UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

Global Interactive Media, Inc., Plaintiff, v. Axwave Inc., Defendant.	Case No. **Complaint for Patent Infringement** **JURY TRIAL DEMANDED**

Plaintiff Global Interactive Media, Inc. ("GIM") brings this patent-infringement action against Axwave Inc. ("Axwave").

Parties

1.   GIM is a Belizian company based in Belize.

2.   Axwave is a corporation organized under the laws of Delaware, having its principal place of business in Palo Alto, California.

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 Axwave. Axwave conducts continuous and systematic business in this District; and this patent-infringement case arises directly from Axwave's continuous and systematic activity in this District. In short, this Court's

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exercise of jurisdiction over Axwave would be consistent with the Illinois 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)(2) and 1400(b).

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

7.   GIM owns United States Patent 8,032,907 (the "'907 patent") (attached as Exhibit A).

8.   Axwave is infringing at least one of the 90 methods and systems claimed in the '907 patent.

9.   For example, and for illustration of one of the 90 claims of the '907 patent that GIM alleges Axwave infringes, GIM alleges that Axwave's mobile app Gsound TV, Music, Movie & Ads Finder ("Gsound") infringes claim 1 of the '907 patent as follows:

a.   Claim 1 is a "computer implemented information system to present program description information for one or more broadcast programs[.]" (Ex. A, 17:47-49.) Gsound is a system that provides description of broadcast programs to users.

b.   Claim 1 includes "a user interface coupled to said processing system, said user interface providing means for receiving one or more user inquiries regarding one or more broadcast programs[.]" (Ex. A, 17:50-54.) Gsound's mobile app includes a user interace that privdes means for Axwave to receive user inquiries about, for example, a song playing on the radio.

c.   The system of claim 1 includes "a database coupled to said processing system; [and] an input means coupled to said processing system, for inputting program description information of one or more broadcast programs to be broadcast in the future[.]" (Ex. A, 17:55-59.) The Gsound system has a database, into which Axwave

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inputs descriptions of program material that may be broadcasted over the radio. For example, the Gsound database stores the sound-print of the song "Bad Moon Rising" by Creedence Clearwater Revival, that the song is on the album "Rock Legends," that the song may be purchased for $1.29, and that the entire album may be purchased for $10.99.

       d.   Claim 1 includes "a program description transmission means coupled to said processing system and to said user interface[.]" (Ex. A, 17:60-61.) Gsound is able to to transmit to the user interface the program information information.

       e.   The processing system of claim 1 comprises "means for synchronizing said inputted program description information with one or more broadcast programs of a program transmission[.]" Gsound synchronizes the program description information with the broadcast of "Bad Moon Rising," so that the user may view the program description information at the time she is listening to the broadcast of "Bad Moon Rising."

       f.   The processing system of claim 1 comprises "means for responding to a user inquiry place through said user interface; and means for further responding to said user inquiry by causing said program description transmission means to transmit program description information responsive to said user inquiry." (Ex. A, 17:66-18:4.) When the user activates the inquiry button in the Gsound mobile app, Gsound responds with the program description file of the currently-broadcasting song, i.e. Gsound identifies the song as "Bad Moon Rising" by Creedence Clearwater Revival, that the song is on the album "Rock Legends," that the song may be purchased for $1.29, and that the entire album may be purchased for $10.99.

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

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10.   GIM owns United States Patent 6,314,577 (the "'577 patent") (attached as Exhibit

B).

11.   Axwave is infringing at least one of the 130 methods and systems claimed in the '577 patent.

12.   For example, and for illustration of one of the 130 claims of the '577 patent that GIM alleges that Axwave infringes, GIM alleges that Axwave's Gsound infringes claim 1 of the '577 patent as follows:

a.   Claim 1 is a "computer-implemented information system to provide users with information concerning program materials disseminated according to a program list[.]" (Ex. B, 17:61-63.) Gsound provides information concerning broadcast programming.

b.   The system of claim 1 includes "a processing system for execution by a computer; [and] a user interface coupled to said processing system, said user interface providing means for placing user inquiries regarding the program material[.]" (Ex. B, 17:64-67.) Gsound includes a processing system and a user interface with means for placing an inquiry about the radio song to which the user is currently listening. For example, a user listening to the song "With a Little Help From My Friends" may push the inquire button on their mobile device to place an inquiry.

c.   The system of claim 1 includes "a database coupled to said processing system; first input means coupled to said processing system, for inputting information reflecting program descriptions of said program materials; second input means coupled to said processing system, for inputting program list information regarding a plurality of program material items[.]" (Ex. B, 18:1-7The Gsound system has a database into which Axwave inputs a sound-print of the song "With a Little Help From My Friends." The

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Gsound system has a second input means to input to the database program list information, for example that the song name is "With a Little Help From My Friends," that the artist is Joe Cocker, and that the song appears on the albums "The Anthology," "20th Century Masters: The Millennium Collection," and "Classic Joe Cocker."

      d.   The claim 1 system includes "a program description output means coupled to said processing system and to said user interface[.]" (Ex. B, 18:8-9.) Gsound outputs the program description to the user's mobile device.

      e.   Claim 1 includes "identifier means responsive to only a broadcast identifier for generating and storing information in said database[.]" (Ex. B, 18:10-11.) Gsound is able to identify the song based on a sound-print Gsound stores in its database.

      f.   The processing system of claim 1 includes "means for correlating said program descriptions of program material with said program list information and for storing said correlated program descriptions and program list information in said database responsive to receipt of said broadcast identifier[.]" Gsound correlates the the song's sound-print with the program list information in the database, both of which are responsive to receiving the inquiry with the broadcast identifier.

      g.   The processing system also includes "means for responding to a user inquiry, placed through said user interface, about an item in said program list, by retrieving a selected program description from said database associated with said broadcast identifier[.]" When Gsound receives the user inquiry, Gsound matches the broadcast identifier to the stored sound-print, and responds by retrieving the program description.

      h.   Claim 1 includes "means for further responding to said user inquiry by

causing said program description output means to produce a message based on said selected program description." Gsound produces a message to the user that: she is listening to "With a Little Help From My Friends," that the artist is Joe Cocker, that the song appears on the albums "The Anthology," "20th Century Masters: The Millennium Collection," and "Classic Joe Cocker," and that the song is available for immediate purchase for $1.99, or each album for $19.99.

Prayer for Relief

WHEREFORE, GIM prays for the following relief against Axwave:

(a)   Judgment that Axwave has directly infringed claims of the '907 patent and the '577 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

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

Date: June 30, 2016   Respectfully submitted,

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