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*Attorneys for Plaintiffs CG Technology Development, LLC,
Interactive Games Limited, and Interactive Games LLC*

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

CG TECHNOLOGY DEVELOPMENT, LLC,
INTERACTIVE GAMES LIMITED, and
INTERACTIVE GAMES LLC,

Plaintiffs,

vs.

888 HOLDINGS PLC,

Defendant.

Case No.: 2:16-cv-00856-RCJ-VCF

**PLAINTIFFS' FIRST AMENDED
COMPLAINT FOR PATENT
INFRINGEMENT**

DEMAND FOR JURY TRIAL

Plaintiffs CG Technology Development, LLC (“CG Tech”), Interactive Games Limited (“IG Limited”), and Interactive Games LLC (“IG LLC”) (collectively “Plaintiffs”), by and through

1 their counsel, hereby bring this Complaint against 888 Holdings PLC (“Defendant” or “888
2 Holdings”), and allege as follows:

3 **NATURE OF ACTION**

4 1. This is an action for patent infringement under 35 U.S.C. § 271 *et seq.* by Plaintiffs
5 against Defendant for infringement of U.S. Patent Nos. RE39,818; 6,899,628; 7,534,169;
6 6,979,267; 8,342,924; 7,029,394; 9,111,417; 8,771,058; 8,814,664; 6,966,832; 9,355,518; and
7 9,306,952 (collectively the “Patents-in-Suit”).

8 **PARTIES**

9 2. CG Tech is a wholly owned subsidiary of CG Technology, L.P. (“CG”), a limited
10 partnership, with its principal place of business at 2575 South Highland Drive, Las Vegas, Nevada,
11 89109. CG and CG Tech are both incorporated in Nevada. CG is an innovative gaming
12 technology solutions provider for lottery, gaming, racing, and sports wagering worldwide. It
13 specializes in providing secure, scalable, mobile technology and risk management solutions to
14 integrated resorts, gaming partners, race and sports books, and lottery industries. Headquartered in
15 Las Vegas, Nevada, CG and CG Tech continue to expand into new global markets in response to
16 partner demand for their gaming and manufacturing expertise and superior technology solutions.
17 Their products include Android™- and Apple®-compatible applications for real-money and social
18 casino gaming, as well as state-of-the-art, account-based wagering systems.

19 3. IG LLC is a limited liability company incorporated in Nevada with its principal
20 place of business at 110 East 59th St., New York, New York, 10022.

21 4. IG Limited is a private limited company with its principal place of business at One
22 Churchill Place, Canary Wharf, London, UK E14 5RB.

23 5. Upon information and belief, 888 Holdings is a corporation organized and existing
24 under the laws of Gibraltar, with its principal place of business located at Suite 601/701, Europort,
25 Gibraltar.

26 **JURISDICTION AND VENUE**

27 6. This is a civil action for patent infringement arising under the patent laws of the
28 United States, 35 U.S.C. § 271 *et seq.*

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1 7. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

2 8. Defendant is subject to personal jurisdiction in this District because, based on
3 information and belief, it has transacted business in this District and has committed, by itself or in
4 concert with others, acts of patent infringement in this District. On information and belief,
5 Defendant has conducted business within the State of Nevada. In addition, Defendant offered for
6 sale, sell, advertise, and/or use products and services (including the products accused of
7 infringement in this lawsuit) in the United States, the State of Nevada, and this District. Further,
8 Defendant purposefully and voluntarily placed one or more infringing products and services into
9 the stream of commerce with the expectation that they will be used by consumers in the State of
10 Nevada. Defendant also advertises and transacts business throughout the United States, including
11 in the State of Nevada, and specifically in this District. Defendant has purposely availed itself of
12 the laws of this District by, among other things, advertising and selling products and services in
13 this District.

14 9. Defendant is subject to this Court's specific and general personal jurisdiction
15 pursuant to due process and/or the Nevada Long Arm Statute, due at least to Defendant's
16 substantial business in this forum, including: (i) at least a portion of the infringements alleged
17 herein; and/or (ii) regularly doing or soliciting business, engaging in other persistent courses of
18 conduct, and/or deriving substantial revenue from goods and services provided to individuals in the
19 State of Nevada and in this District.

20 10. On information and belief, Defendant has collectively operated and continues to
21 operate interactive websites (us.888poker.com and us.888casino.com), computer applications, and
22 mobile applications that are accessible to all residents of the State of Nevada, including in this
23 District, through which Defendant advertises and makes available for use certain services and
24 electronic social casino games that are herein accused of infringement. (*See, e.g., Games*, 888
25 POKER, <https://us.888poker.com/poker-games>; *Casino Games*, 888 CASINO,
26 <http://us.888casino.com/casino-games>.) On information and belief, Defendant has repeatedly held
27 events promoting and utilizing products and services accused of infringement in this District. (*See,*
28 *e.g., 888 signs B2C deal with Avenue Capital*, INTERGAME, [3](http://intergameonline.com/i-</p></div><div data-bbox=)

1 [gaming/news/9035/888-signs-b2c-deal-with-avenue-capital](#); *How to turn 1 Cent into a Dream?*,
 2 888 POKER, <http://www.888poker.com/magazine/poker-world/1-cent-buy-in-tourney>;
 3 *WSOP Main Event Package Free Tournament*, POKER NEWS,
 4 <http://www.pokernews.com/leagues/888poker-wsop-package>; *888poker Las Vegas - Top 8 Looks*
 5 *and poker faces at the WSOP*, YOUTUBE, <https://www.youtube.com/watch?v=jXEMZnJ8d90>;
 6 *888 Branded Online Poker Room Coming to Nevada*, POKER FUSE,
 7 <http://pokerfuse.com/news/industry/2014-08-26-888-branded-online-poker-room-coming->
 8 [nevada](#); *888 launches shared poker network for both Delaware and Nevada*, LEGAL
 9 GAMBLING USA, <http://www.legal-gambling-usa.com/news-poker-888-launches-shared->
 10 [poker-network-for-both-delaware-and-nevada.html](#); *888Poker and WSOP Announce*
 11 *Sponsorship and Content Pact*, WSOP, <http://www.wsop.com/news/2015/Mar/5210/888POKER->
 12 [AND-WSOP-ANNOUNCE-SPONSORSHIP-AND-CONTENT-PACT.html](#); *Head to Las Vegas With a*
 13 *\$13,000 All-Inclusive WSOP Package*, POKER NEWS,
 14 <http://www.pokernews.com/news/2015/04/888poker-wsop-promo-21341.htm>.)

15 11. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b) and (c), and/or
 16 1400(b), as each 888 Holdings Defendant is subject to personal jurisdiction in this District.

GENERAL ALLEGATIONS

18 12. Plaintiffs own innovative technology that is being used by 888 Holdings in its social
 19 casino gaming business. Like traditional casino games, users are enabled to play games and place
 20 wagers on their outcomes. Social casino games, however, allow users to play casino games with
 21 hundreds of thousands of people through an online community. Users engage with the online
 22 community through mobile computing devices. Accordingly, social casino games are faster and
 23 provide greater diversity of players and experience levels. Social casino games also provide a
 24 better-personalized experience, more options, and greater enjoyment for the players.

25 13. On information and belief, and based on its own admissions, 888 Holdings provides
 26 one of the largest selections of online casino and poker games. (*See, e.g., About Us*, 888 CASINO,
 27 <http://us.888casino.com/about-us>; *Online Poker News & Promotions*, 888 POKER,
 28 <http://us.888poker.com>.) 888 Holdings provides access to its social casino gaming platforms

1 through its computer and/or mobile applications. 888 Holdings determines whether its users are 21
2 years of age or older before authorizing the users to play in one of its casino games.

3 14. 888 Holdings offers various types of social casino games to users, including slots,
4 roulette, blackjack, and poker. Users can enter these games and place wagers on their outcomes
5 using “play” or real-money chips, depending on the location of the user’s device. 888 Holdings
6 offers these games at various minimum stakes and entry fees (or “buy-ins”). As such, 888
7 Holdings’ gaming platform provides an in-game cashier to purchase the chips required to enter a
8 desired game and wager on the outcome. The chips are stored in a digital wallet as part of the
9 user’s profile. 888 Holdings also monitors multiple games and game events on which play is based
10 to determine the outcome of each wager. During gameplay, a user may request to generate a wager
11 offer to other users and receive multiple acceptances of the wager offer in response. Additionally,
12 the monitored game events are used to generate game advice that assists the user in placing wagers
13 and winning the game. After completing the game, the winners are awarded chips according to the
14 game’s payout rules. 888 Holdings manages and updates each user’s account to reflect the
15 appropriate transfer of chips based on a winning or losing outcome.

16 15. 888 Holdings’ gaming platform also generates statistics information based on game
17 events and wager records associated with each user’s gameplay. The statistics information is
18 stored in a user profile that provides a viewable summary of personalized information. This
19 personalized information also includes identification information and other historical game
20 performance information. 888 Holdings displays the user profile to the respective user and other
21 users of the gaming platform.

22 16. 888 Holdings determines different gameplay configurations for the user based on
23 the location of the user’s mobile gaming device. If the user’s device is determined to be in a first
24 location designated as a nonmonetary, points-only wagering area, points wagering is automatically
25 enabled and real-money wagering is disabled. This configuration is used to determine the game
26 outcome and payout amount while the device remains in the first location. If the user’s device is
27 determined to be in a second location designated as a real-money wagering area, real-money
28 wagering is automatically enabled and points wagering is disabled. This second configuration is

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1 used to determine the game outcome and payout amount while the device remains in the second
2 location.

3 17. 888 Holdings establishes a user profile for a user to access through an electronic
4 device and receives location data from a sensor in the electronic device. 888 Holdings determines,
5 based on the location data, an existence of the user in a particular location, initiates a gaming
6 session, and updates the user profile by storing the particular location. Here, 888 Holdings
7 determines whether to display a gaming environment or a modified gaming environment based on
8 the presence of a stored indication of a last one of the plurality gaming activities accessed by the
9 user during a prior gaming session.

10 18. On November 12, 2014, a letter was sent to 888 Holdings providing notice of its
11 infringement of numerous patents and is attached as **Exhibit A**. Specifically, at least the following
12 patents were identified as being infringed: U.S. Patent Nos. RE39,818; 6,979,267; 8,342,924;
13 8,771,058; and 8,814,664.¹ As noted in the letter, Plaintiffs wanted to reach a negotiated non-
14 litigation arrangement with 888 Holdings for the identified patents. An agreement was never
15 reached, and 888 Holdings has not ceased infringing Plaintiffs’ patents.

CLAIMS FOR RELIEF

FIRST CLAIM FOR RELIEF
(INFRINGEMENT OF U.S. PATENT NO. RE39,818)

19 19. Plaintiffs incorporate by reference paragraphs 1-18 as if fully set forth herein.

20 20. On September 4, 2007, U.S. Patent No. RE39,818 (“the RE’818 patent”) was duly
21 and legally issued by the U.S. Patent and Trademark Office (“PTO”) for an invention titled
22 “Personalized Wireless Video Game System” to the listed inventor, Russell D. Slifer. A certified
23 copy of the RE’818 patent is attached as **Exhibit B**.

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27 ¹ The following patents issued after the notice letter was sent and, therefore, were not included in
28 the notice letter: U.S. Patent No. 9,111,417, issued on August 18, 2015; U.S. Patent No.
9,355,518, issued on May 31, 2016; and U.S. Patent No. 9,306,952, issued on April 5, 2016.

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1 21. CG Tech is the assignee and owner of the RE’818 patent, with all substantive rights
2 in and to that patent, including the sole and exclusive right to bring this action and enforce the
3 RE’818 patent against infringers, and to collect damages for all relevant times.

4 22. 888 Holdings, directly or through its agents, customers, and/or intermediaries, has
5 made, used, tested, imported, provided, supplied, distributed, sold, and/or offered for sale products
6 and/or systems that infringe (either directly or under the doctrine of equivalents) one or more
7 claims of the RE’818 patent. For instance, on information and belief, 888 Holdings’ accused
8 products and/or systems provide a processor that executes a gaming application for displaying
9 video images on a display screen. A portable control is personalized to a specific user after the
10 user registers an account to interact with the gaming application. Once registration is complete, the
11 portable control stores in its memory identification information including the user’s age and game
12 data. The personalized portable control includes control switches for generating game control
13 signals during gameplay. The portable control also includes a wireless transmitter for sending the
14 identification and control signals to the processor. Here, the processor uses the received
15 identification signals to determine whether the user is authorized to play the game based at least in
16 part on the user’s age. This is done in a manner that infringes at least claims 1, 16, 20, 21, 24, and
17 31 of the RE’818 patent.

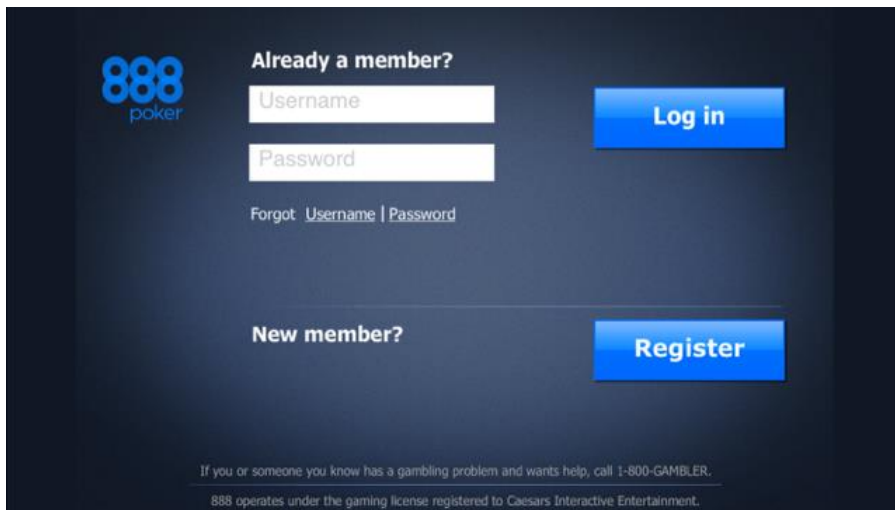
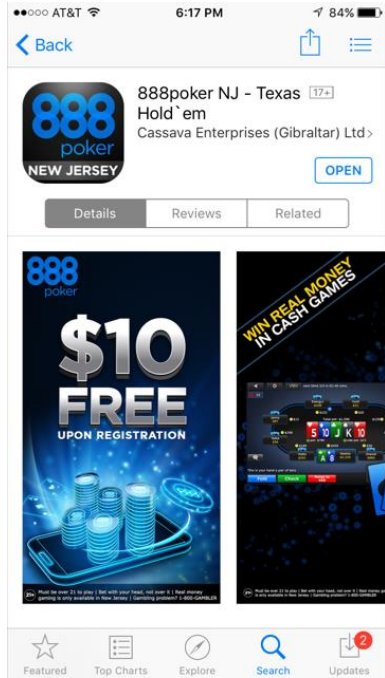
18 23. 888 Holdings’ social casino games contain each limitation of at least one asserted
19 claim of the RE’818 patent. By way of example only:

20 24. 888 Holdings’ social casino games meet all requirements of claim 21, which include
21 (as shown below) “[a] method of playing an interactive game comprising: transmitting data from a
22 controller using wireless transmissions to a processor executing the interactive game.” (RE’818
23 patent, col. 7, ll. 32-34.)

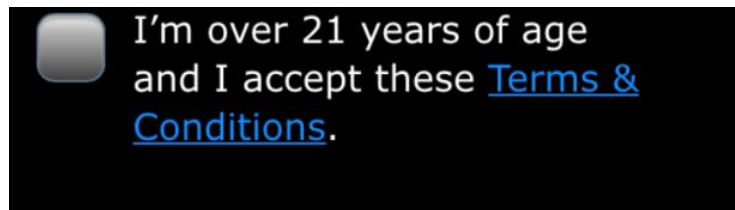
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25. 888 Holdings’ social casino games include “authorizing play of the interactive game based at least in part on the data and an age of the player.” (*Id.* at col. 7, ll. 35-36.)



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888 poker

First Name

Last Name

Gender
 Male Female

Date of Birth
 Jan 6, 1995

Username

Email Address

Password



26. 888 Holdings’ social casino games include “transmitting game playing signals from the controller to the game processor.” (*Id.* at col. 7, ll. 37-38.)

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27. 888 Holdings does not have a license or permission to use the RE’818 patent.

28. As a result of 888 Holdings’ infringement of the RE’818 patent, CG Tech has suffered and continues to suffer damages, in an amount not yet determined, of at least a reasonable royalty and/or lost profits.

29. In a letter dated November 12, 2014, notice was provided to 888 Holdings of the RE’818 patent and its infringing conduct. The letter is attached as **Exhibit A**.

30. Despite the knowledge of the RE’818 patent, 888 Holdings has continued to infringe this patent. 888 Holdings acted with reckless disregard of the RE’818 patent by continuing to infringe the patent when it knew or should have known that its actions constituted infringement.

**SECOND CLAIM FOR RELIEF
 (INFRINGEMENT OF U.S. PATENT NO. 6,899,628)**

31. Plaintiffs incorporate by reference paragraphs 1-30 as if fully set forth herein.

32. On May 31, 2005, U.S. Patent No. 6,899,628 (“the ’628 patent”) was duly and legally issued by the PTO for an invention titled “System and Method for Providing Game Event Management to a User of a Gaming Application” to the listed inventors Fergus A. Leen, Sam B. Lawrence, David G. McNally, Clive Hetherington, David M. McDowell, and Kevin R. O’Neal. A certified copy of the ’628 patent is attached as **Exhibit C**.

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1 33. IG Limited is the assignee and sole owner of the '628 patent, with all substantive
2 rights in and to that patent, including the sole and exclusive right to bring this action and enforce
3 the '628 patent against infringers, and to collect damages for all relevant times.

4 34. 888 Holdings, directly or through its agents, customers, and/or intermediaries, has
5 made, used, tested, imported, provided, supplied, distributed, sold, and/or offered for sale products
6 and/or systems that infringe (either directly or under the doctrine of equivalents) one or more
7 claims of the '628 patent. For instance, on information and belief, 888 Holdings' accused products
8 and/or systems have certain features that manage game events through a gaming application
9 accessible to remote users. A user downloads and installs software on a computing device to
10 remotely access the gaming application. During execution of the gaming application, a monitor
11 module monitors a plurality of game events and communicates event information through an
12 interface. The interface transmits the event information, which is associated with at least one game
13 event, to an enhanced services platform. This platform provides various different functions and
14 generates statistics and a wager record based on the event information. Here, the wager record is
15 associated with an entry fee and other bets made during gameplay between a plurality of users.
16 This is done in a manner that infringes at least claims 1 and 31 of the '628 patent.

17 35. 888 Holdings' social casino games contain each limitation of at least claim 31 of the
18 '628 patent. By way of example only:

19 36. 888 Holdings' social casino games meet all requirements of claim 31, which include
20 (as shown below) “[a] server for managing game events, comprising: a processor that executes a
21 gaming application that is accessed by a remote user via a network.” ('628 patent, col. 23,
22 ll. 62-64.)

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37. 888 Holdings’ social casino games include “a monitor module coupled to the processor that monitors a plurality of game events during the execution of the gaming application by the user.” (*Id.* at col. 23, ll. 65-67.)



38. 888 Holdings’ social casino games include “an interface coupled to the processor that communicates event information associated with at least one of the game events to an enhanced services platform remote from the server.” (*Id.* at col. 24, ll. 1-4.)

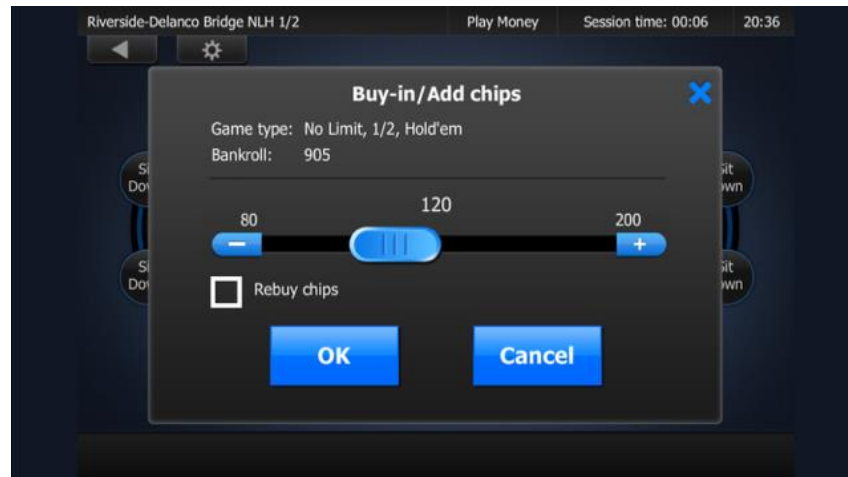
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39. 888 Holdings’ social casino games include “generat[ing] a wager record associated with a wager between a plurality of users based on at least one of the first event information and the second event information.” (*Id.* at col. 24, ll. 4-7.)



1 40. 888 Holdings does not have a license or permission to use the '628 patent.

2 41. As a result of 888 Holdings' infringement of the '628 patent, IG Limited has
3 suffered and continues to suffer damages, in an amount not yet determined, of at least a reasonable
4 royalty and/or lost profits.

5 **THIRD CLAIM FOR RELIEF**
6 **(INFRINGEMENT OF U.S. PATENT NO. 7,534,169)**

7 42. Plaintiffs incorporate by reference paragraphs 1-41 as if fully set forth herein.

8 43. On May 19, 2009, U.S. Patent No. 7,534,169 ("the '169 patent") was duly and
9 legally issued by the PTO for an invention titled "System and Method for Wireless Gaming System
10 with User Profiles" to the listed inventors Lee M. Amaitis, Joseph M. Asher, Robert F.
11 Bahrapour, Darrin M. Mylet, Alan B. Wilkins, and Howard W. Lutnick. A certified copy of the
12 '169 patent is attached as **Exhibit D**.

13 44. IG LLC is the assignee and sole owner of the '169 patent, with all substantive rights
14 in and to that patent, including the sole and exclusive right to bring this action and enforce the '169
15 patent against infringers, and to collect damages for all relevant times.

16 45. 888 Holdings, directly or through its agents, customers, and/or intermediaries, has
17 made, used, tested, imported, provided, supplied, distributed, sold, and/or offered for sale products
18 and/or systems that infringe (either directly or under the doctrine of equivalents) one or more
19 claims of the '169 patent. For instance, on information and belief, 888 Holdings' accused products
20 and/or systems have certain features that modify a gaming environment based on a user's success
21 level in playing a gaming activity. A gaming device enables a user to play a plurality of gaming
22 activities, and a user profile associated with the user is updated to reflect a first success level in
23 playing a first gaming activity during a first gaming session. After termination of the first gaming
24 session and the start of a second, subsequent, gaming session, the user's success level in playing
25 the first gaming activity is determined. Based at least in part on the first success level, a gaming
26 environment is modified and presented to the user through the gaming device. The modification
27 includes a change in how the first gaming activity is presented to the user as a possible gaming
28

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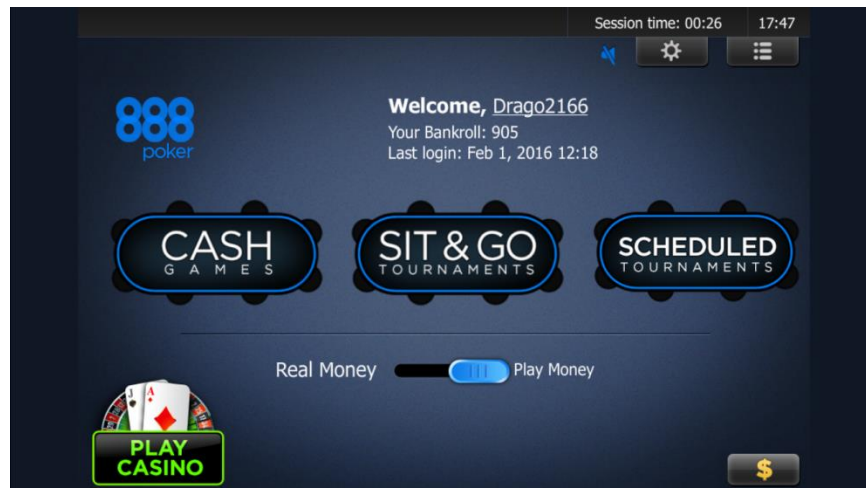
1 activity during the second gaming session. This is done in a manner that infringes at least claim 1
2 of the '169 patent.

3 46. 888 Holdings' social casino games contain each limitation of at least claim 1 of the
4 '169 patent. By way of example only:

5 47. 888 Holdings' social casino games meet all requirements of claim 1, which include
6 (as shown below) "[a]n apparatus comprising: at least one processor; and at least one data storage
7 device electronically coupled to the at least one processor, the at least one data storage device
8 operable to store: a program, and at least one profile associated with a user of a gaming device, the
9 gaming device being operable to make a plurality of gaming activities available to the user for play
10 via the gaming device." ('169 patent, col. 26, ll. 43-52.)

12. Dispute Resolution

- 13 • In case of any dispute raised between users and related directly to the Services, the Company reserves the
14 right at its sole discretion to assist users to reach a quick and amicable solution. Discussions with users shall
15 not be public and shall be conducted privately.
- 16 • All claims or disputes should be raised with the customer service department at supportnj@888.com in a
17 timely manner to allow the Company to promptly respond to the user.
- 18 • You accept and agree that a random number generator will determine the randomly generated events
19 required in connection with the Services and where the result shown on the Software (as installed and
20 operated by your hardware) conflicts with the result shown on our server, the result shown on our server
21 shall in all circumstances take precedence.



48. 888 Holdings’ social casino games include “updat[ing] the user’s profile to reflect a first success level of the user in playing a first of the plurality of gaming activities via the gaming device during a first gaming session.” (*Id.* at col. 26, ll. 56-59.)



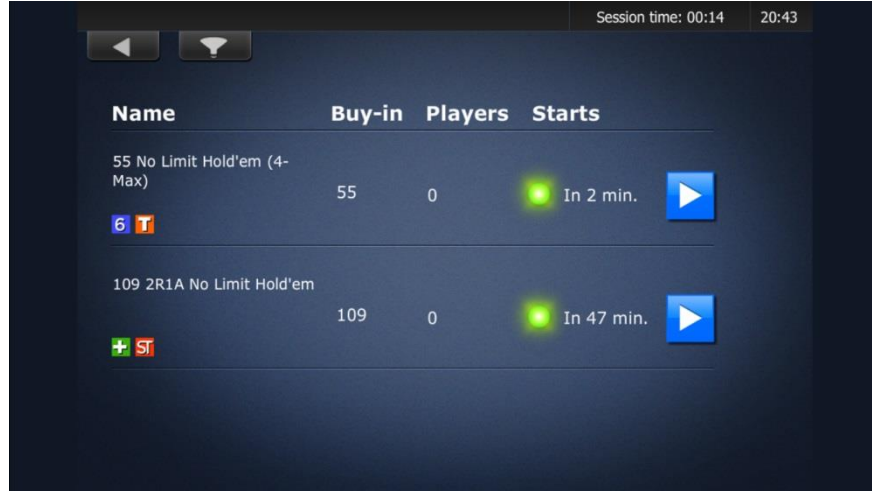
49. 888 Holdings’ social casino games include, “in response to a start of a second gaming session that is subsequent to a termination of the first gaming session: determin[ing] from the user's profile at least the first success level of the user in playing the first gaming activity during the first gaming session.” (*Id.* at col. 26, ll. 60-65.)



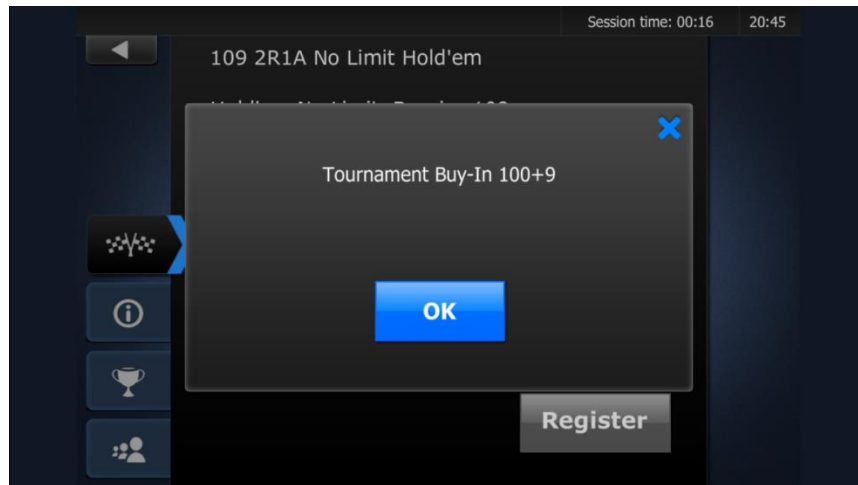
50. 888 Holdings’ social casino games include, “based at least in part on the first success level, modify[ing] a gaming environment, wherein the modification includes a change as to

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1 how the first gaming activity is presented to the user as a possible gaming activity that the user
 2 may play via the gaming device during the second gaming session.” (*Id.* at col. 26, l. 66 to col. 27,
 3 l. 4.)



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 12 51. 888 Holdings’ social casino games include “present[ing] to the user, via the gaming
 13 device, the first gaming activity according to the modified gaming environment.” (*Id.* at col. 27, ll.
 14 5-7.)



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 24 52. 888 Holdings does not have a license or permission to use the ’169 patent.

25 53. As a result of 888 Holdings’ infringement of the ’169 patent, IG LLC has suffered
 26 and continues to suffer damages, in an amount not yet determined, of at least a reasonable royalty
 27 and/or lost profits.
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FOURTH CLAIM FOR RELIEF
(INFRINGEMENT OF U.S. PATENT NO. 6,979,267)

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3 54. Plaintiffs incorporate by reference paragraphs 1-53 as if fully set forth herein.

4 55. On December 27, 2005, U.S. Patent No. 6,979,267 (“the ’267 patent”) was duly and
5 legally issued by the PTO for an invention titled “System and Method for Generating Profile
6 Information for a User of a Gaming Application” to the listed inventors Fergus A. Leen, Sam B.
7 Lawrence, David G. McNally, Clive Hetherington, David M. McDowell, and Kevin R. O’Neal. A
8 certified copy of the ’267 patent is attached as **Exhibit E**.

9 56. IG Limited is the assignee and sole owner of the ’267 patent, with all substantive
10 rights in and to that patent, including the sole and exclusive right to bring this action and enforce
11 the ’267 patent against infringers, and to collect damages for all relevant times.

12 57. 888 Holdings, directly or through its agents, customers, and/or intermediaries, has
13 made, used, tested, imported, provided, supplied, distributed, sold, and/or offered for sale products
14 and/or systems that infringe (either directly or under the doctrine of equivalents) one or more
15 claims of the ’267 patent. For instance, on information and belief, 888 Holdings’ accused products
16 and/or systems have certain features that generate profile information for users of gaming
17 applications executed on a server. During execution of a first gaming application by a first user, a
18 plurality of game events are monitored. First and second event information associated with a first
19 and second game event is communicated to a processor remote from the server. The processor
20 generates first profile information associated with the first user based at least in part on the first
21 event information, the second event information, and wager records of the first user. The processor
22 stores the first profile information in a memory. During execution of a second gaming application
23 by a second user, a plurality of game events are also monitored. Third and fourth event
24 information associated with a third and fourth game event is communicated to the processor. Here,
25 the third event information is received by the processor substantially simultaneously with the first
26 event information. The processor generates second profile information associated with the second
27 user based at least in part upon the third and fourth event information. This is done in a manner
28 that infringes at least claim 1 of the ’267 patent.

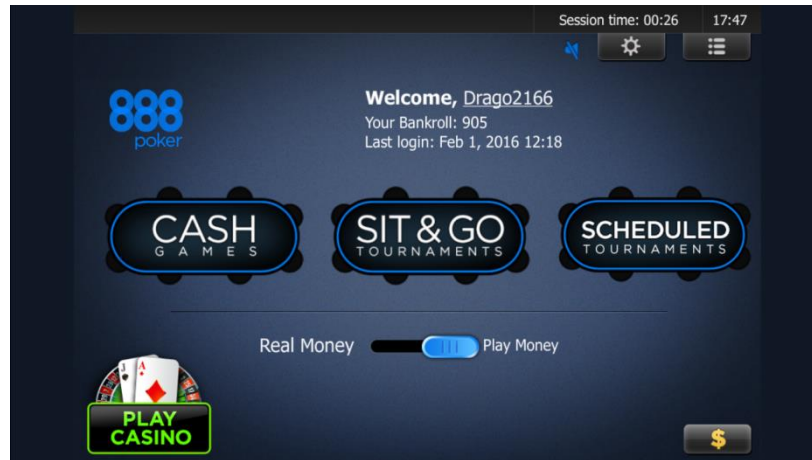
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1 58. 888 Holdings’ social casino games contain each limitation of at least claim 1 of the
2 ’267 patent. By way of example only:

3 59. 888 Holdings’ social casino games meet all requirements of claim 1, which include
4 (as shown below) “[a] system for generating profile information for users of gaming applications,
5 comprising: a server that: executes a first gaming application; [and] monitors a plurality of game
6 events during the execution of the first gaming application by a first user.” (’267 patent, col. 20, ll.
7 24-29.)

8
9 12. Dispute Resolution

- 10 • In case of any dispute raised between users and related directly to the Services, the Company reserves the
11 right at its sole discretion to assist users to reach a quick and amicable solution. Discussions with users shall
12 not be public and shall be conducted privately.
- 13 • All claims or disputes should be raised with the customer service department at supportnj@888.com in a
14 timely manner to allow the Company to promptly respond to the user.
- 15 • You accept and agree that a random number generator will determine the randomly generated events
16 required in connection with the Services and where the result shown on the Software (as installed and
17 operated by your hardware) conflicts with the result shown on our server, the result shown on our server
18 shall in all circumstances take precedence.



25 60. 888 Holdings’ social casino games include “a processor remotely coupled to the
26 server that: receives the first event information; receives the second event information; [and]
27 generates first profile information associated with the first user based at least in part upon the first
28 event information, the second event information and wager records of the first user.” (*Id.* at col.

20, ll. 34-40.)



61. 888 Holdings’ social casino games include “receiv[ing] third event information substantially simultaneously with the first event information, the third event information associated with a third game event, wherein the third game event is associated with the execution by a second user of a second gaming application.” (*Id.* at col. 20, ll. 41-46.)



62. 888 Holdings’ social casino games include “receiv[ing] fourth event information associated with a fourth game event, wherein the fourth game event is associated with the execution by the second user of the second gaming application.” (*Id.* at col. 20, ll. 47-50.)

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63. 888 Holdings’ social casino games include “generat[ing] second profile information associated with the second user based at least in part upon the third event information and the fourth event information.” (*Id.* at col. 20, ll. 51-53.)



64. 888 Holdings does not have a license or permission to use the ’267 patent.

65. As a result of 888 Holdings’ infringement of the ’267 patent, IG Limited has suffered and continues to suffer damages, in an amount not yet determined, of at least a reasonable royalty and/or lost profits.

66. In a letter dated November 12, 2014, notice was provided to 888 Holdings of the ’267 patent and its infringing conduct. The letter is attached as **Exhibit A**.

1 67. Despite the knowledge of the '267 patent, 888 Holdings has continued to infringe
2 this patent. 888 Holdings acted with reckless disregard of the '267 patent by continuing to infringe
3 the patent when it knew or should have known that its actions constituted infringement.

4 **FIFTH CLAIM FOR RELIEF**
5 **(INFRINGEMENT OF U.S. PATENT NO. 8,342,924)**

6 68. Plaintiffs incorporate by reference paragraphs 1-67 as if fully set forth herein.

7 69. On January 1, 2013, U.S. Patent No. 8,342,924 (“the '924 patent”) was duly and
8 legally issued by the PTO for an invention titled “System and Method for Providing Enhanced
9 Services to a User of a Gaming Application” to the listed inventors Fergus A. Leen, Sam B.
10 Lawrence, David G. McNally, Clive Hetherington, David M. McDowell, and Kevin R. O’Neal. A
11 certified copy of the '924 patent is attached as **Exhibit F**.

12 70. IG Limited is the assignee and sole owner of the '924 patent, with all substantive
13 rights in and to that patent, including the sole and exclusive right to bring this action and enforce
14 the '924 patent against infringers, and to collect damages for all relevant times.

15 71. 888 Holdings, directly or through its agents, customers, and/or intermediaries, has
16 made, used, tested, imported, provided, supplied, distributed, sold, and/or offered for sale products
17 and/or systems that infringe (either directly or under the doctrine of equivalents) one or more
18 claims of the '924 patent. For instance, on information and belief, 888 Holdings’ accused products
19 and/or systems have certain features that enable a user to play a game and initiate at least one event
20 within a context of playing the game. Information associated with the event is received by an
21 apparatus comprising a processor while the user plays the game. Here, the apparatus generates
22 statistics information associated with the user based at least in part on the information. This
23 statistics information is associated with the user’s playing of the game, and is electronically
24 displayed to another user. This is done in a manner that infringes at least claim 11 of the '924
25 patent.

26 72. 888 Holdings’ social casino games contain each limitation of at least claim 11 of the
27 '924 patent. By way of example only:
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73. 888 Holdings’ social casino games meet all requirements of claim 11, which include (as shown below) “[a]n apparatus comprising: at least one processor; and at least one memory device . . . [that] stores instructions which . . . direct the at least one processor to: receive information associated with at least one event initiated by a user within a context of playing a game, wherein the information is received during the playing of the game by the user.” (’924 patent, col. 21, ll. 4-13.)



74. 888 Holdings’ social casino games include, “based at least in part on the information, generat[ing] statistics information, wherein the statistics information is associated with the user with respect to the playing of the game.” (*Id.* at col. 21, ll. 14-17.)



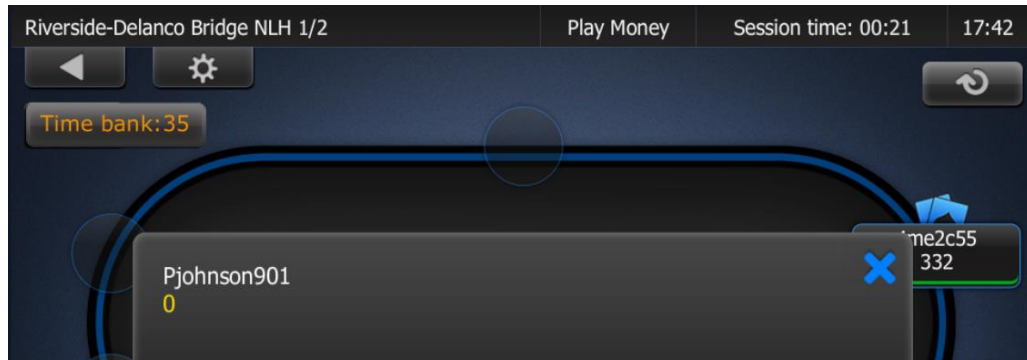
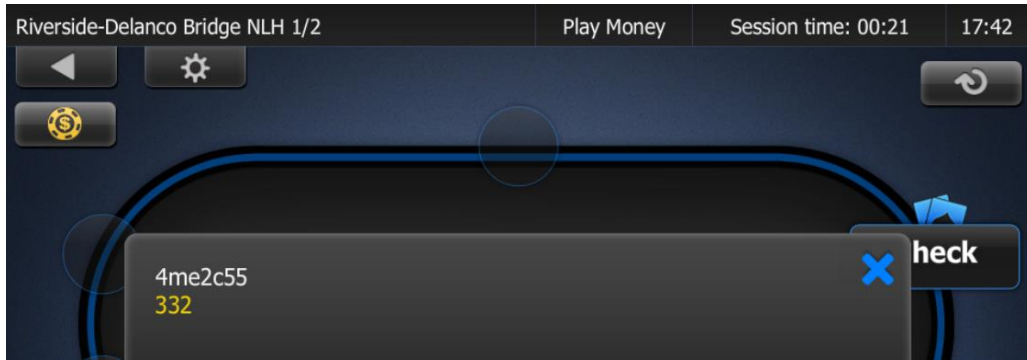
75. 888 Holdings’ social casino games include “caus[ing] to be electronically displayed to another user at least the statistics information.” (*Id.* at col. 21, ll. 18-19.)

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76. 888 Holdings does not have a license or permission to use the '924 patent.

77. As a result of 888 Holdings' infringement of the '924 patent, IG Limited has suffered and continues to suffer damages, in an amount not yet determined, of at least a reasonable royalty and/or lost profits.

78. In a letter dated November 12, 2014, notice was provided to 888 Holdings of the '924 patent and its infringing conduct. The letter is attached as **Exhibit A**.

79. Despite the knowledge of the '924 patent, 888 Holdings has continued to infringe this patent. 888 Holdings acted with reckless disregard of the '924 patent by continuing to infringe the patent when it knew or should have known that its actions constituted infringement.

**SIXTH CLAIM FOR RELIEF
 (INFRINGEMENT OF U.S. PATENT NO. 7,029,394)**

80. Plaintiffs incorporate by reference paragraphs 1-79 as if fully set forth herein.

81. On April 18, 2006, U.S. Patent No. 7,029,394 ("the '394 patent") was duly and legally issued by the PTO for an invention titled "System and Method for Generating Statistics for a User of a Gaming Application" to the listed inventors Fergus A. Leen, Sam B. Lawrence, David

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1 G. McNally, Clive Hetherington, David M. McDowell, and Kevin R. O’Neal. A certified copy of
2 the ’394 patent is attached as **Exhibit G**.

3 82. IG Limited is the assignee and sole owner of the ’394 patent, with all substantive
4 rights in and to that patent, including the sole and exclusive right to bring this action and enforce
5 the ’394 patent against infringers, and to collect damages for all relevant times.

6 83. 888 Holdings, directly or through its agents, customers, and/or intermediaries, has
7 made, used, tested, imported, provided, supplied, distributed, sold, and/or offered for sale products
8 and/or systems that infringe (either directly or under the doctrine of equivalents) one or more
9 claims of the ’394 patent. Specifically, 888 Holdings’ accused products and/or systems have
10 certain features that enable a user to execute a gaming application hosted on a remote server.
11 During execution of the gaming application, first and second event information associated with
12 first and second game events is received. Statistics information associated with the user and the
13 gaming application is generated based at least in part on the first event information, the second
14 event information, and wager records associated with the gaming application. The statistics
15 information is used to determine an outcome of a wager associated with the gaming application
16 and then stored. This is done in a manner that infringes at least claim 1 of the ’394 patent.

17 84. 888 Holdings’ social casino games contain each limitation of at least claim 1 of the
18 ’394 patent. By way of example only:

19 85. 888 Holdings’ social casino games meet all requirements of claim 1, which include
20 (as shown below) “[a] system for generating statistics information, comprising: a server that:
21 executes a gaming application; monitors a plurality of game events during the execution of the
22 gaming application by a user; communicates first event information associated with a first game
23 event; and communicates second event information associated with a second game event.” (’394
24 patent, col. 20, ll. 46-55.)

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12. Dispute Resolution

- In case of any dispute raised between users and related directly to the Services, the Company reserves the right at its sole discretion to assist users to reach a quick and amicable solution. Discussions with users shall not be public and shall be conducted privately.
- All claims or disputes should be raised with the customer service department at supportnj@888.com in a timely manner to allow the Company to promptly respond to the user.
- You accept and agree that a random number generator will determine the randomly generated events required in connection with the Services and where the result shown on the Software (as installed and operated by your hardware) conflicts with the result shown on our server, the result shown on our server shall in all circumstances take precedence.



86. 888 Holdings’ social casino games include “a processor remotely coupled to the server that receives the first event information; receives the second event information; [and] generates statistics information based at least in part upon the first event information, the second event information and wager records associated with the gaming application.” (*Id.* at col. 20, ll. 56-62.)



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1 87. 888 Holdings’ social casino games include “determin[ing] an outcome of a wager
 2 associated with the gaming application using the statistics information; and a memory coupled to
 3 the processor that stores the statistics information.” (*Id.* at col. 20, ll. 63-67.)



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 11 88. 888 Holdings does not have a license or permission to use the ’394 patent.

12 89. As a result of 888 Holdings’ infringement of the ’394 patent, IG Limited has
 13 suffered and continues to suffer damages, in an amount not yet determined, of at least a reasonable
 14 royalty and/or lost profits.

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 16 **SEVENTH CLAIM FOR RELIEF**
(INFRINGEMENT OF U.S. PATENT NO. 9,111,417)

17
 18 90. Plaintiffs incorporate by reference paragraphs 1-89 as if fully set forth herein.

19 91. On August 18, 2015, U.S. Patent No. 9,111,417 (“the ’417 patent”) was duly and
 20 legally issued by the PTO for an invention titled “System and Method for Providing Enhanced
 21 Services to a User of a Gaming Application” to the listed inventors Fergus A. Leen, Sam B.
 22 Lawrence, David G. McNally, Clive Hetherington, David M. McDowell, and Kevin R. O’Neal. A
 23 certified copy of the ’417 patent is attached as **Exhibit H**.

24 92. IG Limited is the assignee and sole owner of the ’417 patent, with all substantive
 25 rights in and to that patent, including the sole and exclusive right to bring this action and enforce
 26 the ’417 patent against infringers, and to collect damages for all relevant times.

27 93. 888 Holdings, directly or through its agents, customers, and/or intermediaries, has
 28 made, used, tested, imported, provided, supplied, distributed, sold, and/or offered for sale products

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1 and/or systems that infringe (either directly or under the doctrine of equivalents) one or more
 2 claims of the '417 patent. For example, on information and belief, 888 Holdings' accused products
 3 and/or systems have certain features that provide a card game to users through their respective
 4 computing devices over a communications network. On information and belief, 888 Holdings'
 5 accused products and/or systems present users with a graphical user interface that allows users to
 6 generate a wager offer, where the offer includes a wager amount. The interface further provides an
 7 option to present the wager offer to other users and receive from a plurality of other users an
 8 acceptance of the wager offer at the wager amount. In addition, during the playing of the game,
 9 888 Holdings' accused products and/or systems offer certain features that generate statistics for
 10 multiple users of the game, including presenting a portion of the statistics information for the users.
 11 At the end of the game, an outcome is determined and funds are transferred to at least one user who
 12 played (and "won") the game. This is done in a manner that infringes at least claim 1 of the '417
 13 patent.

14 94. 888 Holdings' social casino games contain each limitation of at least claim 1 of the
 15 '417 patent. By way of example only:

16 95. 888 Holdings' social casino games meet all requirements of claim 1, which include
 17 (as shown below) "[a] system comprising at least one processor and at least one non-volatile
 18 memory having software stored thereon that when executed by the at least one processor directs
 19 the at least one processor to: provide a game via a communications network to users via respective
 20 computing devices of the users, wherein the game is a sports game, an arcade game, a card game,
 21 or an adventure game." ('417 patent, col. 20, ll. 20-27.)



1 96. 888 Holdings’ social casino games include, “responsive to a request from one of the
 2 users, caus[ing] a graphical user interface to be presented to the user at the user’s computing
 3 device, wherein the graphical user interface allows the user to offer a wager to other users; [and]
 4 responsive to presenting the graphical user interface to the user, receiv[ing] from that user a request
 5 to generate a wager offer, wherein the wager offer includes a wager amount.” (*Id.* at col. 20,
 6 ll. 28-34.)



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 14 97. 888 Holdings’ social casino games include, “responsive to receiving the request to
 15 generate the wager offer, present[ing] the wager offer to other users via respective computing
 16 devices of the other users.” (*Id.* at col. 20, ll. 35-37.)



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 25 98. 888 Holdings’ social casino games include “receiv[ing] from a plurality of the other
 26 users an acceptance of the wager offer, each acceptance at the wager amount.” (*Id.* at col. 20, ll.
 27 38-39.)

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99. 888 Holdings’ social casino games include, “during a playing of the game by a plurality of the users: generat[ing] statistics information related to at least a first and a second of the users playing the game.” (*Id.* at col. 20, ll. 40-42.)



100. 888 Holdings’ social casino games include, “caus[ing] at least a portion of the statistics information of the first user to be presented to the second user via a respective computing device of the second user; and caus[ing] at least a portion of the statistics information of the second user to be presented via a respective computing device of the first user.” (*Id.* at col. 20, ll. 43-48.)



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1 101. 888 Holdings’ social casino games include, “at end of the game, determin[ing] an
 2 outcome of the wagers resulting from the users that accepted the wager offer, wherein . . .
 3 determin[ing] the outcome of the wagers includes . . . transfer[ring] funds to at least one user who
 4 played the game.” (*Id.* at col. 20, ll. 49-53.)



12 102. 888 Holdings does not have a license or permission to use the ’417 patent.

13 103. As a result of 888 Holdings’ infringement of the ’417 patent, IG Limited has
 14 suffered and continues to suffer damages, in an amount not yet determined, of at least a reasonable
 15 royalty and/or lost profits.

16 **EIGHTH CLAIM FOR RELIEF**
 17 **(INFRINGEMENT OF U.S. PATENT NO. 8,771,058)**

18 104. Plaintiffs incorporate by reference paragraphs 1-103 as if fully set forth herein.

19 105. On July 8, 2014, U.S. Patent No. 8,771,058 (“the ’058 patent”) was duly and legally
 20 issued by the PTO for an invention titled “Zone Dependent Payout Percentage” to the listed
 21 inventors Dean P. Alderucci, Lee Amaitis, and Geoffrey M. Gelman. A certified copy of the ’058
 22 patent is attached as **Exhibit I**.

23 106. IG LLC is the assignee and sole owner of the ’058 patent, with all substantive rights
 24 in and to that patent, including the sole and exclusive right to bring this action and enforce the ’058
 25 patent against infringers, and to collect damages for all relevant times.

26 107. 888 Holdings, directly or through its agents, customers, and/or intermediaries, has
 27 made, used, tested, imported, provided, supplied, distributed, sold, and/or offered for sale products
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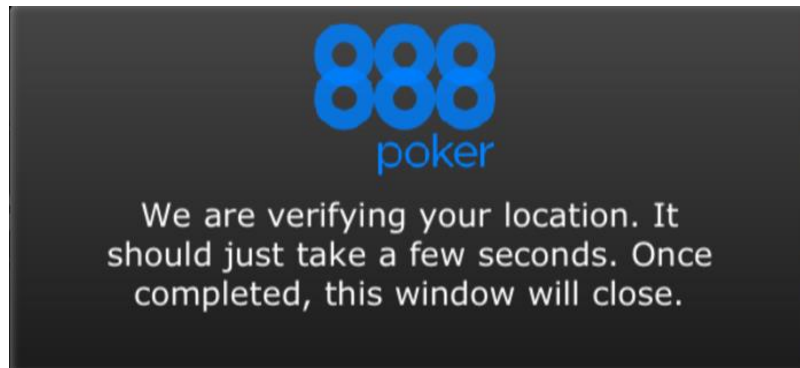
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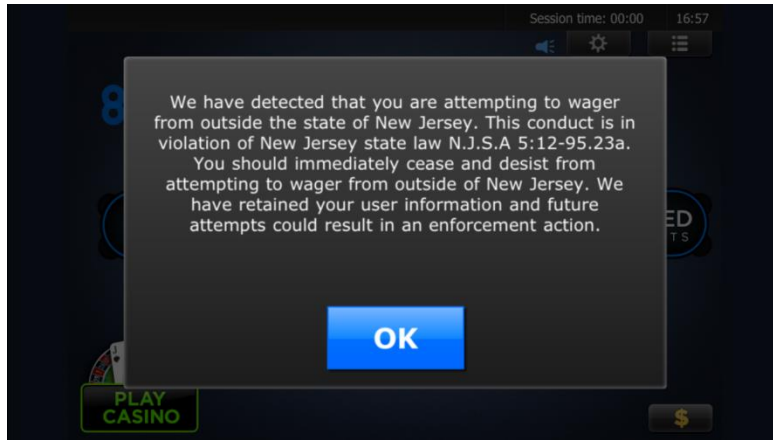
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1 and/or systems that infringe (either directly or under the doctrine of equivalents) one or more
2 claims of the '058 patent. For example, on information and belief, 888 Holdings' accused products
3 and/or systems have certain features that provide a computer system to determine a first location of
4 a mobile gaming device and determine a first game configuration associated with the first location.
5 The system generates a first game outcome using the first game configuration, determines a first
6 payout associated with the first game outcome, and credits a player account with a first amount
7 based on the first payout. Additionally, the computer system determines a second location of the
8 mobile gaming device that is different from the first location, and determines a second game
9 configuration associated with the second location that is different from the first game
10 configuration. The system generates a second game outcome using the second game configuration,
11 determines a second payout associated with the second game outcome, and credits the player
12 account with a second amount based on the second payout. This is done in a manner that infringes
13 at least claim 19 of the '058 patent.

14 108. 888 Holdings' social casino games contain each limitation of at least claim 19 of the
15 '058 patent. By way of example only:

16 109. 888 Holdings' social casino games meet all requirements of claim 19, which include
17 (as shown below) "[a] computer system comprising: a processor operable to execute a set of
18 instructions . . . in which the set of instructions, when executed by the processor, cause the
19 computer system to perform a method comprising: determining a first location of a mobile gaming
20 device, [and] determining a first game configuration associated with the first location."
21 ('058 patent, col. 62, ll. 1-9.)
22





110. 888 Holdings’ social casino games include “generating a first game outcome using the first game configuration, determining a first payout associated with the first game outcome, [and] crediting a player account with a first amount based on the first payout.” (*Id.* at col. 62, ll. 10-15.)



111. 888 Holdings’ social casino games include “determining a second location of the mobile gaming device, wherein the second location is different from the first location, [and] determining a second game configuration associated with the second location, wherein the second game configuration is different from the first game configuration.” (*Id.* at col. 62, ll. 16-21.)

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Q: What are the requirements to play 888poker for real money?

A: Outside New Jersey
If you are not currently in New Jersey, you will not be able to play for real money. However you can still open an account at 888poker and be ready to play next time you visit. Follow these steps to open your account:

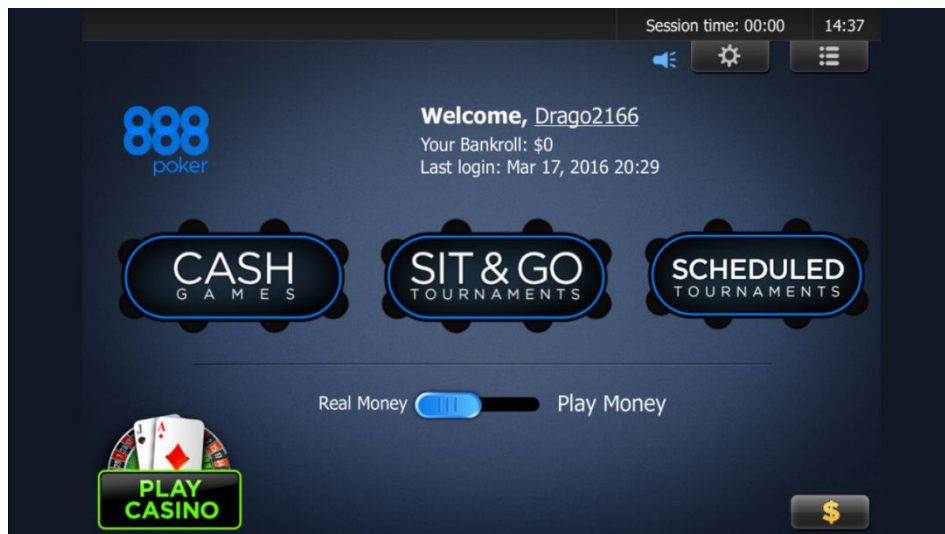
- [Download](#) and install the 888poker software
- Complete the registration form
- Save your username and password for when you visit New Jersey

When you arrive in New Jersey, simply log on, and complete our full registration process and you'll be ready to play real money poker online.

Within New Jersey
In order to play for real money in New Jersey you must complete the following three steps:

- [Download](#) and install the 888poker software
- Complete the full registration process
- Connect to 888poker via a Wi-Fi network or if on mobile 3G or 4G
- When connecting via 3G/4G your Wi-Fi must be enabled

112. 888 Holdings' social casino games include "generating a second game outcome using the second game configuration, determining a second payout associated with the second game outcome, and crediting the player account with a second amount based on the second payout." (*Id.* at col. 62, ll. 22-27.)





113. 888 Holdings does not have a license or permission to use the '058 patent.

114. As a result of 888 Holdings' infringement of the '058 patent, IG LLC has suffered and continues to suffer damages, in an amount not yet determined, of at least a reasonable royalty and/or lost profits.

115. In a letter dated November 12, 2014, notice was provided to 888 Holdings of the '058 patent and its infringing conduct. The letter is attached as **Exhibit A**.

116. Despite the knowledge of the '058 patent, 888 Holdings has continued to infringe this patent. 888 Holdings acted with reckless disregard of the '058 patent by continuing to infringe the patent when it knew or should have known that its actions constituted infringement.

NINTH CLAIM FOR RELIEF
(INFRINGEMENT OF U.S. PATENT NO. 8,814,664)

117. Plaintiffs incorporate by reference paragraphs 1-116 as if fully set forth herein.

118. On August 26, 2014, U.S. Patent No. 8,814,664 ("the '664 patent") was duly and legally issued by the PTO for an invention titled "Method and Apparatus for Challenge-Based Gaming Using Points and/or Money" to the listed inventors Lee Amaitis, Paul Williams, and Nolan Glantz. A certified copy of the '664 patent is attached as **Exhibit J**.

119. IG LLC is the assignee and sole owner of the '664 patent, with all substantive rights

1 in and to that patent, including the sole and exclusive right to bring this action and enforce the '664
2 patent against infringers, and to collect damages for all relevant times.

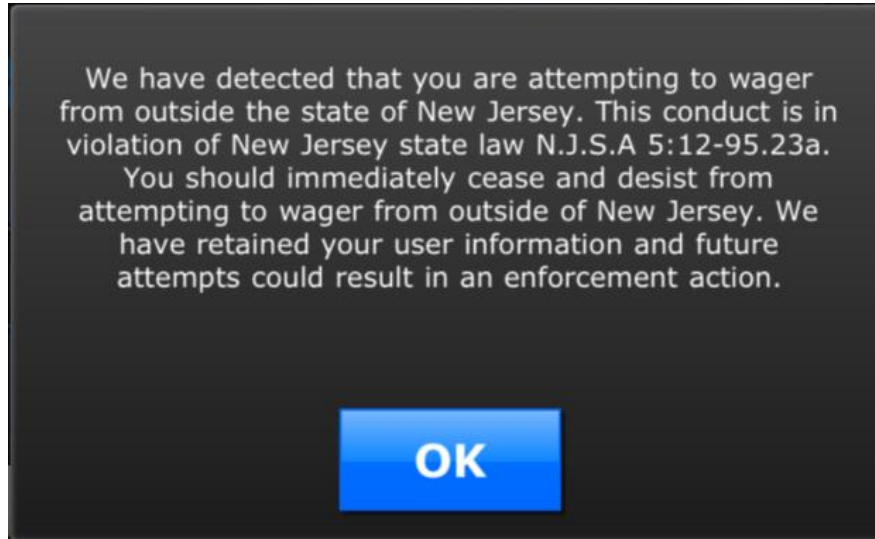
3 120. 888 Holdings, directly or through its agents, customers, and/or intermediaries, has
4 made, used, tested, imported, provided, supplied, distributed, sold, and/or offered for sale products
5 and/or systems that infringe (either directly or under the doctrine of equivalents) one or more
6 claims of the '664 patent. For instance, on information and belief, 888 Holdings' accused products
7 and/or systems have certain features that determine a mobile device associated with a first player is
8 located in a first location designated as a nonmonetary, points-only wagering area. In response to
9 the determination, points wagering is automatically enabled and monetary wagering is
10 automatically disabled while the mobile device remains in the first location. Here, a challenge by
11 the first player is received from the mobile device, in which the challenge identifies a selected
12 amount of points and a selected second player to receive the challenge. After receiving an
13 acceptance of the challenge from the second player, a wager between the first player and the
14 second player is formed. An outcome to the challenge is determined and points are adjusted in an
15 account of the winning player. On information and belief, 888 Holdings' accused products and/or
16 systems have certain features that further determine the mobile device is located in a second
17 location that is designated as a monetary wagering area. In response to the determination,
18 monetary wagering is automatically enabled and points wagering is automatically disabled from
19 the mobile device while the device remains in the second location. This is done in a manner that
20 infringes at least claim 17 of the '664 patent.

21 121. 888 Holdings' social casino games contain each limitation of at least claim 17 of the
22 '664 patent. By way of example only:

23 122. 888 Holdings' social casino games meet all requirements of claim 17, which include
24 (as shown below) "[a]n apparatus comprising: . . . instructions that when executed by a computing
25 device, cause the computing device to: determine that a mobile device associated with a first player
26 is located in a first location that is designated as a non-monetary, points only wagering area."
27 ('664 patent, col. 32, ll. 1-7.)
28

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123. 888 Holdings’ social casino games include, “in response to determining that the mobile device is located in the first location, automatically enabl[ing] points wagering and automatically disabling monetary wagering from the mobile device while the mobile device remains in the first location.” (*Id.* at col. 32, ll. 8-12.)



124. 888 Holdings’ social casino games include “receiv[ing], from the mobile device, a challenge by the first player, in which the challenge identifies an amount of points selected by the player and a second player selected by the player against whom to place the challenge.” (*Id.* at col. 32, ll. 13-17.)

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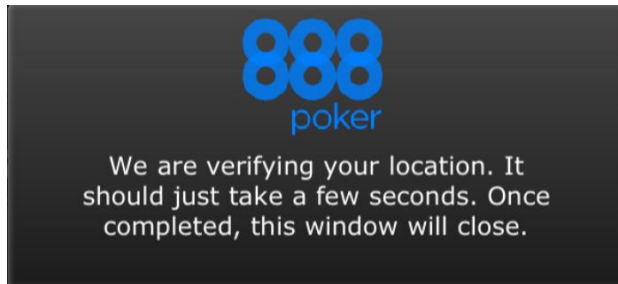
125. 888 Holdings’ social casino games include “identify[ing] the challenge to the second player; receiv[ing] an acceptance of the challenge from the second player . . . [and] form[ing] a wager between the first player and the second player based on the challenge.” (*Id.* at col. 32, ll. 18-24.)



126. 888 Holdings’ social casino games include “adjust[ing] points in an account of a winning player of the challenge in response to determining an outcome of the challenge.” (*Id.* at col. 32, ll. 25-27.)



1 127. 888 Holdings’ social casino games include “determin[ing] [that the] mobile device
2 is located in a second location that is designated as a monetary wagering area.” (*Id.* at col. 32, ll.
3 28-29.)



19 128. 888 Holdings’ social casino games include, “in response to determining that the
20 mobile device is located in the second location, automatically enabl[ing] monetary wagering and
21 automatically disabl[ing] points wagering from the mobile device while the mobile device remains
22 in the second location; wherein the second location is geographically different from the first
23 location.” (*Id.* at col. 32, ll. 30-36.)

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129. 888 Holdings does not have a license or permission to use the '664 patent.

130. As a result of 888 Holdings' infringement of the '664 patent, IG LLC has suffered and continues to suffer damages, in an amount not yet determined, of at least a reasonable royalty and/or lost profits.

131. In a letter dated November 12, 2014, notice was provided to 888 Holdings of the '664 patent and its infringing conduct. The letter is attached as **Exhibit A**.

132. Despite the knowledge of the '664 patent, 888 Holdings has continued to infringe this patent. 888 Holdings acted with reckless disregard of the '664 patent by continuing to infringe the patent when it knew or should have known that its actions constituted infringement.

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TENTH CLAIM FOR RELIEF
(INFRINGEMENT OF U.S. PATENT NO. 6,966,832)

133. Plaintiffs incorporate by reference paragraphs 1-132 as if fully set forth herein.

134. On November 22, 2005, U.S. Patent No. 6,966,832 (“the ’832 patent”) was duly and legally issued by the PTO for an invention titled “System and Method for Providing Game Advice to a User of a Gaming Application” to the listed inventors Fergus A. Leen, Sam B. Lawrence, David G. McNally, Clive Hetherington, David M. McDowell, and Kevin R. O’Neal. A certified copy of the ’832 patent is attached as **Exhibit K**.

135. IG Limited is the assignee and sole owner of the ’832 patent, with all substantive rights in and to that patent, including the sole and exclusive right to bring this action and enforce the ’832 patent against infringers, and to collect damages for all relevant times.

136. 888 Holdings, directly or through its agents, customers, and/or intermediaries, has made, used, tested, imported, provided, supplied, distributed, sold, and/or offered for sale products and/or systems that infringe (either directly or under the doctrine of equivalents) one or more claims of the ’832 patent. For example, on information and belief, 888 Holdings’ accused products and/or systems have certain features that provide a server to execute a gaming application, monitor a plurality of game events during execution of the gaming application, and communicate event information associated with at least one game event. On information and belief, 888 Holdings’ accused products and/or systems further include a processor remotely connected to the server that receives the event information and generates game advice associated with the gaming application based at least in part on the event information. Here, the game advice includes wager advice that is based at least in part on event information associated with the user’s opponent in the gaming application. The game advice is then presented to the user during execution of the gaming application. This is done in a manner that infringes at least claim 1 of the ’832 patent.

137. 888 Holdings’ social casino games contain each limitation of at least claim 1 of the ’832 patent. By way of example only:

138. 888 Holdings’ social casino games meet all requirements of claim 1, which include (as shown below) “[a] system for providing game advice to a user of a gaming application,

comprising: a server that: executes a gaming application.” (’832 patent, col. 20, ll. 29-32.)

12. Dispute Resolution

- In case of any dispute raised between users and related directly to the Services, the Company reserves the right at its sole discretion to assist users to reach a quick and amicable solution. Discussions with users shall not be public and shall be conducted privately.
- All claims or disputes should be raised with the customer service department at supportnj@888.com in a timely manner to allow the Company to promptly respond to the user.
- You accept and agree that a random number generator will determine the randomly generated events required in connection with the Services and where the result shown on the Software (as installed and operated by your hardware) conflicts with the result shown on our server, the result shown on our server shall in all circumstances take precedence.



139. 888 Holdings’ social casino games include “monitor[ing] a plurality of game events during the execution of the gaming application; and communicat[ing] event information associated with at least one game event.” (*Id.* at col. 20, ll. 33-36.)



140. 888 Holdings’ social casino games include “a processor remotely coupled to the

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1 server that: receives the event information; [and] generates game advice associated with the
 2 gaming application based at least in part upon the event information.” (*Id.* at col. 20, ll. 37-41.)



10 141. 888 Holdings’ social casino games include “game advice compris[ing] wager advice
 11 that is based at least in part upon event information associated with an opponent of the user in the
 12 gaming application; and present[ing] the game advice to the user during the execution of the
 13 gaming application.” (*Id.* at col. 20, ll. 41-46.)



21 142. 888 Holdings does not have a license or permission to use the ’832 patent.

22 143. As a result of 888 Holdings’ infringement of the ’832 patent, IG Limited has
 23 suffered and continues to suffer damages, in an amount not yet determined, of at least a reasonable
 24 royalty and/or lost profits.

25 **ELEVENTH CLAIM FOR RELIEF**
 26 **(INFRINGEMENT OF U.S. PATENT NO. 9,355,518)**

27 144. Plaintiffs incorporate by reference paragraphs 1-143 as if fully set forth herein.
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1 145. On May 31, 2016, U.S. Patent No. 9,355,518 (“the ’518 patent”) was duly and
2 legally issued by the PTO for an invention titled “Gaming System with Location Determination” to
3 the listed inventors Lee M. Amaitis, Joseph M. Asher, Robert F. Bahrampour, Darrin M. Mylet,
4 Alan B. Wilkins, and Howard W. Lutnick. A copy of the ’518 patent is attached as **Exhibit L**.

5 146. IG LLC is the assignee and sole owner of the ’518 patent, with all substantive rights
6 in and to that patent, including the sole and exclusive right to bring this action and enforce the ’518
7 patent against infringers, and to collect damages for all relevant times.

8 147. 888 Holdings, directly or through its agents, customers, and/or intermediaries, has
9 made, used, tested, imported, provided, supplied, distributed, sold, and/or offered for sale products
10 and/or systems that infringe (either directly or under the doctrine of equivalents) one or more
11 claims of the ’518 patent. For instance, on information and belief, 888 Holdings’ accused products
12 and/or systems have certain features that establish a user profile and receive device location data
13 over a communications network from a sensor in the user’s electronic device. A gaming session is
14 initiated based on the determined location. Here, the user’s electronic device presents via a display
15 a gaming environment or a modified gaming environment that indicates to the user a last gaming
16 activity of a plurality of gaming activities accessed during a prior gaming session. This is done in
17 a manner that infringes at least claims 1 and 9 of the ’518 patent.

18 148. 888 Holdings’ social casino games contain each limitation of at least one asserted
19 claim of the ’518 patent. By way of example only:

20 149. 888 Holdings’ social casino games meet all requirements of claim 9, which include
21 (as shown below) “[a]n apparatus for supporting multiple users in electronic gaming, the apparatus
22 comprising: . . . a memory electronically coupled to . . . [a] processor and having software stored
23 thereon that when executed by the . . . processor directs the . . . processor to: establish for a user of
24 the apparatus a user profile on a data storage device, wherein the user accesses the apparatus via an
25 electronic device.” (’518 patent, col. 27, l. 66 to col. 28, l. 8.)

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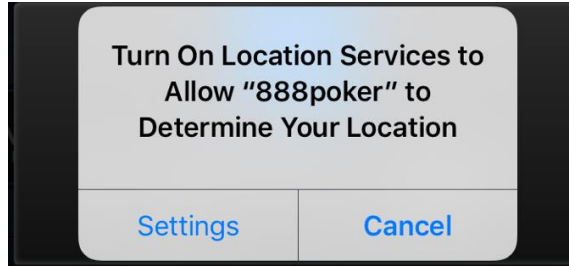
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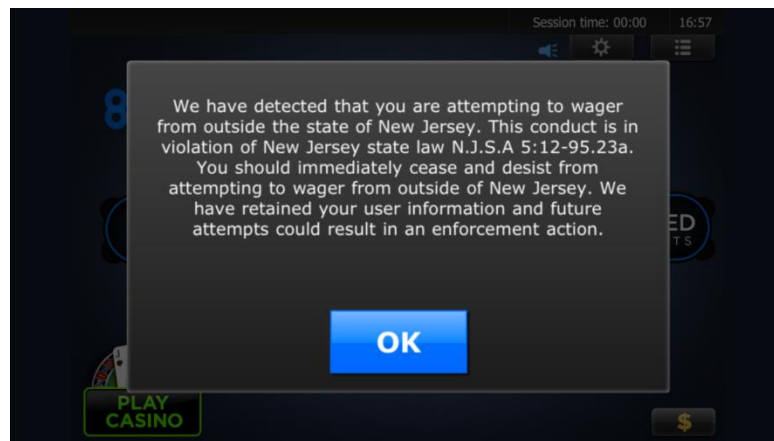


150. 888 Holdings’ social casino games include “receiv[ing] via a communications network from the electronic device location data of the electronic device, wherein: the electronic device comprises sensor for detecting location, the electronic device obtains the location data from the sensor, and the electronic device communicates the location data via the communications network.” (*Id.* at col. 28, ll. 9-16.)

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151. 888 Holdings’ social casino games include “recogniz[ing] an occurrence of an event; updat[ing] the user profile in response to the event; wherein [] recogniz[ing] the occurrence of the event comprises [] determin[ing], based on the location data, an existence of the user in a particular location, and wherein [] updat[ing] the user profile in response to the event comprises [] stor[ing] the particular location.” (*Id.* at col. 28, ll. 17-23.)



Q: How does 888poker use my cell phone to verify my location?

A: As a backup method, we may periodically ping your cell phone to verify that you are in New Jersey. Before the first time we do this, we will send you a text message to phone asking for your permission to ping your phone. Simply reply **YES** and then afterwards once you log in to 888poker, your location will be verified through your cell phone.

Q: Which carriers will allow me to use my phone to verify my location?

A: The mobile phone location service is available only on AT&T, Verizon Wireless, Sprint, Cricket, and T-Mobile. Please note that the location service might not be available if the phone is roaming or is turned off.

1 152. 888 Holdings’ social casino games include, “based on determining the existence of
 2 the user in the particular location, initiat[ing] a gaming session, wherein [] initiat[ing] the gaming
 3 session includes to communicate via the communications network information to the electronic
 4 device.” (*Id.* at col. 28, ll. 24-28.)



12 153. 888 Holdings’ social casino games include “caus[ing] the electronic device to
 13 present via a display of the electronic device a gaming environment to the user or to present via the
 14 display to the user a modified gaming environment that indicates to the user a last gaming activity
 15 of a plurality of gaming activities accessed by the user during a prior gaming session, a
 16 determination as to whether to display the gaming environment or the modified gaming
 17 environment being based on whether there is or is not a stored indication of a last one of the
 18 plurality gaming activities accessed by the user during the prior gaming session.” (*Id.* at col. 28, ll.
 19 28-39.)



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1 154. 888 Holdings does not have a license or permission to use the '518 patent.

2 155. As a result of 888 Holdings' infringement of the '518 patent, IG LLC has suffered
3 and continues to suffer damages, in an amount not yet determined, of at least a reasonable royalty
4 and/or lost profits.

5 **TWELFTH CLAIM FOR RELIEF**
6 **(INFRINGEMENT OF U.S. PATENT NO. 9,306,952)**

7 156. Plaintiffs incorporate by reference paragraphs 1-155 as if fully set forth herein.

8 157. On April 5, 2016, U.S. Patent No. 9,306,952 ("the '952 patent") was duly and
9 legally issued by the PTO for an invention titled "System and Method for Wireless Gaming with
10 Location Determination" to the listed inventors Kevin Burman and Dean P. Alderucci. A copy of
11 the '952 patent is attached as **Exhibit M**.

12 158. IG LLC is the assignee and sole owner of the '952 patent, with all substantive rights
13 in and to that patent, including the sole and exclusive right to bring this action and enforce the '952
14 patent against infringers, and to collect damages for all relevant times.

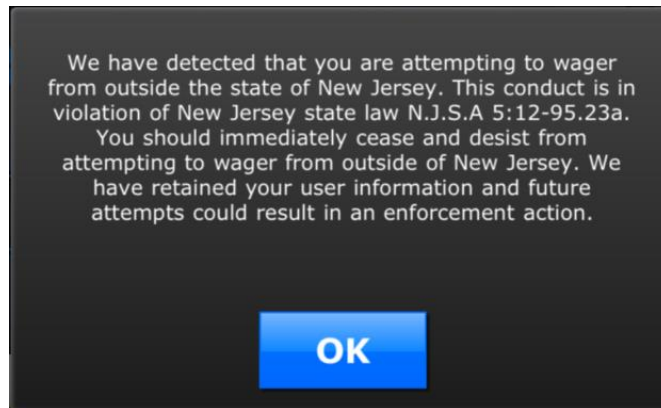
15 159. 888 Holdings, directly or through its agents, customers, and/or intermediaries, has
16 made, used, tested, imported, provided, supplied, distributed, sold, and/or offered for sale products
17 and/or systems that infringe (either directly or under the doctrine of equivalents) one or more
18 claims of the '952 patent. For instance, on information and belief, 888 Holdings' accused products
19 and/or systems have certain features that determine a plurality of selectable betting parameters for
20 a wager in a game having at least a first selectable betting parameter and a second selectable
21 betting parameter, each selectable betting parameter comprising a game parameter that affects an
22 outcome of a bet by a first user in the game. The first user plays the game using a corresponding
23 wireless gaming terminal having a wireless network interface operable to transmit and receive
24 gaming information. The wireless gaming terminal communicates with a location determination
25 system that determines a location of the wireless gaming terminal to implement a game depending
26 on the determined location. The system determines a plurality of different locations in a gaming
27 area including at least a first location corresponding to the first betting parameter and a second
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1 location corresponding to the second betting parameter. During the game, the system determines a
2 location of a first wireless gaming terminal corresponding to the first user and then determines at
3 least one of the plurality of selectable betting parameters associated with the first user based on the
4 determined location of the first user. Here, the system determines the outcome of the bet based at
5 least in part on the determined at least one betting parameter in accordance with one or more
6 predetermined rules of the game. This is done in a manner that infringes at least claims 1 and 27 of
7 the '952 patent.

8 160. 888 Holdings' social casino games contain each limitation of at least one asserted
9 claim of the '952 patent. By way of example only:

10 161. 888 Holdings' social casino games meet all requirements of claim 1, which include
11 (as shown below) "[a]n apparatus comprising: . . . a memory that stores instructions which, when
12 executed by [] at least one processor, direct the at least one processor to: determine a plurality of
13 selectable betting parameters for a wager in a game . . . comprising at least a first selectable betting
14 parameter and a second selectable betting parameter." ('952 patent, col. 34, ll. 51-63.)



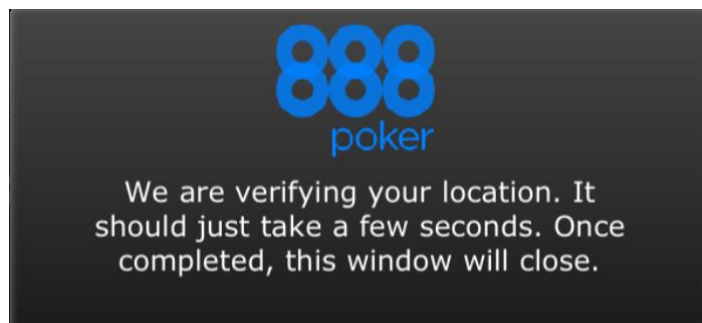
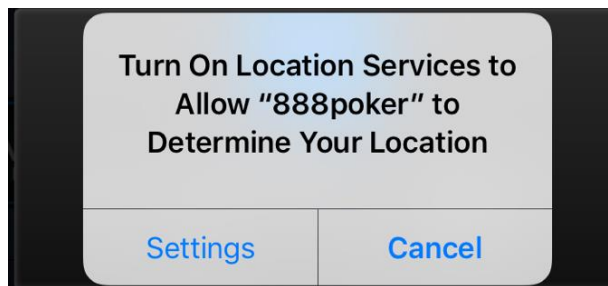
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162. 888 Holdings’ social casino games include “the game being played by at least one user using a corresponding at least one wireless gaming terminal . . . having a wireless network interface operable to transmit and receive gaming information . . . in which each wireless gaming terminal is in communication with a location determination system that determines a location of the wireless gaming terminal, each wireless gaming terminal further having a user interface for interacting with a corresponding user of the wireless gaming terminal to implement a game, wherein the game depends on the determined location.” (*Id.* at col. 34, l. 64 to col. 35, l. 12.)



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163. 888 Holdings’ social casino games include “determin[ing] a plurality of different locations in a gaming area, each location corresponding to at least one of the plurality of selectable betting parameters, the plurality of locations comprising at least a first location corresponding to the first betting parameter and a second location corresponding to the second betting parameter, in which the first location is different from the second location.” (*Id.* at col. 35, ll. 13-22.)

Q: What are the requirements to play 888poker for real money?

A: Outside New Jersey
 If you are not currently in New Jersey, you will not be able to play for real money. However you can still open an account at 888poker and be ready to play next time you visit. Follow these steps to open your account:

- [Download](#) and install the 888poker software
- Complete the registration form
- Save your username and password for when you visit New Jersey

When you arrive in New Jersey, simply log on, and complete our full registration process and you’ll be ready to play real money poker online.

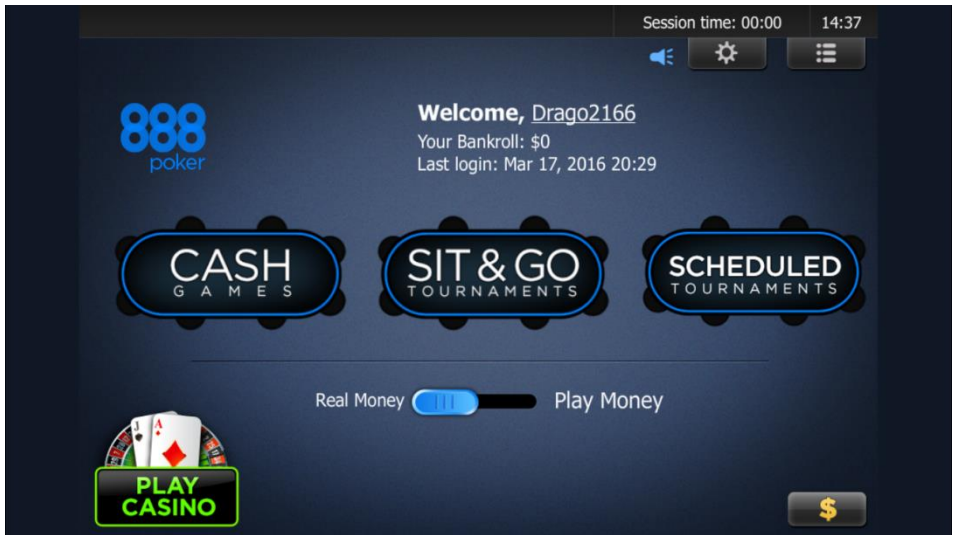
Within New Jersey
 In order to play for real money in New Jersey you must complete the following three steps:

- [Download](#) and install the 888poker software
- Complete the full registration process
- Connect to 888poker via a Wi-Fi network or if on mobile 3G or 4G
- When connecting via 3G/4G your Wi-Fi must be enabled

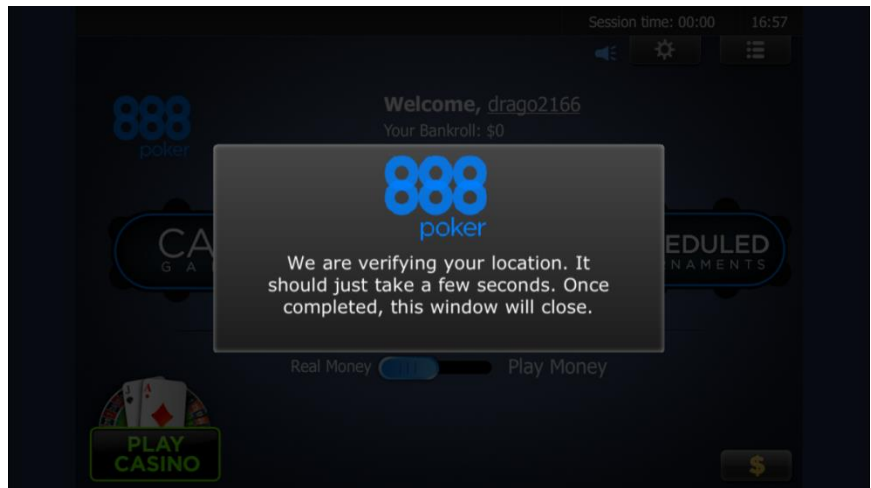
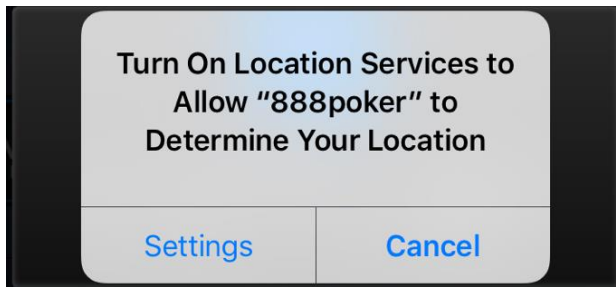
To read more about real money poker, please click [here](#).

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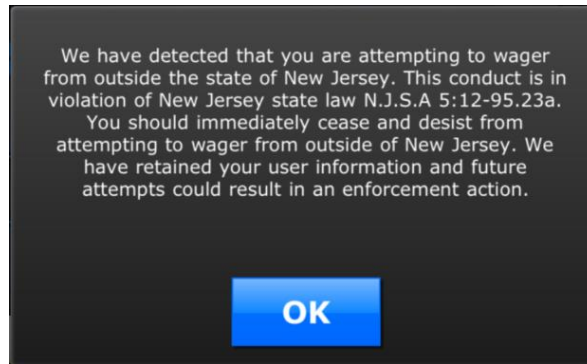


164. 888 Holdings’ social casino games include, “during the game, determin[ing] a location of at least one wireless gaming terminal corresponding to each of the at least one user in the game, in which the act of determining the location of the at least one wireless gaming terminal comprises determining a location of the first user by determining a location of a first wireless gaming terminal of the first user.” (*Id.* at col. 35, ll. 29-35.)



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1 165. 888 Holdings’ social casino games include “determin[ing] at least one of the
2 plurality of selectable betting parameters associated with the at least one user in the game based on
3 the determined location of the at least one user, in which the act of determining at least one of the
4 plurality of selectable betting parameters comprises determining at least one of the plurality of
5 selectable betting parameters associated with the first user based on the determined location of the
6 first user.” (*Id.* at col. 35, ll. 36-43.)



166. 888 Holdings’ social casino games include “determin[ing] the outcome of the bet
based at least in part on the determined at least one betting parameter in accordance with one or
more predetermined rules of the game.” (*Id.* at col. 35, ll. 45-48.)

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167. 888 Holdings does not have a license or permission to use the '952 patent.

168. As a result of 888 Holdings' infringement of the '952 patent, IG LLC has suffered and continues to suffer damages, in an amount not yet determined, of at least a reasonable royalty and/or lost profits.

**THIRTEENTH CLAIM FOR RELIEF
(WILLFUL INFRINGEMENT)**

169. Plaintiffs incorporate by reference paragraphs 1-168 as if fully set forth herein.

170. 888 Holdings' infringement of the RE'818, '628, '169, '267, '924, '394, '417, '058, '664, '832, '518, and '952 patents has been and continues to be willful. Indeed, 888 Holdings has been aware of at least the RE'818, '267, '924, '058, and '664 patents since on or about November 12, 2014. (See Ex. A.) 888 Holdings was also made aware of the '628, '169, '394, '417, and '832 patents at least as early as the filing of the original Complaint (ECF. No. 1), and the '518 and '952 patents at least as early as the filing of this Amended Complaint. 888 Holdings' continued use of its infringing products constitutes willful and blatant infringement.

171. For the same reasons set forth above in paragraphs 18, 29, 40, 52, 66, 78, 88, 102, 115, 131, 142, 154, and 167, 888 Holdings has had knowledge of the RE'818, '628, '169, '267, '924, '394, '417, '058, '664, '832, '518, and '952 patents, and that its acts constitute infringement. 888 Holdings has acted and is continuing to act in the face of an objectively high likelihood that its

1 actions constitute infringement of a valid patent or with reckless disregard of that likelihood.

2 **JURY DEMAND**

3 172. Plaintiffs request a trial by jury on all issues so triable by right.

4 **PRAYER FOR RELIEF**

5 Wherefore, Plaintiffs respectfully request that the Court find in their favor and against
6 Defendant, and that the Court grant Plaintiffs the following relief:

7 1. A declaration that 888 Holdings infringes the Patents-in-Suit under 35 U.S.C.
8 § 271(a) and a final judgment incorporating same;

9 2. Equitable relief under 35 U.S.C. § 283, including, but not limited to, an injunction
10 that enjoins 888 Holdings and any of its officers, agents, employees, assigns, representatives,
11 privies, successors, and those acting in concert or participation with them from infringing the
12 Patents-in-Suit;

13 3. An award of damages sufficient to compensate Plaintiffs for infringement of the
14 Patents-in-Suit by 888 Holdings, together with prejudgment and post judgment interest under 35
15 U.S.C. § 284;

16 4. Entry of an order compelling 888 Holdings to compensate Plaintiffs for any ongoing
17 and/or future infringement of the Patents-in-Suit, in an amount and under terms appropriate under
18 the circumstances;

19 5. That this Court declare this an exceptional case and award Plaintiffs their reasonable
20 attorneys' fees, costs, and expenses in accordance with 35 U.S.C. § 285;

21 6. A declaration or order finding 888 Holdings' infringement is willful and/or an order
22 increasing damages under 35 U.S.C. § 284; and

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CERTIFICATE OF SERVICE

I hereby certify that I electronically transmitted the foregoing **PLAINTIFFS' FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT** to the Clerk's Office using the CM/ECF system for filing and transmittal of a notice of electronic filing to the following CM/ECF registrants:

Marcus B. Smith

Pursuant to Federal Rule of Civil Procedure 5(b), I hereby further certify that service of the foregoing was also made this day by depositing a true and correct copy of same for mailing, first class mail, postage prepaid thereon, at Las Vegas, Nevada, addressed to the following:

Marcus B. Smith
Littler Mendelson
3960 Howard Hughes Pkwy., Suite 300
Las Vegas, NV 89169
Attorneys for Defendant

DATED this 11th day of July, 2016.

/s/ Carol Rojas
An Employee of OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.