

Ogletree, Deakins, Nash, Smoak & Stewart, P.C.

Wells Fargo Tower  
Suite 1500, 3800 Howard Hughes Parkway  
Las Vegas, NV 89169  
Telephone: 702.369.6800

1 Molly M. Rezac  
Nevada Bar No. 7435  
2 [molly.rezac@ogletreedeakins.com](mailto:molly.rezac@ogletreedeakins.com)  
3 Erica J. Chee  
Nevada Bar No. 12238  
4 [erica.chee@ogletreedeakins.com](mailto:erica.chee@ogletreedeakins.com)  
5 OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.  
3800 Howard Hughes Parkway, Suite 1500  
6 Las Vegas, NV 89169  
Telephone: 702.369-6800  
7 Fax: 702.369.6888

8 Robert F. Shaffer (*admitted pro hac vice*)  
[robert.shaffer@finnegan.com](mailto:robert.shaffer@finnegan.com)  
9 District of Columbia Bar No. 472423  
James R. Barney (*admitted pro hac vice*)  
10 [james.barney@finnegan.com](mailto:james.barney@finnegan.com)  
District of Columbia Bar No. 473732  
11 Anthony D. Del Monaco (*admitted pro hac vice*)  
[anthony.delmonaco@finnegan.com](mailto:anthony.delmonaco@finnegan.com)  
12 District of Columbia Bar No. 978164  
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, LLP  
13 901 New York Avenue, NW  
Washington, DC 20001-4413  
14 Telephone: 202.408.4000  
15 Fax: 202.408.4400

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

18 UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

19 CG TECHNOLOGY DEVELOPMENT, LLC,  
20 INTERACTIVE GAMES LIMITED, and  
21 INTERACTIVE GAMES LLC,

22 Plaintiffs,

23 vs.

24 DOUBLE DOWN INTERACTIVE, LLC,

25 Defendant.  
26  
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Case No.: 2:16-cv-00858-RCJ-VCF

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

**DEMAND FOR JURY TRIAL**

1 Plaintiffs CG Technology Development, LLC (“CG Tech”), Interactive Games Limited  
2 (“IG Limited”), and Interactive Games LLC (“IG LLC”) (collectively “Plaintiffs”), by and through  
3 their counsel, hereby bring this Complaint against Defendant Double Down Interactive, LLC  
4 (“Defendant” or “Double Down Interactive”), and allege as follows:

5 **NATURE OF ACTION**

6 1. This is an action for patent infringement under 35 U.S.C. § 271 *et seq.* by Plaintiffs  
7 against Defendant for infringement of U.S. Patent Nos. RE39,818; 6,899,628; 7,534,169;  
8 6,979,267; 8,342,924; 7,029,394; and 9,111,417 (collectively the “Patents-in-Suit”).<sup>1</sup>

9 **PARTIES**

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

20 3. IG LLC is a limited liability company incorporated in Nevada with its principal  
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22  
23 <sup>1</sup> The parties entered into a stipulation on September 8, 2016, (ECF No. 56), requesting that the  
24 Court enter an Order in this case applying an Order from the related *Big Fish Games* action (Case  
25 No. 2:16-cv-00857-RCJ-VCF (D. Nev. Aug. 29, 2016), ECF No. 36), and thereby preserving  
26 Plaintiffs rights in this case on appeal from the *Big Fish Games* Order. Plaintiffs file this Amended  
27 Complaint pursuant to the parties’ stipulation and Fed. R. Civ. P. 15(2), but the Order requested in  
28 the stipulation has not issued. Because this First Amended Complaint supersedes the original, and  
the latter may be deemed to have been non-existent, Plaintiffs, out of an abundance of caution  
only, include claims for infringement of U.S. Patent Nos. 6,899,628; 7,534,169; 6,979,267;  
8,342,924; 7,029,394; and 9,111,417, so that they cannot be deemed to have been either voluntarily  
dismissed or waived on appeal in this case.

1 place of business at 110 East 59th St., New York, New York, 10022.

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

4 5. Upon information and belief, Double Down Interactive is a limited liability  
5 company organized and existing under the laws of the State of Washington, with its principal place  
6 of business located at 605 5th Avenue South, Suite 300, Seattle, Washington, 98104.

7 **JURISDICTION AND VENUE**

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

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

11 8. Double Down Interactive is subject to personal jurisdiction in this District because,  
12 based on information and belief, Defendant has transacted business in this District and has  
13 committed, by itself or in concert with others, acts of patent infringement in this District. On  
14 information and belief, Defendant has conducted business within the State of Nevada. In addition,  
15 Defendant offered for sale, sells, advertises, and/or uses its products and services (including the  
16 products accused of infringement in this lawsuit) in the United States, the State of Nevada, and this  
17 District. Further, Defendant purposefully and voluntarily placed one or more infringing products  
18 and services into the stream of commerce with the expectation that they will be used by consumers  
19 in the State of Nevada. Defendant also advertises and has transacted business throughout the  
20 United States, including in the State of Nevada, and specifically in this District. Defendant has  
21 been infringing, contributing to the infringement of, and/or actively inducing others to infringe  
22 claims of the RE'818 patent in the State of Nevada. Defendant has purposely availed itself of the  
23 laws of this District by, among other things, advertising and selling its products and services in this  
24 District.

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

4 10. On information and belief, Defendant has operated and continues to operate an  
 5 interactive website ([www.doubledowncasino.com](http://www.doubledowncasino.com)) and mobile application that are accessible to all  
 6 residents of the State of Nevada, including in this District, through which Defendant advertises and  
 7 makes available for use certain services and electronic social casino games that are herein accused  
 8 of infringement. (See *DOUBLEDOWN CASINO*, <https://www.doubledowncasino.com>.) On  
 9 information and belief, Defendant has repeatedly held events promoting and utilizing its products  
 10 and services accused of infringement in this District. (See, e.g., *Hard Rock Hotel, IGT sign deal*  
 11 *for DoubleDown Casino*, LAS VEGAS REVIEW - JOURNAL,  
 12 <http://www.reviewjournal.com/business/hard-rock-hotel-igt-sign-deal-doubledown-casino>;  
 13 *DoubleDown Casino*, HARD ROCK HOTEL AND CASINO,  
 14 <https://www.hardrockhotel.com/las-vegas-casino>; *Spriza Announces DoubleDown Casino Contest*,  
 15 MARKET WIRED, [http://www.marketwired.com/press-release/spriza-announces-doubledown-](http://www.marketwired.com/press-release/spriza-announces-doubledown-casino-contest-otcqb-sprz-1972736.htm)  
 16 [casino-contest-otcqb-sprz-1972736.htm](http://www.marketwired.com/press-release/spriza-announces-doubledown-casino-contest-otcqb-sprz-1972736.htm); *DoubleDown partners Spriza to launch sweepstake*  
 17 *competition*, GAMING INTELLIGENCE, [http://www.gamingintelligence.com/games/29296-](http://www.gamingintelligence.com/games/29296-doubledown-partners-spriza-to-launch-holiday-prize-draw)  
 18 [doubledown-partners-spriza-to-launch-holiday-prize-draw](http://www.gamingintelligence.com/games/29296-doubledown-partners-spriza-to-launch-holiday-prize-draw); *DoubleDown Casino - Office TV Spot*  
 19 *(Bedroom)*, YOUTUBE, <https://www.youtube.com/watch?v=7aSkRTacGJ8>;  
 20 *DoubleDown Casino - Office TV Spot (Bedroom Worldwide)*, YOUTUBE,  
 21 <https://www.youtube.com/watch?v=2PXxjvPfzk8>.)

22 11. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b) and (c), and/or  
 23 1400(b), as Double Down Interactive is subject to personal jurisdiction in this District.

#### GENERAL ALLEGATIONS

25 12. Plaintiffs own innovative technology that is being used by Defendant in its social  
 26 casino gaming business. Like traditional casino games, users are enabled to play games and place  
 27 wagers on their outcomes. Social casino games, however, allow users to play casino games with  
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1 hundreds of thousands of people through an online community. Remote users engage with the  
2 online community through mobile computing devices. Accordingly, social casino games are faster  
3 and provide greater diversity of players and experience levels. Social casino games also provide a  
4 better-personalized experience, more options, and greater enjoyment for the players.

5 13. On information and belief, and based on its own admissions, Double Down  
6 Interactive is the leading provider of social casino games, including “the wildly popular  
7 DoubleDown Casino [platform].” (See <http://www.doubledowninteractive.com>.) DoubleDown  
8 Casino is “the world’s largest free online casino” and offers gameplay to “millions of players.”  
9 (See <http://www.doubledowncasino.com>.) Double Down Interactive provides access to its social  
10 casino gaming platform, DoubleDown Casino, through its web-based interface and/or mobile  
11 applications. Double Down Interactive determines whether its users are at least 13 years of age  
12 before authorizing the users to play in one of its casino games.

13 14. Double Down Interactive offers various types of social casino games to users,  
14 including slots, roulette, blackjack, and poker. Users can enter these games and place wagers on  
15 their outcomes using “play” chips. Double Down Interactive offers these games at various  
16 minimum stakes and entry fees (or “buy-ins”). As such, Double Down Interactive’s gaming  
17 platform provides an in-game store for purchasing the chips required to enter a desired game and  
18 wager on the outcome. The chips are stored in a digital wallet as part of the user’s profile. Double  
19 Down Interactive also monitors multiple games and game events on which play is based to  
20 determine the outcome of each wager. During gameplay, a user may request to generate a wager  
21 offer to other users and receive multiple acceptances of the wager offer in response. After  
22 completing the game, the winners are awarded chips according to the game’s payout rules. Double  
23 Down Interactive manages and updates each user’s account to reflect the appropriate transfer of  
24 chips based on a winning or losing outcome.

25 15. Double Down Interactive’s gaming platform also generates statistics information  
26 based on game events and wager records associated with each user’s gameplay. The statistics  
27 information is stored in a user profile that provides a viewable summary of personalized  
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1 information. This personalized information also includes identification information and other  
2 historical game performance information. Double Down Interactive displays the user profile to the  
3 respective user and to other users of the gaming platform.

4 16. Upon information and belief, Double Down Interactive repeatedly uses, tests, and  
5 demonstrates its social casino games on various computing devices, including portable and mobile  
6 devices such as mobile phones, tablets, and laptops that include a wireless transmitter. The  
7 computing devices include memory for storing personalized identification information. The  
8 computing devices also include input controls for enabling a user to interactively play the social  
9 casino games.

10 17. Double Down Interactive has also induced and continues to induce acts by third  
11 parties that Double Down Interactive knows or should know constitute direct infringement of the  
12 RE’818 patent. Double Down Interactive actively induced infringement of the RE’818 patent by  
13 designing their social casino platform such that it infringes the RE’818 patent and by purposefully  
14 directing, promoting, encouraging, and causing the use of its casino platform by third parties in  
15 ways that infringe the RE’818 patent.

16 **CLAIMS FOR RELIEF**

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

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

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

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

27 21. Defendant, directly or through its agents, customers, and/or intermediaries, has  
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1 made, used, tested, imported, provided, supplied, distributed, sold, and/or offered for sale products  
2 and/or systems that infringe (either directly or under the doctrine of equivalents) one or more  
3 claims of the RE'818 patent. For instance, on information and belief, Defendant's accused  
4 products and/or systems provide a processor that executes a gaming application for displaying  
5 video images on a display screen. Defendant uses and tests its products and/or systems on portable  
6 controls that are personalized to a specific user after the user registers an account to interact with  
7 the gaming application. Once registration is complete, the portable control stores in its memory  
8 identification information including the user's age and game data. The personalized portable  
9 control includes control switches for generating game control signals during gameplay. The  
10 portable control also includes a wireless transmitter for sending the identification and control  
11 signals to the processor. Here, the processor uses the received identification signals to determine  
12 whether the user is authorized to play the game based at least in part on the user's age. This is  
13 done in a manner that infringes at least claims 1, 16, 20, 21, 24, 31, and 32 of the RE'818 patent.

14 22. Upon information and belief, Double Down Interactive uses and tests its products  
15 on various computing devices, including portable and mobile devices such as mobile phones,  
16 tablets, and laptops. For example, Double Down Interactive uses and tests its products in  
17 conjunction with making those products available through and/or on Apple and Android devices.  
18 (See, e.g., *Launching Your App on Devices*, APPLE APP DISTRIBUTION GUIDE,  
19 [https://developer.apple.com/library/content/documentation/IDEs/Conceptual/AppDistributionGuid](https://developer.apple.com/library/content/documentation/IDEs/Conceptual/AppDistributionGuide/LaunchingYourApponDevices/LaunchingYourApponDevices.html)  
20 [e/LaunchingYourApponDevices/LaunchingYourApponDevices.html](https://developer.apple.com/library/content/documentation/IDEs/Conceptual/AppDistributionGuide/LaunchingYourApponDevices/LaunchingYourApponDevices.html); *Run Apps on a Hardware*  
21 *Device*, ANDROID STUDIO USER GUIDE, <https://developer.android.com/studio/run/device.html>.)

22 23. Double Down Interactive gives demonstrations of its products on computing  
23 devices, including portable and mobile devices such as mobile phones, tablets, and laptops, at  
24 conventions and trade shows, such as at the Northwest Indian Gaming Conference & Expo (see,  
25 e.g., *High-Stakes Campaign a Game or a Sure Thing?*, MARKETING TANGO,  
26 <http://www.marketingtango.com/high-stakes-campaign-a-gamble-or-a-sure-thing/>; *Casino Royale*,  
27 EXHIBITOR, <http://www.exhibitoronline.com/topics/article.asp?ID=1703>; *IGT Demonstrates*  
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1 *Expanded Product Portfolio at Northwest Indian Gaming Conference & Expo 2016*, CDC GAMING  
2 REPORTS, [http://www.cdcgamingreports.com/igt-demonstrates-expanded-product-portfolio-at-](http://www.cdcgamingreports.com/igt-demonstrates-expanded-product-portfolio-at-northwest-indian-gaming-conference-expo-2016/)  
3 [northwest-indian-gaming-conference-expo-2016/](http://www.cdcgamingreports.com/igt-demonstrates-expanded-product-portfolio-at-northwest-indian-gaming-conference-expo-2016/)).

4 24. Defendant has indirectly infringed and continues to indirectly infringe the RE'818  
5 patent, both via contributory and induced infringement. The direct infringement underlying  
6 Defendant's indirect infringement of the RE'818 patent consists at least of its end-user customers'  
7 use of its social casino platform on computing devices, including portable and mobile devices such  
8 as mobile phones, tablets, and laptops.

9 25. Defendant has induced and continues to induce its end-user customers to use the  
10 accused systems by purposefully directing, promoting, encouraging, and causing the use of the  
11 accused systems by its end-user customers in a manner that it knows infringes the RE'818 patent.  
12 Defendant has done so at least by (1) providing detailed instructions to its customers through  
13 training videos, demonstrations, brochures, installation and/or user guides explaining how to use  
14 the social casino platform (*see e.g., Benefits of connecting through Facebook in DoubleDown*  
15 *Casino*, DOUBLEDOWN CASINO, [https://doubledowncasino1.zendesk.com/hc/en-](https://doubledowncasino1.zendesk.com/hc/en-us/articles/201395160-Benefits-of-connecting-through-Facebook-in-DoubleDown-Casino)  
16 [us/articles/201395160-Benefits-of-connecting-through-Facebook-in-DoubleDown-](https://doubledowncasino1.zendesk.com/hc/en-us/articles/201395160-Benefits-of-connecting-through-Facebook-in-DoubleDown-Casino)  
17 *Casino*; *DoubleDown Casino - Purchasing Chips on your Desktop Computer*, YOUTUBE,  
18 <https://www.youtube.com/watch?v=bHgdOoCqqmI>; *DoubleDown Casino Guest Accounts Tutorial*  
19 *(For Mobile Devices Only)*, YOUTUBE, <https://www.youtube.com/watch?v=uXM7f8ZHQk8>; Basic  
20 troubleshooting for DoubleDown Casino on your Android device, DOUBLEDOWN CASINO,  
21 [https://doubledowncasino1.zendesk.com/hc/en-us/articles/204753460-Basic-troubleshooting-for-](https://doubledowncasino1.zendesk.com/hc/en-us/articles/204753460-Basic-troubleshooting-for-DoubleDown-Casino-on-your-Android-device)  
22 [DoubleDown-Casino-on-your-Android-device](https://doubledowncasino1.zendesk.com/hc/en-us/articles/204753460-Basic-troubleshooting-for-DoubleDown-Casino-on-your-Android-device)); and (2) touting and advertising these features to its  
23 customers (*see, e.g., DoubleDown Casion - Free Chips (Mobile) June*, YOUTUBE,  
24 <https://www.youtube.com/watch?v=zMv-9SEQLXc>; *DoubleDown Casino - Play on Mobile*  
25 *NOW!*, YOUTUBE, <https://www.youtube.com/watch?v=YEdoie3UpZ0>; Plaintiffs' First Amended  
26 Complaint, *supra* paragraph 10 at 9-20). Defendant's inducement has led to infringement of at  
27 least claims 1, 16, 20, 21, 24, 31, and 32 of the RE'818 patent.  
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1           26. Defendant has contributed to and is continuing to contribute to the infringement of  
2 the RE'818 patent by end-user customers by making, offering to sell, and/or selling its social  
3 casino product, constituting a material part of the invention, which is especially made for use by  
4 end-user customers in a manner that infringes the RE'818 patent and has no substantial  
5 noninfringing uses. (*See, e.g.*, Plaintiffs' First Amended Complaint, *supra* paragraph 10 at 9-20.)  
6 In particular, the feature permits end-user customers to open a gaming account that may be used to  
7 authorize gameplay based on an age of the end-user customer, while also allowing the end-user  
8 customers to access the gaming account from a computing device. This feature is expressly  
9 defined by the Defendant in instructions to the end-user customer, and has no practical use other  
10 than a use that infringes the RE'818 patent. The use of this feature by end-user customers of  
11 Defendant for its intended purpose necessarily results in infringement of at least claims 1, 16, 20,  
12 21, 24, 31, and 32 of the RE'818 patent.

13           27. Defendant had knowledge of the RE'818 patent at least since the service of the  
14 original Complaint on or about April 14, 2016.

15           28. Defendant does not have a license or permission to use the RE'818 patent.

16           29. Defendant therefore has induced and contributed to acts of direct infringement, and  
17 is continuing to do so, with the specific intent and knowledge that others would infringe at least  
18 claims 1, 16, 20, 21, 24, 31, and 32 of the RE'818 patent.

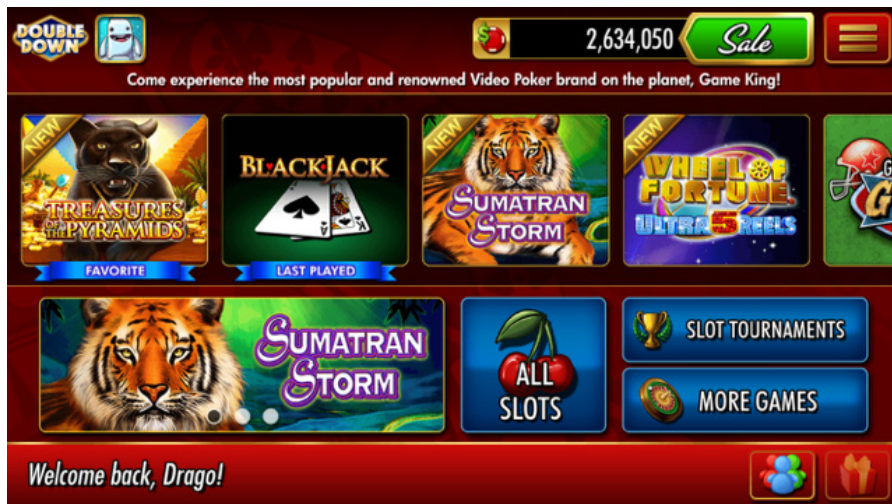
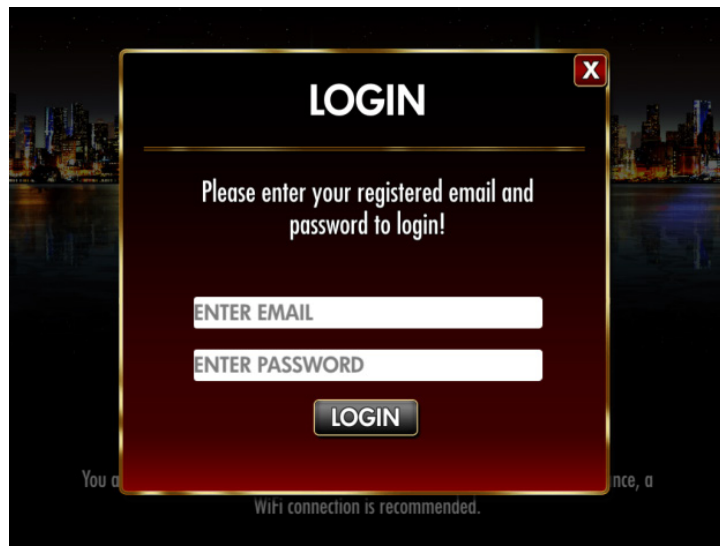
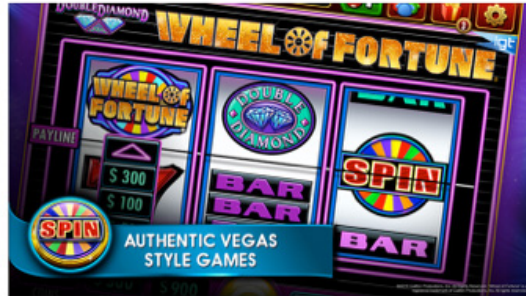
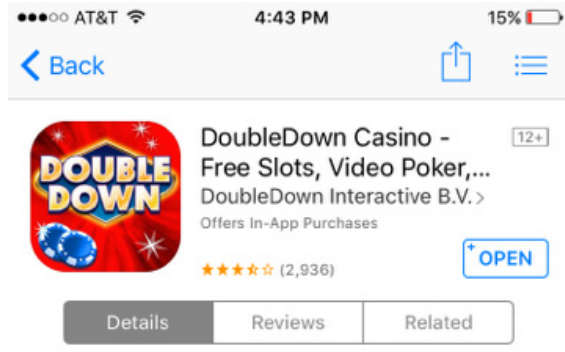
19           30. By way of example only, Defendant tests, uses, and provides, and at least its  
20 customers use, the Double Down Interactive social casino platform in a manner that infringes each  
21 limitation of at least one asserted claim of the RE'818 patent:

22           31. Defendant and its customers infringes all elements of claim 20, by using and/or  
23 providing an apparatus for playing its social casino games (as shown below by a user opening,  
24 registering, launching a game, and playing a game on a gaming device), the "game apparatus  
25 comprising: a wireless transmitter to transmit both an identification code and game control signals  
26 to a processor executing a game." (RE'818 patent, col. 7, ll. 25-28.)  
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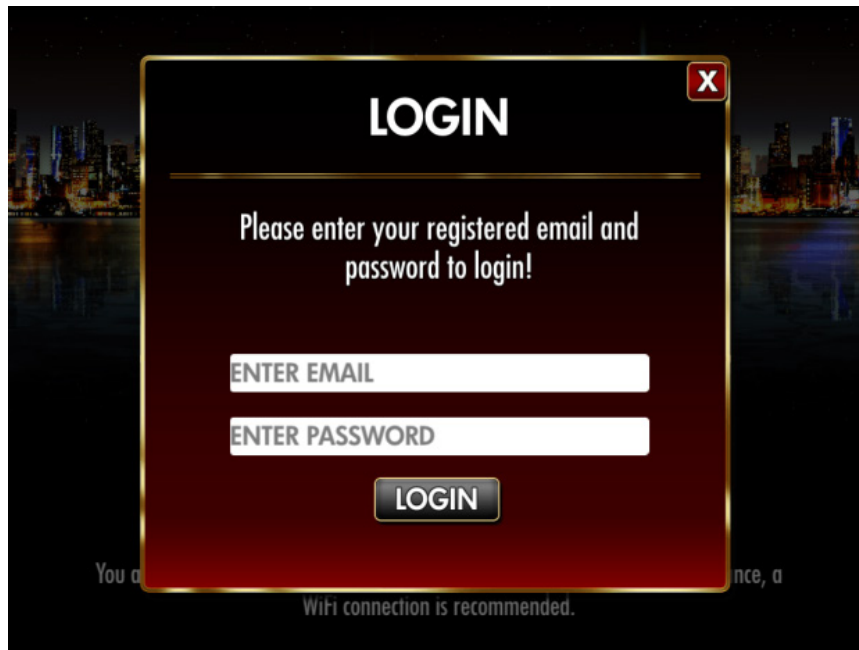
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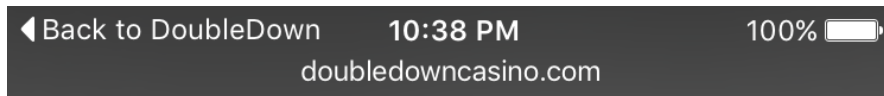
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32. Defendant tests, uses, and provides, and at least its customers use, a processor such that an “identification code is used by the processor to retrieve identification data and authorize game play based at least in part on an age of a player.” (*Id.* at col. 7, ll. 28-30.)





**License and Limitations on Use**

Subject to your agreement and compliance with the Terms of Use and Privacy Policy, DoubleDown grants you a non-exclusive, non-transferable, revocable limited license to access and use the Services through a supported Web browser or mobile device solely for your own non-commercial, entertainment purposes.

You represent and warrant that you have full right and authority to use the Services and to be bound by these Terms. You further agree that your use of the Services shall be lawful and that you will comply with the usage rules. You acknowledge that the Services are intended for use by those 21 or older for amusement purposes only. In furtherance of the foregoing, and as an example and not as a limitation, you agree that you will not:

1. Create an account with, access or otherwise use the Services if you are under the age of 13; or create an account with, access or use the Services if you less than 18 years of age unless your legal guardian has reviewed and agrees to these Terms of Use.

**Age**

The Services are intended for those 21 years of age. Without diminishing the foregoing, to access or participate in the Services, you must be a natural person, at least 13 years old, and if you are under the age of 18 you declare that you have the consent of a legal guardian. At our sole discretion, we may require proof that you meet this condition in connection with use of the Services. Failure to comply with this condition will result in the closing of your account and the loss of all Virtual Currency or Virtual Goods acquired through your use of the Services.

**Access; User Names and Passwords**

You may login to use the Services by using your Facebook account. By using your Facebook account to login to the Services, you affirmatively consent to our sharing of your actions and data with Facebook. You must be at least 13 years of age and have a valid, active Facebook

33. Defendant tests, uses, and provides, and at least its customers use, an apparatus for playing its social casino games that includes (as shown below, for example, in the bottom right-hand corner of the screenshot) “a plurality of input controls to allow the player to interact with the processor to play the game.” (*Id.* at col. 7, ll. 31-32.)



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34. As a result of Defendant’s infringement of the RE’818 patent, CG Tech has suffered and continues to suffer damages, in an amount not yet determined, and is entitled to an award of damages adequate to compensate for the infringement, but in no event less than a reasonable royalty.

**SECOND CLAIM FOR RELIEF  
 (INFRINGEMENT OF U.S. PATENT NO. 6,899,628)<sup>2</sup>**

35. Plaintiffs incorporate by reference paragraphs 1-34 as if fully set forth herein.

36. 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 B**.

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<sup>2</sup> This allegation is included for preservation of options on appeal only. The parties entered into a stipulation on September 8, 2016, (ECF No. 56), requesting that the Court enter an Order in this case applying an Order from the related *Big Fish Games* action (Case No. 2:16-cv-00857-RCJ-VCF (D. Nev. Aug. 29, 2016), ECF No. 36), and thereby preserving Plaintiffs rights in this case on appeal from the *Big Fish Games* Order. Plaintiffs file this Amended Complaint pursuant to the parties’ stipulation and Fed. R. Civ. P. 15(2), but the Order requested in the stipulation has not issued. Because this First Amended Complaint supersedes the original, and the latter may be deemed to have been non-existent, Plaintiffs, out of an abundance of caution only, include this claim for infringement of U.S. Patent No. 6,899,628 so that it cannot be deemed to have been either voluntarily dismissed or waived on appeal in this case.

1 37. 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 38. Defendant, 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, Defendant's 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 39. Double Down Interactive's social casino platform infringes each limitation of at  
18 least claim 31 of the '628 patent. By way of example only:

19 40. Double Down Interactive's social casino platform infringes all elements of claim  
20 31, which include (as shown below) "[a] server for managing game events, comprising: a processor  
21 that executes a gaming application that is accessed by a remote user via a network." ('628 patent,  
22 col. 23, ll. 62-64.)

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Ogletree, Deakins, Nash, Smoak & Stewart, P.C.  
 Wells Fargo Tower  
 Suite 1500, 3800 Howard Hughes Parkway  
 Las Vegas, NV 89169  
 Tallahassee - 772-368-6588

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41. Double Down Interactive’s social casino platform includes “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.)



42. Double Down Interactive’s social casino platform includes “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.)



Ogletree, Deakins, Nash, Smoak & Stewart, P.C.

Wells Fargo Tower  
Suite 1500, 3800 Howard Hughes Parkway  
Las Vegas, NV 89169  
Telephone: 702-368-6500

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43. Double Down Interactive’s social casino platform includes “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 44. Defendant does not have a license or permission to use the '628 patent.

2 45. As a result of Defendant's infringement of the '628 patent, IG Limited has suffered  
3 and continues to suffer damages, in an amount not yet determined, and is entitled to an award of  
4 damages adequate to compensate for the infringement, but in no event less than a reasonable  
5 royalty.

6 **THIRD CLAIM FOR RELIEF**  
7 **(INFRINGEMENT OF U.S. PATENT NO. 7,534,169)**<sup>3</sup>

8 46. Plaintiffs incorporate by reference paragraphs 1-45 as if fully set forth herein.

9 47. On May 19, 2009, U.S. Patent No. 7,534,169 ("the '169 patent") was duly and  
10 legally issued by the PTO for an invention titled "System and Method for Wireless Gaming System  
11 with User Profiles" to the listed inventors Lee M. Amaitis, Joseph M. Asher, Robert F.  
12 Bahrapour, Darrin M. Mylet, Alan B. Wilkins, and Howard W. Lutnick. A certified copy of the  
13 '169 patent is attached as **Exhibit C**.

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

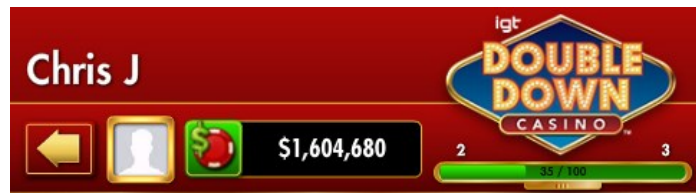
17 49. Defendant, directly or through its agents, customers, and/or intermediaries, has  
18 made, used, tested, imported, provided, supplied, distributed, sold, and/or offered for sale products  
19 and/or systems that infringe (either directly or under the doctrine of equivalents) one or more  
20 claims of the '169 patent. For instance, on information and belief, Defendant's accused products  
21 and/or systems have certain features that modify a gaming environment based on a user's success  
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23 <sup>3</sup> This allegation is included for preservation of options on appeal only. The parties entered into a  
24 stipulation on September 8, 2016, (ECF No. 56), requesting that the Court enter an Order in this  
25 case applying an Order from the related *Big Fish Games* action (Case No. 2:16-cv-00857-RCJ-  
26 VCF (D. Nev. Aug. 29, 2016), ECF No. 36), and thereby preserving Plaintiffs rights in this case on  
27 appeal from the *Big Fish Games* Order. Plaintiffs file this Amended Complaint pursuant to the  
28 parties' stipulation and Fed. R. Civ. P. 15(2), but the Order requested in the stipulation has not  
issued. Because this First Amended Complaint supersedes the original, and the latter may be  
deemed to have been non-existent, Plaintiffs, out of an abundance of caution only, include this  
claim for infringement of U.S. Patent No. 7,534,169 so that it cannot be deemed to have been  
either voluntarily dismissed or waived on appeal in this case.

1 level in playing a gaming activity. A gaming device enables a user to play a plurality of gaming  
 2 activities, and a user profile associated with the user is updated to reflect a first success level in  
 3 playing a first gaming activity during a first gaming session. After termination of the first gaming  
 4 session and the start of a second, subsequent, gaming session, the user’s success level in playing  
 5 the first gaming activity is determined. Based at least in part on the first success level, a gaming  
 6 environment is modified and presented to the user through the gaming device. The modification  
 7 includes a change in how the first gaming activity is presented to the user as a possible gaming  
 8 activity during the second gaming session. This is done in a manner that infringes at least claim 1  
 9 of the ’169 patent.

10 50. Double Down Interactive’s social casino platform infringes each limitation of at  
 11 least claim 1 of the ’169 patent. By way of example only:

12 51. Double Down Interactive’s social casino platform infringes all elements of claim 1,  
 13 which include (as shown below) “[a]n apparatus comprising: . . . at least one profile associated  
 14 with a user of a gaming device, the gaming device being operable to make a plurality of gaming  
 15 activities available to the user for play via the gaming device.” (’169 patent, col. 26, ll. 43-52.)



52. Double Down Interactive’s social casino platform includes “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.)



53. Double Down Interactive’s social casino platform includes, “based at least in part on the first success level, modify[ing] a gaming environment, wherein the modification includes a change as to how the first gaming activity is presented to the user as a possible gaming activity that the user may play via the gaming device during the second gaming session.” (*Id.* at col. 26, l. 66 to col. 27, l. 4.)

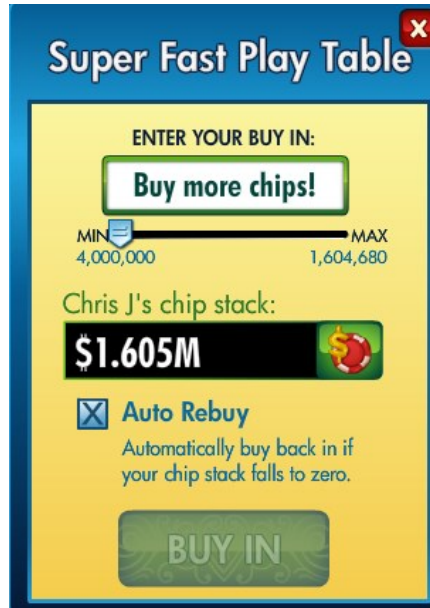


54. Double Down Interactive’s social casino platform includes “present[ing] to the user, via the gaming device, the first gaming activity according to the modified gaming environment.”

Ogletree, Deakins, Nash, Smoak & Stewart, P.C.  
 Wells Fargo Tower  
 Suite 1500, 3800 Howard Hughes Parkway  
 Las Vegas, NV 89169  
 Telephone: 702-368-6500



1 (Id. at col. 27, ll. 5-7.)



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12 55. Defendant does not have a license or permission to use the '169 patent.

13 56. As a result of Defendant's infringement of the '169 patent, IG LLC has suffered and  
14 continues to suffer damages, in an amount not yet determined, and is entitled to an award of  
15 damages adequate to compensate for the infringement, but in no event less than a reasonable  
16 royalty.

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18 **FOURTH CLAIM FOR RELIEF**  
**(INFRINGEMENT OF U.S. PATENT NO. 6,979,267)<sup>4</sup>**

19 57. Plaintiffs incorporate by reference paragraphs 1-56 as if fully set forth herein.

20 58. On December 27, 2005, U.S. Patent No. 6,979,267 ("the '267 patent") was duly and  
21 legally issued by the PTO for an invention titled "System and Method for Generating Profile  
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28 <sup>4</sup> This allegation is included for preservation of options on appeal only. The parties entered into a stipulation on September 8, 2016, (ECF No. 56), requesting that the Court enter an Order in this case applying an Order from the related *Big Fish Games* action (Case No. 2:16-cv-00857-RCJ-VCF (D. Nev. Aug. 29, 2016), ECF No. 36), and thereby preserving Plaintiffs rights in this case on appeal from the *Big Fish Games* Order. Plaintiffs file this Amended Complaint pursuant to the parties' stipulation and Fed. R. Civ. P. 15(2), but the Order requested in the stipulation has not issued. Because this First Amended Complaint supersedes the original, and the latter may be deemed to have been non-existent, Plaintiffs, out of an abundance of caution only, include this claim for infringement of U.S. Patent No. 6,979,267 so that it cannot be deemed to have been either voluntarily dismissed or waived on appeal in this case.

1 Information for a User of a Gaming Application” to the listed inventors Fergus A. Leen, Sam B.  
2 Lawrence, David G. McNally, Clive Hetherington, David M. McDowell, and Kevin R. O’Neal. A  
3 certified copy of the ’267 patent is attached as **Exhibit D**.

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

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

24 61. Double Down Interactive’s social casino platform infringes each limitation of at least  
25 claim 1 of the ’267 patent. By way of example only:

26 62. Double Down Interactive’s social casino platform infringes all elements of claim 1,  
27 which include (as shown below) “[a] system for generating profile information for users of gaming  
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1 applications, comprising: a server that: . . . monitors a plurality of game events during the  
 2 execution of the first gaming application by a first user.” (’267 patent, col. 20, ll. 24-29.)



63. Double Down Interactive’s social casino platform includes “a processor remotely  
 coupled to the server that: . . . generates first profile information associated with the first user based  
 at least in part upon . . . first event information, . . . second event information and wager records of  
 the first user.” (*Id.* at col. 20, ll. 34-40.)



Ogletree, Deakins, Nash, Smoak & Stewart, P.C.  
 Wells Fargo Tower  
 Suite 1500, 3800 Howard Hughes Parkway  
 Las Vegas, NV 89169  
 Telephone: 702-368-6500



Ogletree, Deakins, Nash, Smoak & Stewart, P.C.  
 Wells Fargo Tower  
 Suite 1500, 3800 Howard Hughes Parkway  
 Las Vegas, NV 89169  
 Telephone: 702-368-6500

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64. Double Down Interactive’s social casino platform includes “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.)



65. Double Down Interactive’s social casino platform includes “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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66. Double Down Interactive’s social casino platform includes “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.)



67. Defendant does not have a license or permission to use the '267 patent.

68. As a result of Defendant’s infringement of the '267 patent, IG Limited has suffered and continues to suffer damages, in an amount not yet determined, and is entitled to an award of damages adequate to compensate for the infringement, but in no event less than a reasonable royalty.

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**FIFTH CLAIM FOR RELIEF**  
**(INFRINGEMENT OF U.S. PATENT NO. 8,342,924)<sup>5</sup>**

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

70. On January 1, 2013, U.S. Patent No. 8,342,924 (“the ’924 patent”) was duly and legally issued by the PTO for an invention titled “System and Method for Providing Enhanced Services 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 ’924 patent is attached as **Exhibit E**.

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

72. Defendant, 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 ’924 patent. For instance, on information and belief, Defendant’s accused products and/or systems have certain features that enable a user to play a game and initiate at least one event within a context of playing the game. Information associated with the event is received by an apparatus comprising a processor while the user plays the game. Here, the apparatus generates statistics information associated with the user based at least in part on the information. This statistics information is associated with the user’s playing of the game, and is electronically displayed to another user. This is done in a manner that infringes at least claim 11 of the ’924

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<sup>5</sup> This allegation is included for preservation of options on appeal only. The parties entered into a stipulation on September 8, 2016, (ECF No. 56), requesting that the Court enter an Order in this case applying an Order from the related *Big Fish Games* action (Case No. 2:16-cv-00857-RCJ-VCF (D. Nev. Aug. 29, 2016), ECF No. 36), and thereby preserving Plaintiffs rights in this case on appeal from the *Big Fish Games* Order. Plaintiffs file this Amended Complaint pursuant to the parties’ stipulation and Fed. R. Civ. P. 15(2), but the Order requested in the stipulation has not issued. Because this First Amended Complaint supersedes the original, and the latter may be deemed to have been non-existent, Plaintiffs, out of an abundance of caution only, include this claim for infringement of U.S. Patent No. 8,342,924 so that it cannot be deemed to have been either voluntarily dismissed or waived on appeal in this case.

1 patent.

2 73. Double Down Interactive’s social casino platform infringes each limitation of at  
3 least claim 11 of the ’924 patent. By way of example only:

4 74. Double Down Interactive’s social casino platform infringes all elements of claim  
5 11, which include (as shown below) “[a]n apparatus comprising: at least one processor; and at least  
6 one memory device . . . [that] stores instructions which . . . direct the at least one processor to:  
7 receive information associated with at least one event initiated by a user within a context of playing  
8 a game, wherein the information is received during the playing of the game by the user.” (’924  
9 patent, col. 21, ll. 4-13.)



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20 75. Double Down Interactive’s social casino platform includes, “based at least in part  
21 on the information, generat[ing] statistics information, wherein the statistics information is  
22 associated with the user with respect to the playing of the game.” (*Id.* at col. 21, ll. 14-17.)

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Ogletree, Deakins, Nash, Smoak & Stewart, P.C.  
Wells Fargo Tower  
Suite 1500, 3800 Howard Hughes Parkway  
Las Vegas, NV 89169  
Tallahassee - 772-368-6588

Ogletree, Deakins, Nash, Smoak & Stewart, P.C.  
 Wells Fargo Tower  
 Suite 1500, 3800 Howard Hughes Parkway  
 Las Vegas, NV 89169  
 Telephone: 702-368-6500

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76. Double Down Interactive’s social casino platform includes “caus[ing] to be electronically displayed to another user at least the statistics information.” (*Id.* at col. 21, ll. 18-19.)



77. Defendant does not have a license or permission to use the ’924 patent.

78. As a result of Defendant’s infringement of the ’924 patent, IG Limited has suffered and continues to suffer damages, in an amount not yet determined, and is entitled to an award of damages adequate to compensate for the infringement, but in no event less than a reasonable



1 royalty.

2 **SIXTH CLAIM FOR RELIEF**  
3 **(INFRINGEMENT OF U.S. PATENT NO. 7,029,394)<sup>6</sup>**

4 79. Plaintiffs incorporate by reference paragraphs 1-78 as if fully set forth herein.

5 80. On April 18, 2006, U.S. Patent No. 7,029,394 (“the ’394 patent”) was duly and  
6 legally issued by the PTO for an invention titled “System and Method for Generating Statistics for  
7 a User of a Gaming Application” to the listed inventors Fergus A. Leen, Sam B. Lawrence, David  
8 G. McNally, Clive Hetherington, David M. McDowell, and Kevin R. O’Neal. A certified copy of  
9 the ’394 patent is attached as **Exhibit F**.

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

13 82. Defendant, directly or through its agents, customers, and/or intermediaries, has  
14 made, used, tested, imported, provided, supplied, distributed, sold, and/or offered for sale products  
15 and/or systems that infringe (either directly or under the doctrine of equivalents) one or more  
16 claims of the ’394 patent. Specifically, Defendant’s accused products and/or systems have certain  
17 features that enable a user to execute a gaming application hosted on a remote server. During  
18 execution of the gaming application, first and second event information associated with first and  
19 second game events is received. Statistics information associated with the user and the gaming  
20 application is generated based at least in part on the first event information, the second event  
21 information, and wager records associated with the gaming application. The statistics information  
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23 <sup>6</sup> This allegation is included for preservation of options on appeal only. The parties entered into a  
24 stipulation on September 8, 2016, (ECF No. 56), requesting that the Court enter an Order in this  
25 case applying an Order from the related *Big Fish Games* action (Case No. 2:16-cv-00857-RCJ-  
26 VCF (D. Nev. Aug. 29, 2016), ECF No. 36), and thereby preserving Plaintiffs rights in this case on  
27 appeal from the *Big Fish Games* Order. Plaintiffs file this Amended Complaint pursuant to the  
28 parties’ stipulation and Fed. R. Civ. P. 15(2), but the Order requested in the stipulation has not  
issued. Because this First Amended Complaint supersedes the original, and the latter may be  
deemed to have been non-existent, Plaintiffs, out of an abundance of caution only, include this  
claim for infringement of U.S. Patent No. 7,029,394 so that it cannot be deemed to have been  
either voluntarily dismissed or waived on appeal in this case.

1 is used to determine an outcome of a wager associated with the gaming application and then stored.  
2 This is done in a manner that infringes at least claim 1 of the '394 patent.

3 83. Double Down Interactive's social casino platform infringes each limitation of at  
4 least claim 1 of the '394 patent. By way of example only:

5 84. Double Down Interactive's social casino platform infringes all elements of claim 1,  
6 which include (as shown below) "[a] system for generating statistics information, comprising: a  
7 server that: executes a gaming application; monitors a plurality of game events during the  
8 execution of the gaming application by a user; communicates first event information associated  
9 with a first game event; and communicates second event information associated with a second  
10 game event." ('394 patent, col. 20, ll. 46-55.)



Ogletree, Deakins, Nash, Smoak & Stewart, P.C.  
Wells Fargo Tower  
Suite 1500, 3800 Howard Hughes Parkway  
Las Vegas, NV 89169  
Telephone: 702-368-6500



Ogletree, Deakins, Nash, Smoak & Stewart, P.C.  
 Wells Fargo Tower  
 Suite 1500, 3800 Howard Hughes Parkway  
 Las Vegas, NV 89169  
 Tallahassee - 772-348-6588

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85. Double Down Interactive’s social casino platform includes “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.)



86. Double Down Interactive’s social casino platform includes “determin[ing] an outcome of a wager associated with the gaming application using the statistics information; and a memory coupled to the processor that stores the statistics information.” (*Id.* at col. 20, ll. 63-67.)

Ogletree, Deakins, Nash, Smoak & Stewart, P.C.  
 Wells Fargo Tower  
 Suite 1500, 3800 Howard Hughes Parkway  
 Las Vegas, NV 89169  
 Telephone: 702-368-6500

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87. Defendant does not have a license or permission to use the '394 patent.

88. As a result of Defendant's infringement of the '394 patent, IG Limited has suffered and continues to suffer damages, in an amount not yet determined, and is entitled to an award of damages adequate to compensate for the infringement, but in no event less than a reasonable royalty.

**SEVENTH CLAIM FOR RELIEF  
 (INFRINGEMENT OF U.S. PATENT NO. 9,111,417)<sup>7</sup>**

89. Plaintiffs incorporate by reference paragraphs 1-88 as if fully set forth herein.

90. On August 18, 2015, U.S. Patent No. 9,111,417 ("the '417 patent") was duly and legally issued by the PTO for an invention titled "System and Method for Providing Enhanced Services 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

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<sup>7</sup> This allegation is included for preservation of options on appeal only. The parties entered into a stipulation on September 8, 2016, (ECF No. 56), requesting that the Court enter an Order in this case applying an Order from the related *Big Fish Games* action (Case No. 2:16-cv-00857-RCJ-VCF (D. Nev. Aug. 29, 2016), ECF No. 36), and thereby preserving Plaintiffs rights in this case on appeal from the *Big Fish Games* Order. Plaintiffs file this Amended Complaint pursuant to the parties' stipulation and Fed. R. Civ. P. 15(2), but the Order requested in the stipulation has not issued. Because this First Amended Complaint supersedes the original, and the latter may be deemed to have been non-existent, Plaintiffs, out of an abundance of caution only, include this claim for infringement of U.S. Patent No. 9,111,417 so that it cannot be deemed to have been either voluntarily dismissed or waived on appeal in this case.

1 certified copy of the '417 patent is attached as **Exhibit G**.

2 91. IG Limited is the assignee and sole owner of the '417 patent, with all substantive  
3 rights in and to that patent, including the sole and exclusive right to bring this action and enforce  
4 the '417 patent against infringers, and to collect damages for all relevant times.

5 92. Defendant, directly or through its agents, customers, and/or intermediaries, has  
6 made, used, tested, imported, provided, supplied, distributed, sold, and/or offered for sale products  
7 and/or systems that infringe (either directly or under the doctrine of equivalents) one or more  
8 claims of the '417 patent. For example, on information and belief, Defendant's accused products  
9 and/or systems have certain features that provide a card game to users through their respective  
10 computing devices over a communications network. On information and belief, Defendant's  
11 accused products and/or systems present users with a graphical user interface that allows users to  
12 generate a wager offer, where the offer includes a wager amount. The interface further provides an  
13 option to present the wager offer to other users and receive from a plurality of other users an  
14 acceptance of the wager offer at the wager amount. In addition, during the playing of the game,  
15 Defendant's accused products and/or systems offer certain features that generate statistics for  
16 multiple users of the game, including presenting a portion of the statistics information for the users.  
17 At the end of the game, an outcome is determined and funds are transferred to at least one user who  
18 played (and "won") the game. This is done in a manner that infringes at least claim 1 of the '417  
19 patent.

20 93. Double Down Interactive's social casino platform infringes each limitation of at  
21 least claim 1 of the '417 patent. By way of example only:

22 94. Double Down Interactive's social casino platform infringes all elements of claim 1,  
23 which include (as shown below) "[a] system comprising at least one processor and at least one  
24 non-volatile memory having software stored thereon that when executed by the at least one  
25 processor directs the at least one processor to: provide a game via a communications network to  
26 users via respective computing devices of the users, wherein the game is a sports game, an arcade  
27 game, a card game, or an adventure game." ('417 patent, col. 20, ll. 20-27.)  
28

Ogletree, Deakins, Nash, Smoak & Stewart, P.C.  
 Wells Fargo Tower  
 Suite 1500, 3800 Howard Hughes Parkway  
 Las Vegas, NV 89169  
 Telephone: 702-368-6500

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95. Double Down Interactive’s social casino platform includes, “responsive to a request from one of the users, caus[ing] a graphical user interface to be presented to the user at the user’s computing device, wherein the graphical user interface allows the user to offer a wager to other users; [and] responsive to presenting the graphical user interface to the user, receiv[ing] from that user a request to generate a wager offer, wherein the wager offer includes a wager amount.” (*Id.* at col. 20, ll. 28-34.)



96. Double Down Interactive’s social casino platform includes, “responsive to receiving the request to generate the wager offer, present[ing] the wager offer to other users via respective computing devices of the other users.” (*Id.* at col. 20, ll. 35-37.)



Ogletree, Deakins, Nash, Smoak & Stewart, P.C.  
 Wells Fargo Tower  
 Suite 1500, 3800 Howard Hughes Parkway  
 Las Vegas, NV 89169  
 Tallahassee - 772-368-6588

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97. Double Down Interactive’s social casino platform includes “receiv[ing] from a plurality of the other users an acceptance of the wager offer, each acceptance at the wager amount.” (*Id.* at col. 20, ll. 38-39.)

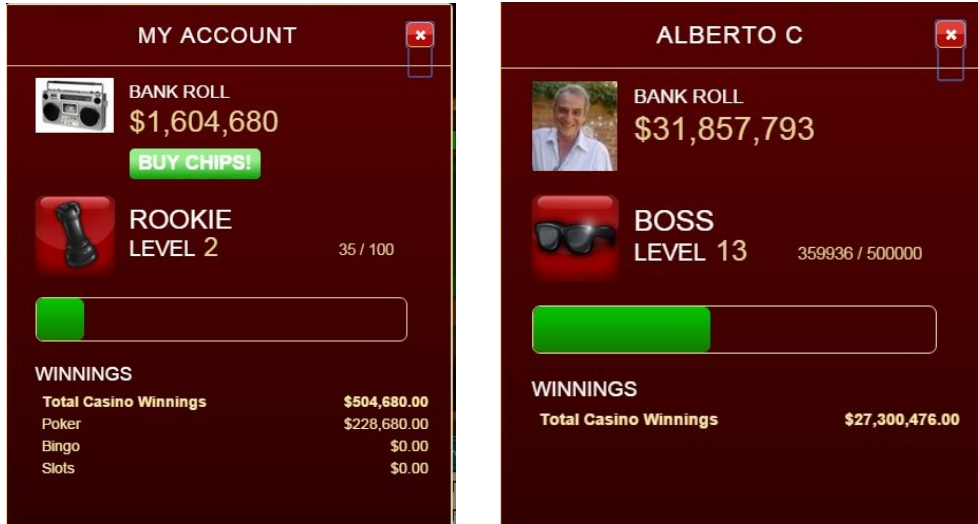


98. Double Down Interactive’s social casino platform includes, “during a playing of the game by a plurality of the users: generat[ing] statistics information related to at least a first and a second of the users playing the game.” (*Id.* at col. 20, ll. 40-42.)

...

Ogletree, Deakins, Nash, Smoak & Stewart, P.C.  
 Wells Fargo Tower  
 Suite 1500, 3800 Howard Hughes Parkway  
 Las Vegas, NV 89169  
 Telephone: 702-368-6500

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99. Double Down Interactive’s social casino platform includes, “at end of the game, determin[ing] an outcome of the wagers resulting from the users that accepted the wager offer, wherein . . . determin[ing] the outcome of the wagers includes . . . transfer[ring] funds to at least one user who played the game.” (*Id.* at col. 20, ll. 49-53.)



100. Defendant does not have a license or permission to use the ’417 patent.

101. As a result of Defendant’s infringement of the ’417 patent, IG Limited has suffered and continues to suffer damages, in an amount not yet determined, and is entitled to an award of damages adequate to compensate for the infringement, but in no event less than a reasonable

1 royalty.

2 **JURY DEMAND**

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

4 **PRAYER FOR RELIEF**

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

8 1. A declaration that Double Down Interactive infringes the Patents-in-Suit under 35  
9 U.S.C. § 271(a), (b), and/or (c), and a final judgment incorporating same;

10 2. Equitable relief under 35 U.S.C. § 283, including but not limited to an injunction  
11 that enjoins Double Down Interactive and any of its officers, agents, employees, assigns,  
12 representatives, privies, successors, and those acting in concert or participation with them from  
13 infringing, contributing to the infringement of, and/or for inducing infringement of the Patents-in-  
14 Suit;

15 3. An award of damages sufficient to compensate Plaintiffs for infringement of the  
16 Patents-in-Suit by Double Down Interactive, together with prejudgment and post judgment interest  
17 under 35 U.S.C. § 284;

18 4. Entry of an order compelling Double Down Interactive to compensate Plaintiffs for  
19 any ongoing and/or future infringement of the Patents-in-Suit, in an amount and under terms  
20 appropriate under the circumstances;

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

23 6. A declaration or order increasing damages under 35 U.S.C. § 284; and

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Ogletree, Deakins, Nash, Smoak & Stewart, P.C.  
Wells Fargo Tower  
Suite 1500, 3800 Howard Hughes Parkway  
Las Vegas, NV 89169  
Telephone: 702.368.6500





Ogletree, Deakins, Nash, Smoak & Stewart, P.C.

Wells Fargo Tower  
Suite 1500, 3800 Howard Hughes Parkway  
Las Vegas, NV 89169  
Telephone: 702-368-6500

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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:

- John M. Desmarais**
- Ameet A. Modi**
- Brian D. Matty**
- Justin P.D. Wilcox**
- Paul A. Bondor**
- Cayla Witty**
- Kristol Bradley Ginapp**

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:

Cayla Wilcox  
Kristol Bradley Ginapp  
Lewis Brisbois Bisgaard & Smith, LLP  
6385 South Rainbow Blvd., Suite 600  
Las Vegas, NV 89118

John M. Desmarais  
Ameet A. Modi  
Brian D. Matty  
Justin P.D. Wilcox  
Paul A. Bondor  
Desmarais LLP  
230 Park Avenue, 26th Floor  
New York, NY 10169

*Attorneys for Defendant*

DATED this 28th day of September, 2016.

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