IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ROSEBUD LMS, INC.	)
	)
Plaintiff,	)
	) Civil Action No. _____
v.	)
	) **JURY TRIAL DEMANDED**
ORACLE CORPORATION	)
	)
Defendant.	)
	)

COMPLAINT

For its Complaint, Plaintiff Rosebud LMS, Inc. ("Rosebud"), by and through the undersigned counsel, alleges as follows:

THE PARTIES

1.   Rosebud is a Delaware corporation with a place of business at 155 East 77th Street 1A, New York, New York 10021.

2.   Defendant Oracle Corporation is a Delaware corporation with, upon information and belief, a place of business located at 500 Oracle Parkway, Redwood City, CA 94065.

JURISDICTION AND VENUE

3.   This action arises under the Patent Act, 35 U.S.C. § 1 *et seq.*

4.   Subject matter jurisdiction is proper in this Court under 28 U.S.C. §§ 1331 and 1338.

5.   Upon information and belief, Defendant conducts substantial business in this forum, directly or through intermediaries, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses

of conduct and/or deriving substantial revenue from goods and services provided to individuals in this district.

6.   Venue is proper in this district pursuant to §§ 1391(b), (c) and 1400(b).

BACKGROUND

7.   On November 5, 2014, United States Patent No. 8,578,280 (the "'280 patent"), entitled "Method and Software for Enabling N-Way Collaborative Work Over a Network of Computers was duly and lawfully issued by the U.S. Patent and Trademark Office. A true and correct copy of the '280 patent is attached hereto as Exhibit A.

8.   Rosebud is the assignee and owner of the right, title and interest in and to the '280 patent, including the right to assert all causes of action arising under said patents and the right to any remedies for infringement of them.

COUNT I – INFRINGEMENT OF U.S. PATENT NO. 8,578,280

9.   Rosebud repeats and realleges the allegations of paragraphs 1 through 8 as if fully set forth herein.

10.   Without license or authorization and in violation of 35 U.S.C. § 271(a), Defendant is liable for infringement of at least claim 1 of the '280 patent by making, using, importing, offering for sale, and/or selling methods and products for collaboration over a network, including, but not limited to Primavera Prime.

More specifically and upon information and belief, Primavera Prime allows multiple users to co-author or edit a document in real-time, permitting collaboration over a computer network. *See* https://www.oracle.com/applications/primavera/products/prime/index.html (last accessed July 29, 2016); https://www.oracle.com/applications/primavera/products/prime/benefits.html (last accessed July 29, 2016). Primavera Prime intercepts data regarding user actions on a document

that is being co-authored by multiple users and syncs the changes to the document caused by these user actions across all copies of the document being co-authored. *See* Primavera: Primavera Prime 15.1 ("Primavera Prime 15.1") at pp. 17-18, 20 (available at http://docs.oracle.com/cd/E59266_01/English/user_guides/whats_new/introducing_prime.pdf (last accessed July 29, 2016); *see also* Primavera: New Features in Primavera Prime 16.1 ("New Features") at p. 14 (available at http://docs.oracle.com/cd/E68194_01/English/user_guides/whats_new/whats_new_in_primavera _prime.pdf (last accessed July 29, 2016). Data regarding native document and application level events (i.e., create, modify, change, annotate, etc.) from a user will be transmitted automatically to a content repository over a computer network through weblogic. *See* http://docs.oracle.com/cd/E59266_01/English/install_and_config/system_architecture_data_shee t/helpmain.htm?toc.htm?86602.htm (last accessed July 29, 2016); *see also* http://docs.oracle.com/cd/E68194_01/English/user_guides/document_collaboration_extensions_ user_guide/helpmain.htm?toc.htm?94886.htm (last accessed July 29, 2016); Primavera Prime 15.1 at pp. 18, 20. Primavera Prime causes the second instance of the stand-along application to display a local copy of a document corresponding to a local copy of the native document file. *See* Primavera Prime 15.1 at p. 14; http://docs.oracle.com/cd/E68194_01/English/user_guides/document_collaboration_extensions_ user_guide/helpmain.htm?toc.htm?93751.htm (last accessed July 29, 2016); http://docs.oracle.com/cd/E68194_01/English/user_guides/document_collaboration_extensions_ user_guide/helpmain.htm?toc.htm?95532.htm (last accessed July 29, 2016); http://docs.oracle.com/cd/E68194_01/English/user_guides/document_collaboration_extensions_ user_guide/helpmain.htm?toc.htm?95528.htm (last accessed July 29, 2016); Primavera Cloud

Service Administrator's Guide 15 R1 ("Cloud Service Administrator's Guide") at p. 492

(available   at

http://docs.oracle.com/cd/E64156_01/English/admin/cloud_service_administrators_guide.pdf

(last accessed July 29, 2016). Primavera Prime causes the second instance of the stand-along

application to receive and use the data comprising data regarding one or more application level

events to replicate the events that occurred within the first instance. *See* Oracle Primavera P6

Compression   Server   Administration   Guide   at   p.   5   (available   at

https://docs.oracle.com/cd/E16688_01/Technical_Documentation/Compression_Server/CompSr

vAdminGuide.pdf   (last   accessed   July   29,   2016));

http://docs.oracle.com/cd/E59266_01/English/install_and_config/system_architecture_data_shee

t/helpmain.htm?toc.htm?86602.htm   (last   accessed   July   29,   2016);

https://docs.oracle.com/cd/E16281_01/Web_Access/Help/en/Projects/Tasks/pm_checkin_checko

ut_docs.htm#overview (last accessed July 29, 2016); Primavera Prime System Architecture Data

Sheet   15   R1   at   pp.   6-7,   (available   at

http://docs.oracle.com/cd/E59266_01/English/install_and_config/system_architecture_data_shee

t/prime_system_architecture_data_sheet.pdf   (last   accessed   July   29,   2016);

http://docs.oracle.com/cd/E68194_01/English/user_guides/document_collaboration_extensions_

user_guide/helpmain.htm?toc.htm?94886.htm (last accessed July 29, 2016).   Primavera Prime

causes the second instance of the stand-along application to mirror the user actions performed in

the first instance without user intervention by performing an equivalent action on the local copy

of the native document file and thereby make corresponding changes to the local copy of the

native   document   file.   *See*   Primavera   Prime   15.1   at   p.   18;

http://docs.oracle.com/cd/E68194_01/English/user_guides/document_collaboration_extensions_

user_guide/helpmain.htm?toc.htm?94885.htm (last accessed July 29, 2016); New Features at p.

14;

http://docs.oracle.com/cd/E68194_01/English/user_guides/document_collaboration_extensions_

user_guide/helpmain.htm?toc.htm?93751.htm   (last   accessed   July   29,   2016);

http://docs.oracle.com/cd/E68194_01/English/user_guides/document_collaboration_extensions_

user_guide/helpmain.htm?toc.htm?94886.htm   (last   accessed   July   29,   2016);

http://docs.oracle.com/cd/E68194_01/English/user_guides/document_collaboration_extensions_

user_guide/helpmain.htm?toc.htm?94885.htm (last accessed July 29, 2016).   Primavera Prime

causes the second instance of the stand-along application to display the changes to the local copy

of   the   document.   *See*   Cloud   Service   Administrator's   Guide   at   p.   492;

http://docs.oracle.com/cd/E68194_01/English/user_guides/document_collaboration_extensions_

user_guide/helpmain.htm?toc.htm?94885.htm (last accessed July 29, 2016).   No events that have

an   effect   outside   the   stand-alone   application   are   propagated   to   provide   security   of   the

collaboration.   *See* Unifier File Transfer Utility Instructions Release 9.14 at p. 5 (available at

https://docs.oracle.com/cd/E48574_01/English/Technical_Documentation/unifier_file_transfer_a

pplication_instructions.pdf   (last   accessed   July   29,   2016);

https://blogs.oracle.com/webcenter/entry/oracle_webcenter_content_for_primavera   (last

accessed   July   29,   2016);   Oracle   Data   Sheet   at   p.   1   (available   at

http://www.oracle.com/technetwork/database/security/esi/ds-security-encrypt-billing-revenue-

1888271.pdf (last accessed July 29, 2016).

11.   Rosebud is entitled to recover from Defendant the damages sustained by Rosebud

as   result of Defendant's infringement of the '280 patent in an amount subject to proof at trial,

which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

JURY DEMAND

Rosebud hereby demands a trial by jury on all issues so triable.

PRAYER FOR RELIEF

WHEREFORE, Rosebud requests that this Court enter judgment against Defendant as follows:

A.   An adjudication that Defendant has infringed the '280 patent;

B.   An award of damages to be paid by Defendant adequate to compensate Rosebud for Defendant's past infringement of the '280 patent and any continuing or future infringement through the date such judgment is entered, including interest, costs, expenses and an accounting of all infringing acts including, but not limited to, those acts not presented at trial;

C.   A declaration that this case is exceptional under 35 U.S.C. § 285, and an award of Rosebud's reasonable attorneys' fees; and

D.   An award to Rosebud of such further relief at law or in equity as the Court deems just and proper.

Dated: July 29, 2016   STAMOULIS & WEINBLATT LLC

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