID serves as the "partitioning key" in order to partition between Messages addressed to different LinkedIn users within the Message table.

99. When a LinkedIn user clicks on the “Messages” icon in the navigation bar, Kafka retrieves the stored messages from Espresso associated with that LinkedIn user. The messages retrieved for that LinkedIn user are assembled using the instructions and other messaging elements stored in Espresso. The messaging elements that comprise each message are assembled in sequential order, using the messaging elements relating to the message’s assembly instructions. The assembled message is then presented to the requesting LinkedIn user.

100. LinkedIn has infringed one or more claims of the ’391 patent under 35 U.S.C. § 271(a), either literally and/or under the doctrine of equivalents, by making, using, selling, and/or offering for sale in the United States, and/or importing into the United States, products and/or methods encompassed by those claims, including for example, by making, using, selling, offering for sale, and/or importing LinkedIn’s servers, websites and other products that include the LinkedIn Messages platform.

101. On July 15, 2014, Sound View informed LinkedIn that at least its LinkedIn Updates and LinkedIn Messages platforms infringe the ’391 patent. However, LinkedIn has not stopped infringing.

102. For example, LinkedIn infringes claim 1 by using:

- a. a method comprising:
- b. receiving an electronic message (such as a LinkedIn Message) addressed to a recipient (such as a LinkedIn user), the message comprising a plurality of messaging elements (such as text, documents, and/or images), at least some of the messaging elements being content-related that are each associated with a portion of the content of the message, and at least one of the messaging elements comprising instructions that define a structure of the message (such as “participants,” “type” : “image/jpeg,” or “type” : “url”) from which at least

some of the content-related messaging elements can be sequentially combined for presentation to the recipient as a unified message;

- c. storing the received message in a mailbox associated with the recipient (such as in the MailboxDB database within Espresso);
- d. in response to a request for the message from the recipient (such as when a LinkedIn user clicks on the “Messages” icon in the navigation bar),
- e. retrieving the stored message (such as when Kafka retrieves a stored message from Espresso),
- f. interpreting the instructions that define the structure of the message, and
- g. assembling and combining at least some of the content-related messaging elements in accordance with the instructions (such as when LinkedIn assembles the elements of a stored message, e.g., text, documents, and/or and images, into a single coherent message), and
- h. sequentially (such as, e.g., based on the arrangement of the messaging elements in the original electronic message) presenting the assembled and combined content-related messaging elements to the recipient as a unified message (such as a message that may include text, documents, and/or images).

103. Sound View has been and continues to be damaged by LinkedIn’s infringement of the ’391 patent. Sound View is entitled to recover from LinkedIn the damages sustained by Sound View as a result of LinkedIn’s wrongful acts in an amount adequate to compensate Sound View for LinkedIn’s infringement subject to proof at trial.

104. In committing these acts of infringement, LinkedIn committed egregious misconduct including, for example, acting despite an objectively high likelihood that its actions constituted infringement of a valid patent, while LinkedIn actually knew or should have known that its actions

constituted an unjustifiably high risk of infringement of a valid and enforceable patent.

105. LinkedIn's infringement of the '391 patent was, and continues to be, deliberate and willful, entitling Sound View to increased damages under 35 U.S.C. § 284 and to attorney fees and costs incurred in prosecuting this action under 35 U.S.C. § 285.

COUNT FIVE

INFRINGEMENT OF THE '296 PATENT

106. Sound View incorporates by reference the preceding paragraphs as if fully set forth herein.

107. The '296 patent generally relates to enhancing access to an electronic file located on a server in a communications network by identifying the electronic file independently of its physical location on a particular server including allowing a client computer to request an electronic file by issuing a request using a logical reference, determining an electronic address corresponding to the logical reference, using, e.g., a look-up table located on a server, and transmitting the electronic file identified by the electronic address.

108. The '296 patent is valid and enforceable.

109. Users of the World Wide Web ("the Web") request transmission of files to their own computers. At the time of invention of the '296 patent, Web servers identified their stored files with a universal resource locator (URL), which comprises an electronic address. Each URL is a physical reference in that each URL points to a particular server and identifies the location of a single file at that server, including the server name, as well as the entire directory tree in which the file is located. Many of the files stored on the Web servers are documents written in a standard programming language known as hypertext mark-up language (HTML).

110. Using HTML, a Web page author at the time of the invention of the '296 patent could designate a hyperlink—associated with a particular URL of another Web page—in order to

allow a Web user to initiate a request for the particular file located at the electronic address identified by the URL. Since each traditional hyperlink was associated with a single URL, each hyperlink was necessarily associated with only a single file having a particular location on a particular server. URLs could also be overlong, as they may need to reflect a particularly deep directory structure. The inventors of the '296 patent recognized that this arrangement could result in problems; for example, if the file was moved from its original address, the link would return an error as a "broken" link.

111. The inventors of the '296 patent solved that discrete computer-based problem, and in the case of LinkedIn, the computer-based problem of overly long URLs, by providing a specific method and apparatus for satisfying a request for information that identifies a file independently of its location on a particular server using a logical reference associated with the file.

112. The '296 patent teaches a specific system for transmitting files over a communications network in which an "indirect link" or a logical reference identifies the file to be retrieved, instead of the file's electronic address or URL. The logical reference may identify the server on which the file exists, but does not identify the file's complete electronic address, i.e., an identification of a particular server and the file's location on that server. Rather, the server or a proxy computer relates the logical reference to an actual current electronic address at the server containing that file. This logical reference is later paired with a physical reference, i.e., an electronic address at which the requested file is, or should be, located by using, e.g., a look-up table or other system which stores the mapping of logical references to their current physical locations.

113. LinkedIn uses link shortening functionalities in at least its Updates and also to shorten users' Profile URLs. LinkedIn created Inked.in to create shortened URLs for LinkedIn User Profiles. Once a LinkedIn user's full Profile URL is pasted into the Inked.in generator,

LinkedIn generates a reference, in the form of a shortened link, for that user, which uniquely identifies the file associated with the user's Profile. The shortened URL's target can be changed by using the Inked.in dashboard feature, if, for example, the full Profile URL is changed. When a user's computer requests the Profile associated with the shortened URL, the LinkedIn server determines the full URL associated with that Profile, and sends information back to the LinkedIn client computer. The LinkedIn client computer parses the returned information and identifies the full URL, which the client uses to request the Profile page. Subsequently, the LinkedIn client computer receives that Profile page.

114. LinkedIn has infringed, contributed to the infringement of, and/or induced others to infringe one or more claims of the '296 patent under 35 U.S.C. § 271, either literally and/or under the doctrine of equivalents, by making, using, selling, and/or offering for sale in the United States, and/or importing into the United States, products and/or methods encompassed by those claims, including for example, by making, using, selling, offering for sale, and/or importing servers and services that include or use a link shortener such as Inked.in.

115. On March 16, 2015, Sound View informed LinkedIn that its shortening of URLs infringes the '296 patent. However, LinkedIn has not stopped infringing.

116. For example, LinkedIn infringes claim 1 by using:

- a. a method of operation of a server computer (such as a LinkedIn server or set of servers) connected to a client computer (such as a LinkedIn user's device) by a communications network (such as the Internet), the method comprising the steps of:
 - b. receiving from the client computer, at the server computer, a logical reference (such as a shortened link generated by Inked.in) uniquely identifying a file (such as the LinkedIn user's Profile page) independently of an electronic address at which the file is located

(such as the full URL corresponding to that LinkedIn user's Profile page);

c. determining, at the server computer, an electronic address corresponding to the logical reference (such as by retrieving the shortened link—generated by Inked.in—and associating it with the full URL); and

d. transmitting, from the server computer, the file identified by the electronic address (such as the LinkedIn user's Profile page).

117. LinkedIn also indirectly infringes at least claim 10 of the '296 patent through its users' performance of:

a. a method of communication between a client computer (such as a LinkedIn user's device) and a server computer connected to the client computer by a communications network (such as the Internet), the method comprising the steps of:

b. requesting, at the client computer, a file (such as a web page) identified by a logical reference (such as a shortened link generated by Inked.in) uniquely identifying the file independently of an electronic address at which the file is located (such as the full URL corresponding to that web page);

c. identifying an electronic address corresponding to the logical reference (such as by parsing the information retrieved from LinkedIn at the client computer in response to a request for the shortened link and extracting the full URL from that information); and

d. receiving, at the client computer, the file identified by the logical reference (such as the web page requested by the LinkedIn user).

118. LinkedIn has induced infringement, and continues to induce infringement, of one or more claims of the '296 patent under 35 U.S.C. § 271(b). LinkedIn actively, knowingly, and intentionally induced infringement of the '296 patent by selling, supplying, maintaining, and/or

supporting websites, servers, and services that include or use a link shortener such as Inked.in; with the knowledge and intent that third parties will access and use the websites, servers, and services in the United States for their intended purpose to infringe the '296 patent; and with the knowledge and intent to encourage and facilitate the infringement through the dissemination, maintenance, and support of the websites, servers, and services and/or the creation and dissemination of documentation related to the websites, servers, and services, including by, for example, encouraging and instructing end-user customers to perform the steps identified above using the functionality identified above, such as requesting and receiving a file identified by a logical reference. For example, LinkedIn provides customer support, instructions, and advertisements encouraging members, users, and customers to perform the identified functionality.

119. LinkedIn has contributed to the infringement by third parties, including LinkedIn's members, users, and customers, and continues to contribute to the infringement by third parties, of one or more claims of the '296 patent under 35 U.S.C. § 271(c), by making, using, selling and/or offering for sale in the United States, and/or importing into the United States, LinkedIn's websites, servers, and services that contain and/or utilize a link shortener such as Inked.in, knowing that the infringing LinkedIn websites, servers, and services constitute a material part of the inventions of the '296 patent, knowing that the infringing LinkedIn websites, servers, and services are especially made or adapted to infringe the '296 patent, and knowing that the infringing LinkedIn websites, servers, and services are not a staple article of commerce suitable for substantial noninfringing use.

120. Sound View has been and continues to be damaged by LinkedIn's infringement of the '296 patent. Sound View is entitled to recover from LinkedIn the damages sustained by Sound View as a result of LinkedIn's wrongful acts in an amount adequate to compensate Sound View for LinkedIn's infringement subject to proof at trial.

121. In committing these acts of infringement, LinkedIn committed egregious misconduct including, for example, acting despite an objectively high likelihood that its actions constituted infringement of a valid patent, while LinkedIn actually knew or should have known that its actions constituted an unjustifiably high risk of infringement of a valid and enforceable patent.

122. LinkedIn's infringement of the '296 patent was, and continues to be, deliberate and willful, entitling Sound View to increased damages under 35 U.S.C. § 284 and to attorney fees and costs incurred in prosecuting this action under 35 U.S.C. § 285.

COUNT SIX

INFRINGEMENT OF THE '133 PATENT

123. Sound View incorporates by reference the preceding paragraphs as if fully set forth herein.

124. The '133 patent generally relates to real-time event processing in applications such as telecommunications and computer networks, and more particularly, to a method, apparatus, and system for processing events in a real-time analysis engine, and storing recovery information in a main-memory database system associated with the real-time analysis engine.

125. The '133 patent is valid and enforceable.

126. At the time of the invention of the '133 patent, high performance real-time event processing applications had performance requirements that could not be met by conventional general purpose database management systems. For example, some real-time event processing applications required the service time for such events to not exceed a few milliseconds. However, with conventional database technology, the costs of invoking a structured query language (SQL) operation over a client-server interface, or the costs associated with a single access to secondary storage, could account for hundreds of milliseconds. These limitations led real-time event processing applications instead to rely on the use of custom database systems.

127. These custom database systems had disadvantages: (1) there was a high cost of developing and maintaining custom systems; (2) those high costs could not be amortized across a number of different applications; and (3) custom database systems were generally inflexible and difficult to adapt to unforeseen or evolving requirements.

128. At the time of the invention of the '133 patent, a need therefore existed for an improved real-time event processing system that could provide the performance benefits of custom database systems, but without sacrificing the flexibility and maintainability typically associated with conventional general-purpose database systems.

129. The inventors of the '133 patent solved that discrete computer-based problem and improved upon the existing real-time event processing systems by providing a general-purpose real-time event processing system that avoids the problems associated with custom systems.

130. Using a real-time analysis engine operating in the manner described by the '133 patent is particularly useful because it can provide transactional access to persistent data, but at the speed of a main-memory system, and also incorporates a recovery model which stores recovery information in order to facilitate roll-back to a recovery point after a failure.

131. In accordance with the '133 patent, recovery information regarding a recovery point for a given real-time analysis engine may be stored in a memory portion of the main-memory database system. This way, the real-time event processing system provides a critical path for event processing that is specifically designed for high performance, while also retaining many desirable features of conventional database systems, including high-level, declarative programming interfaces, and the transactional correctness properties of atomicity, consistency, isolation and durability. These features of the '133 patent enhance the reliability, robustness, usability and maintainability of the real-time event processing system and any applications built thereon.

132. LinkedIn uses a lightweight framework known as Apache Samza (“Samza”) to perform stream processing of events in real time and continuous data processing, including database updates and aggregations. Samza’s architecture is composed of three components: (1) a streaming layer, responsible for providing partitioned streams that are replicated and durable; (2) an execution layer, responsible for scheduling and coordinating tasks across the machines; and (3) a processing layer, responsible for processing the input stream and applying transformations.

133. A “job” comprises operations performed by the Samza code that consumes and processes a set of input streams. Jobs are broken down into smaller units of execution called “tasks,” which operate independently, since there is no defined order of messages across the various input streams or partitions. Samza assigns groups of tasks to be executed inside one or more UNIX processes called “containers.”

134. Samza also allows for local storage by bringing the data closer to the stream processor. Each Samza task has its own data store that is co-located on the same machine as the task. “RocksDB” is the storage engine that Samza uses for local storage. Samza uses the built-in RocksDB store to maintain the information for every LinkedIn member locally on the Samza processor until the job is ready to produce the aggregated email to be delivered.

135. Three basic constructs of RocksDB are “memtable,” “sstfile,” and “logfile.” The memtable is an in-memory data structure - new writes are inserted into the memtable and are optionally written to the logfile (also known as a “write-ahead-log” or “WAL”). The logfile is a sequentially-written file on storage. When the memtable fills up, it is flushed to an sstfile (also known as “table file”) on storage—where it persists—and the corresponding logfile can be safely deleted. The data in an sstfile is sorted to facilitate easy lookup of keys.

136. Samza further stores the state of each processor locally in the RocksDB database,

which allows for restoration and recovery of the state when the processor is restarted.

137. LinkedIn's use of Samza enables LinkedIn to process over 1.3 trillion events per day.

138. LinkedIn uses Samza in many of its applications, including for example: (1) Air Traffic Controller, in order to aggregate all email requests per member and send a summarized email to the member; (2) Ad Relevance, in order to calculate the click through rate for advertisements; and (3) Feed, in order to determine feed quality for each member.

139. LinkedIn has infringed one or more claims of the '133 patent under 35 U.S.C. § 271(a), either literally and/or under the doctrine of equivalents, by making, using, selling, and/or offering for sale in the United States, and/or importing into the United States, products and/or methods encompassed by those claims, including for example, by making, using, selling, offering for sale, and/or importing servers and products that include or use applications based on Samza.

140. On September 9, 2015, Sound View informed LinkedIn that its systems and applications that have real-time event processing capabilities infringe the '133 patent. However, LinkedIn has not stopped infringing.

141. For example, LinkedIn infringes claim 13 by using:

- a. a method of processing events generated by at least one system application (such as Air Traffic Controller, Ad Relevance, Feed and/or other applications related to, e.g., system monitoring, member behavior tracking, and inter-application communication), the method comprising the steps of:
 - b. processing the events in at least one real-time analysis engine (such as a Samza container); and
 - c. storing in a main-memory database system (such as RocksDB) associated

with the real-time analysis engine recovery information regarding a recovery point for the real-time analysis engine (such as the state information relating to the processor's state).

142. Sound View has been and continues to be damaged by LinkedIn's infringement of the '133 patent. Sound View is entitled to recover from LinkedIn the damages sustained by Sound View as a result of LinkedIn's wrongful acts in an amount adequate to compensate Sound View for LinkedIn's infringement subject to proof at trial.

143. In committing these acts of infringement, LinkedIn committed egregious misconduct including, for example, acting despite an objectively high likelihood that its actions constituted infringement of a valid patent, while LinkedIn actually knew or should have known that its actions constituted an unjustifiably high risk of infringement of a valid and enforceable patent.

144. LinkedIn's infringement of the '133 patent was, and continues to be, deliberate and willful, entitling Sound View to increased damages under 35 U.S.C. § 284 and to attorney fees and costs incurred in prosecuting this action under 35 U.S.C. § 285.

COUNT SEVEN

INFRINGEMENT OF THE '859 PATENT

145. Sound View incorporates by reference the preceding paragraphs as if fully set forth herein.

146. The '859 patent generally relates to a system and method for identifying privacy criteria for contact information stored electronically in a network-based phonebook or phonebook database, processing said privacy criteria in order to identify contact information that is authorized to be included in the network-based phonebook for an electronic subscriber, and either including or blocking the contact information.

147. The '859 patent is valid and enforceable.

148. At the time of the invention of the '859 patent, service providers offered network-

based phonebook services that allowed an individual to store his/her contact lists, buddy lists, address books, etc., in a centralized phonebook that was stored on the network. When setting up the network-based phonebook, an individual could enter information associated with each contact, such as telephone numbers, email addresses, and mailing addresses.

149. One problem with network-based phonebook services was that some of the contact information included in the phonebook may have been considered private by the contacts. For instance, one contact may not have wanted to have his/her location, phone number, or email address published in a network-based phonebook for a subscriber to view.

150. Further, at the time of invention of the '859 patent, contacts did not have control over what information was published about them in a network-based phonebook.

151. The inventors of the '859 patent solved those discrete computer-based problems and improved upon prior art network-based phonebooks by providing a specific mechanism to protect private information of contacts from being included in network-based phonebooks.

152. As described in the '859 patent, contacts, service providers, or other entities have the capability to define privacy criteria that is used to filter the contact information included in network-based phonebooks. The service provider also may define default privacy criteria that the contact may change as desired.

153. Privacy criteria comprises any information or data used to determine what contact information is allowed to be included in a network-based phonebook.

154. Contact information for a contact may include any information that is desirable to be included in a phonebook such as, for example, phone number, mailing address, email address, location, communication preferences and capabilities, an indication of the contact's status on the communication network (e.g., available or unavailable), an indication of the contact's mood (e.g.,

happy, angry, surprised), or a note left by the contact for others to see (e.g. “I am currently on vacation”).

155. The processing system processes the privacy criteria to identify the contact information for the contact that is authorized to be included in the network-based phonebook for the subscriber. The processing system may then include the authorized contact information in the network-based phonebook for the subscriber. This is particularly useful for blocking unauthorized contact information from being included in the network-based phonebook for a subscriber.

156. LinkedIn utilizes a network-based phonebook (“Contacts,” “Connections,”) linked with privacy criteria in order to protect the private information of its users and members. LinkedIn also utilizes a distributed and partitioned graph database to keep track of its users and their Connections, called “GraphDB.” For example, LinkedIn defines relationships between connected users as either first-degree (people who are directly connected), second-degree (people who are connected through a first-degree connection), or third-degree connections (people who are connected through a second-degree connection). By default, a LinkedIn user’s first-degree connections can see that user’s other connections. These settings can be adjusted by the user, so that the user’s private information can be kept hidden from certain users but not others.

157. In a May 12, 2015 letter, Sound View informed LinkedIn that “the manner in which LinkedIn blocks certain information and authorizes other information based upon various settings, such as privacy settings,” infringes the ’859 patent. However, LinkedIn has not stopped infringing.

158. LinkedIn has infringed one or more claims of the ’859 patent under 35 U.S.C. § 271(a), either literally and/or under the doctrine of equivalents, by making, using, selling, and/or offering for sale in the United States, and/or importing into the United States, products and/or methods encompassed by those claims, including for example, by making, using, selling, offering

for sale, and/or importing network-based phonebooks (such as LinkedIn's Contacts and Connections features and servers that include or utilize them) that process privacy criteria in order to determine which contact information is authorized to be included in the network-based phonebook for a subscriber.

159. For example, LinkedIn infringes claim 8 by using:

- a. a method of providing a network-based phonebook (such as a list of "Connections" or "People You May Know") for a subscriber (such as a LinkedIn user), the method comprising;
- b. storing the network-based phonebook for the subscriber, wherein the network-based phonebook includes at least one contact (such as another LinkedIn user or users);
- c. identifying privacy criteria for the at least one contact in the network-based phonebook (such as other LinkedIn users' choice of whether "All LinkedIn members (default)," "People in [that user's] 1st degree and 2nd degree network," or "[that user's] 1st degree connections only" can discover that user; LinkedIn users can change their privacy criteria by selecting one of those three settings from a menu entitled "Choose who can discover you this way");
- d. processing the privacy criteria to identify contact information (such as, e.g., a LinkedIn user's phone number, mailing address, email address, location, etc.) for the at least one contact that is authorized (such as a LinkedIn user's 1st degree connections) to be included in the network-based phonebook for the subscriber;
- e. and including the authorized contact information in the network-based phonebook for the subscriber (such as by, e.g., providing a LinkedIn user's email address to another LinkedIn user);

f. and blocking the unauthorized contact information from being included in the network-based phonebook for the subscriber (such as by, e.g., not providing a LinkedIn user's email address to another LinkedIn user).

160. Sound View has been and continues to be damaged by LinkedIn's infringement of the '859 patent. Sound View is entitled to recover from LinkedIn the damages sustained by Sound View as a result of LinkedIn's wrongful acts in an amount adequate to compensate Sound View for LinkedIn's infringement subject to proof at trial.

161. In committing these acts of infringement, LinkedIn committed egregious misconduct including, for example, acting despite an objectively high likelihood that its actions constituted infringement of a valid patent, while LinkedIn actually knew or should have known that its actions constituted an unjustifiably high risk of infringement of a valid and enforceable patent.

162. LinkedIn's infringement of the '859 patent was, and continues to be, deliberate and willful, entitling Sound View to increased damages under 35 U.S.C. § 284 and to attorney fees and costs incurred in prosecuting this action under 35 U.S.C. § 285.

RELIEF REQUESTED

163. Wherefore, Sound View respectfully requests that this Court enter judgment against LinkedIn as follows:

- a) that LinkedIn has infringed each of the Patents-In-Suit;
- b) that LinkedIn's infringement of the '062 patent, the '972 patent, the '009 patent, the '391 patent, the '296 patent, the '133 patent, and the '859 patent is willful;
- c) that Sound View be awarded damages in accordance with 35 U.S.C. § 284, including trebled damages, and, if necessary to adequately compensate Sound View for LinkedIn's infringement, an accounting;
- d) that this case is exceptional under 35 U.S.C. § 285;

- e) that Sound View be awarded the attorney fees, costs, and expenses that it incurs in prosecuting this action; and
- f) that Sound View be awarded such further relief at law or in equity as the Court deems just and proper.

DEMAND FOR JURY TRIAL

Sound View hereby demands trial by jury on all claims and issues so triable.

Dated: June 24, 2016

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