

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

DISTEFANO PATENT TRUST III, LLC,

Plaintiff,

v.

YELP INC.,

Defendants.

Civil Action No. _____

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff DiStefano Patent Trust III, LLC (“DiStefano” or “Plaintiff”), for its Complaint against Defendant Yelp Inc. (“Yelp” or “Defendant”), alleges the following:

NATURE OF THE ACTION

1. This is an action for patent infringement arising under the Patent Laws of the United States, 35 U.S.C. § 1 *et seq.*

THE PARTIES

2. Plaintiff is a limited liability company organized under the laws of the State of Florida with a place of business at 2910 NW 26th Avenue, Boca Raton, Florida 33434.

3. Upon information and belief, Yelp Inc. is a Corporation organized and existing under the laws of Delaware, with a place of business at 140 New Montgomery Street, 9th Floor, San Francisco, California 94105, and can be served through its registered agent, National Registered Agents, Inc. 160 Greentree Drive, Suite 101, Dover, Delaware 19904. Upon information and belief, Yelp sells and offers to sell products and services throughout the United States, including in this judicial district, and introduces products and services that into the stream of commerce

and that incorporate infringing technology knowing that they would be sold in this judicial district and elsewhere in the United States.

JURISDICTION AND VENUE

4. This is an action for patent infringement arising under the Patent Laws of the United States, Title 35 of the United States Code.

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

6. Venue is proper in this judicial district under 28 U.S.C. §§ 1391(b), (c), (d) and/or 1400(b). On information and belief, Defendant conducts business in this District, the claims alleged in this Complaint arise in this District, and the acts of infringement have taken place and are continuing to take place in this District.

7. On information and belief, Defendant is subject to this Court's general and specific personal jurisdiction because Defendant has sufficient minimum contacts within the State of Delaware and this District, pursuant to due process and/or the Del. Code. Ann. Tit. 3, § 3104 because Defendant purposefully availed itself of the privileges of conducting business in the State of Delaware and in this District, because Defendant regularly conducts and solicits business within the State of Delaware and within this District, and because Plaintiff's causes of action arise directly from each of Defendant's business contacts and other activities in the State of Delaware and this District. Further, this Court has personal jurisdiction over Defendant because it is incorporated in Delaware and has purposely availed itself of the privileges and benefits of the laws of the State of Delaware.

COUNT I – INFRINGEMENT OF U.S. PATENT NO. 8,996,398

8. The allegations set forth in the foregoing paragraphs 1 through 7 are incorporated into this First Claim for Relief.

9. On March 31, 2015, U.S. Patent No. 8,996,398 (“the ’398 patent”), entitled “Reciprocal Insertion of Links for Web Pages,” was duly and legally issued by the United States Patent and Trademark Office. A true and correct copy of the ’398 patent is attached as Exhibit 1.

10. The inventions of the ’398 patent resolve technical problems related to a streamlined process for developing web pages and posting those web pages on the internet. For example, the inventions allow parties to establish reciprocal linking arrangements between multiple web pages using only a single web page implementation system, as opposed to prior art processes that required multiple systems to accomplish the same result.

11. The claims of the ’398 patent do not merely recite the performance of some business practice known from the pre-Internet world along with the requirement to perform it on the Internet. Instead, the claims of the ’398 patent recite one or more inventive concepts that are rooted in computerized web design technology, and overcome problems specifically arising in the realm of computerized web design.

12. The claims of the ’398 patent recite an invention that is not merely the routine or conventional use of computer hardware systems or graphical user interfaces. Instead, the invention applies a streamlined method of employing these tools to establish a reciprocal linking arrangement between web pages with a single web page implementation system. The ’398 patent claims thus specify how to employ such a method to efficiently achieve the desired reciprocal linking arrangement.

13. The technology claimed in the ’398 patent does not preempt all ways of using computer hardware systems or graphical user interfaces to establish reciprocal linking arrangements between web pages, nor does it preempt the use of all reciprocal linking

arrangements between web pages, nor does it preempt any other well-known or prior art technology.

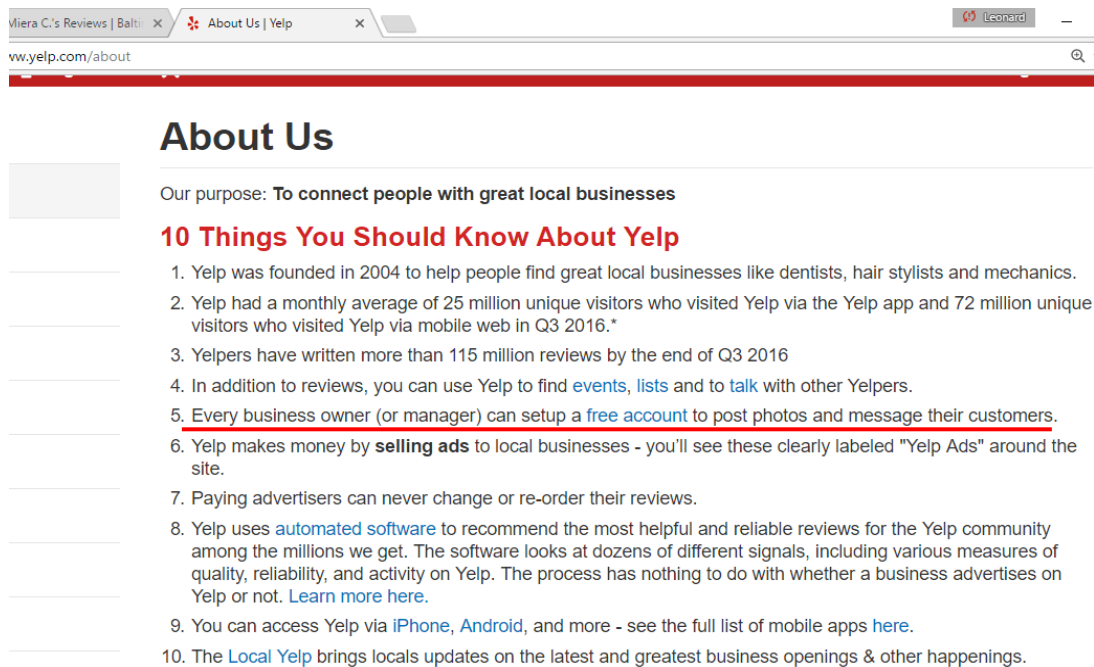
14. Accordingly, each claim of the '398 patent recites a combination of elements sufficient to ensure that the claim in practice amounts to significantly more than a patent on an ineligible concept.

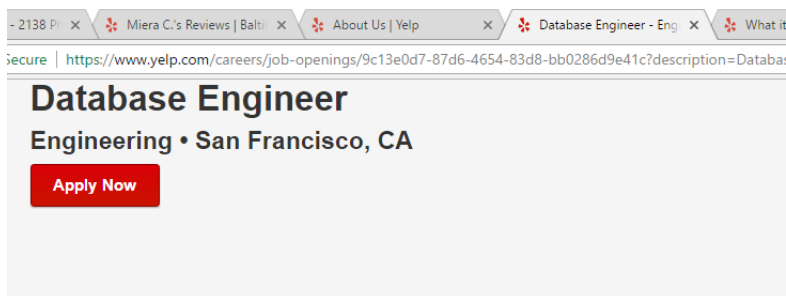
15. Plaintiff is the assignee and owner of the right, title and interest in and to the '398 patent, including the right to assert all causes of action arising under said patents and the right to any remedies for infringement of them.

16. Upon information and belief, Defendant has and continues to directly infringe at least claims 9, 10, 11, 12, 16, 17, 18, 19, 20, 21, and 23 of the '398 patent by making, using, selling, importing and/or providing and causing to be used webpage implementation systems configured to establish reciprocal linking arrangements between web pages; such webpage implementation systems are within the scope of claims 9, 10, 11, 12, 16, 17, 18, 19, 20, 21, and 23 of the '398 patent (the "Infringing Instrumentalities").

17. Claim 9 of the '398 patent generally recites a webpage implementation server system, comprising: a computer hardware system configured to perform: inserting, within a first web page associated with a first entity, a first functional identification element associated with a second entity, and reciprocally inserting, within a second web page associated with the second entity, a second functional identification element associated with the first entity based upon the first functional identification element being inserted with the first web page, wherein the second functional identification element, with in the second web page, includes a link to the first web page, and the first functional identification element, within the first web page, includes a link to the second web page.

18. As demonstrated in the exemplary images below, and on information and belief, the Infringing Instrumentalities infringe claim 9 of the '398 patent because they include a webpage implementation server system, comprising: a computer hardware system configured to perform:



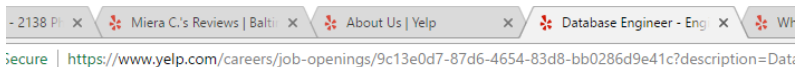


Summary

Yelp is looking to diversify its database team! Are you a strong MySQL DBA, but interested in being great at Cassandra and PostgreSQL? Experienced in new fangled NoSQL, but want to broaden your skills into traditional SQL? Then you could be just what Yelp is looking for.

You'll get to work with cutting-edge databases on a website with millions of unique users, choosing and running the best datastores for the job, be they MySQL or NoSQL. We have a ton of monitoring, using a combination of Sensu, SignalFX, Splunk, and VividCortex, and pride ourselves on great documentation and tools for a fast response when something does go wrong.

We also participate in the open source community, and have spoken at conferences like PuppetConf, SRECon, LISA, PyCon, and Percona Live.



What You Will Do:

- Be curious, and understand the stack that uses Yelp's databases.
- Use your expertise in both hardware and cloud environments to tune and push databases beyond their normal limits.
- Work closely with developers on database choice, schema design, and query tuning.
- Automate away tedious repetitive tasks.
- Document system design and procedures.
- Participate in light on-call rotation.

inserting, within a first web page associated with a first entity, a first functional identification element associated with a second entity,

Find tacos, cheap dinner, Max's Near San Francisco, CA, US Sign Up

Restaurants Nightlife Home Services Write a Review Events Talk Log In

Z & Y Restaurant

Claimed

1021 reviews Details

Write a Review Add Photo Share Bookmark

Chinese Edit

655 Jackson St San Francisco, CA 94133
b/t Cooper Aly & Beckett St Chinatown
Get Directions (415) 981-8988
zandyrestaurant.com?srccode=y...

"The **vegetarian** pan fried noodles were above average but couldn't compare to the knockout eggplant (Again.)" in 23 reviews

Today 11:00 am - 9:30 pm Open now

Secure | https://www.yelp.com/biz/z-and-y-restaurant-san-francisco-3?q=Rowena

Start your review of Z & Y Restaurant

Rowena H.
San Francisco, CA
1549 friends
1438 reviews
Elite '17

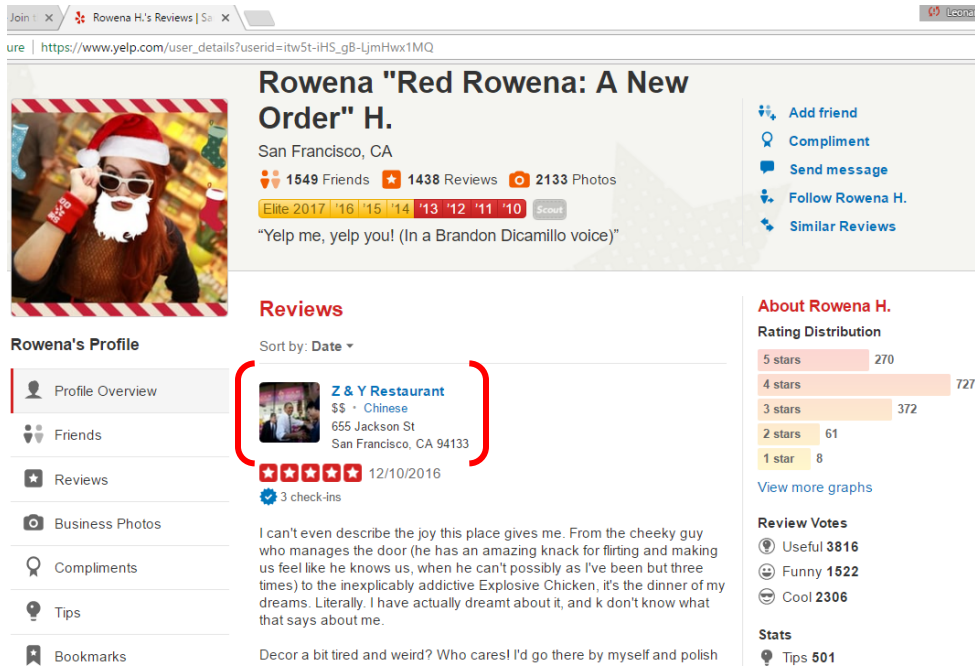
Share review Embed review Compliment Send message Follow Rowena H.

5 stars 12/10/2016
3 check-ins

I can't even describe the joy this place gives me. From the cheeky guy who manages the door (he has an amazing knack for flirting and making us feel like he knows us, when he can't possibly as I've been but three times) to the inexplicably addictive Explosive Chicken, it's the dinner of my dreams. Literally, I have actually dreamt about it, and k don't know what that says about me.

Decor a bit tired and weird? Who cares! I'd go there by myself and polish off five dishes. Get the chicken, the Dan Dan (sp?) noodles, and the green beans. Great banter. Amazing food. And popping over to reds is a must while you wait for a table. *Disclaimer: you WILL lose your spot if you take too long though.

and reciprocally inserting, within a second web page associated with the second entity, a second functional identification element associated with the first entity based upon the first functional identification element being inserted within the first web page, wherein the second functional identification element, with in the second web page, includes a link to the first web page,



Join | x | Rowena H.'s Reviews | S | x | Leonard

ure | https://www.yelp.com/user_details?userid=itw5t-iHS_gB-LjmHwx1MQ

Rowena "Red Rowena: A New Order" H.

San Francisco, CA

1549 Friends 1438 Reviews 2133 Photos

Elite 2017 '16 '15 '14 '13 '12 '11 '10 Scout

"Yelp me, yelp you! (In a Brandon Dicamillo voice)"

Rowena's Profile

- Profile Overview
- Friends
- Reviews
- Business Photos
- Compliments
- Tips
- Bookmarks

Reviews

Sort by: Date ▾

Z & Y Restaurant

\$\$ · Chinese

655 Jackson St
San Francisco, CA 94133

★★★★☆ 12/10/2016

3 check-ins

I can't even describe the joy this place gives me. From the cheeky guy who manages the door (he has an amazing knack for flirting and making us feel like he knows us, when he can't possibly as I've been but three times) to the inexplicably addictive Explosive Chicken, it's the dinner of my dreams. Literally. I have actually dreamt about it, and k don't know what that says about me.

Decor a bit tired and weird? Who cares! I'd go there by myself and polish

About Rowena H.

Rating Distribution

5 stars	270
4 stars	727
3 stars	372
2 stars	61
1 star	8

View more graphs

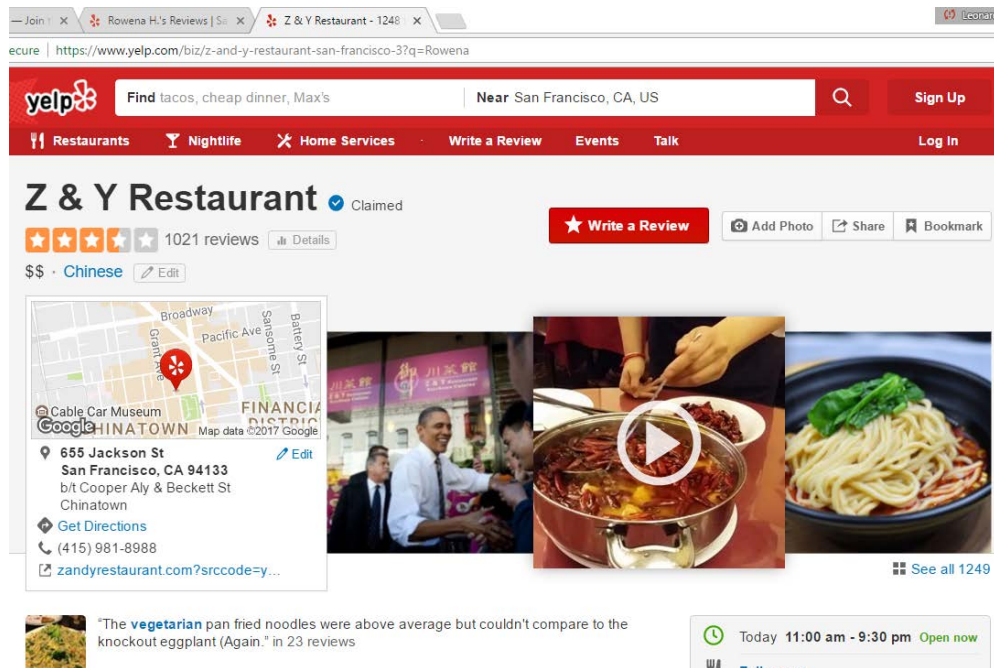
Review Votes

- Useful 3816
- Funny 1522
- Cool 2306

Stats

- Tips 501

and the first functional identification element, within the first web page, includes a link to the second web page:



Join | x | Rowena H.'s Reviews | S | x | Z & Y Restaurant - 1248 | x | Leonard

ecure | https://www.yelp.com/biz/z-and-y-restaurant-san-francisco-3?q=Rowena

yelp Find tacos, cheap dinner, Max's | Near San Francisco, CA, US | Sign Up

Restaurants | Nightlife | Home Services | Write a Review | Events | Talk | Log In

Z & Y Restaurant

Claimed

★★★★☆ 1021 reviews | Details

Write a Review | Add Photo | Share | Bookmark

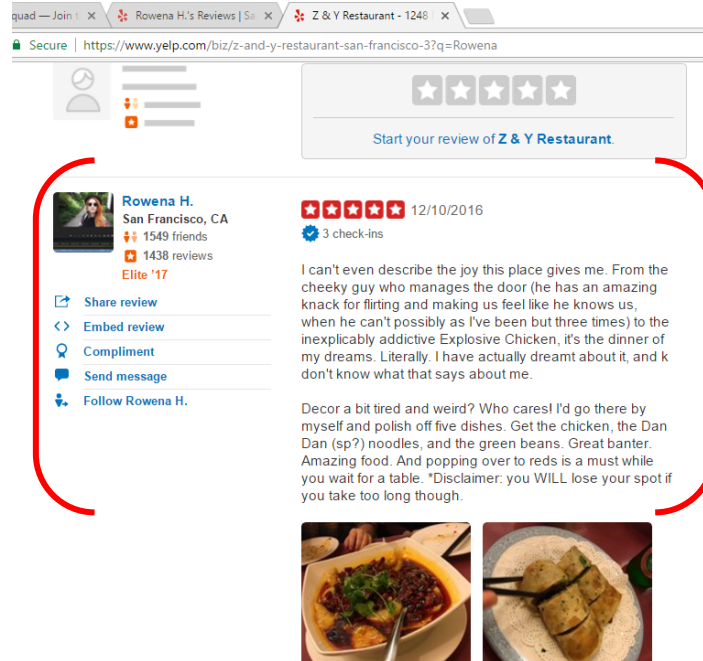
\$\$ · Chinese | Edit

655 Jackson St
San Francisco, CA 94133
b/t Cooper Aly & Beckett St
Chinatown

Get Directions | (415) 981-8988 | zandyrestaurant.com?srccode=y...

The vegetarian pan fried noodles were above average but couldn't compare to the knockout eggplant (Again.) in 23 reviews

Today 11:00 am - 9:30 pm Open now



19. Claim 10 of the '398 patent generally recites the server system of claim 9, wherein the second functional identification element includes an image.

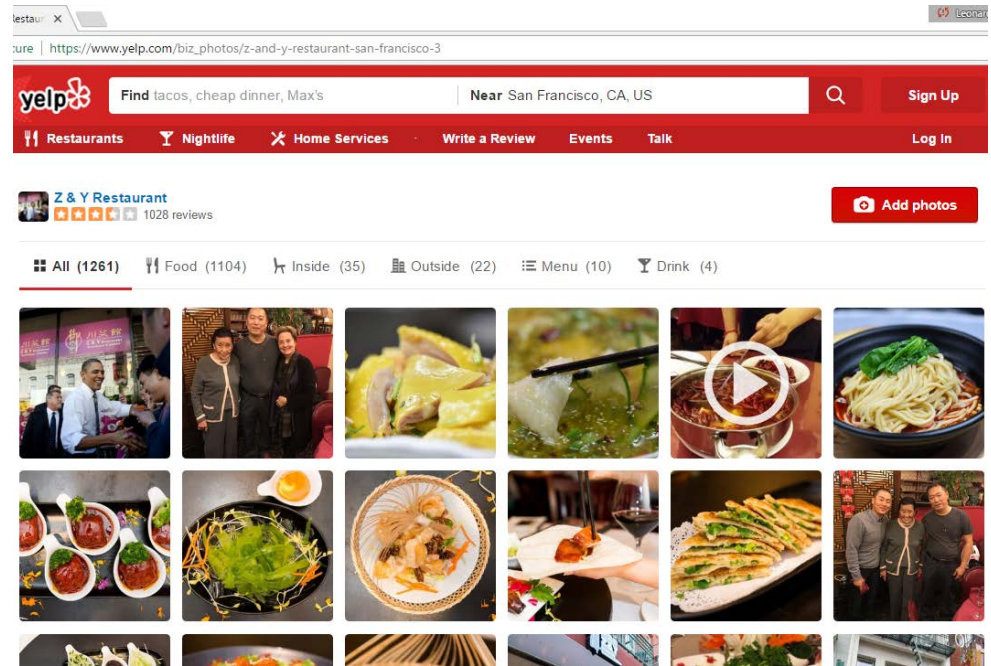
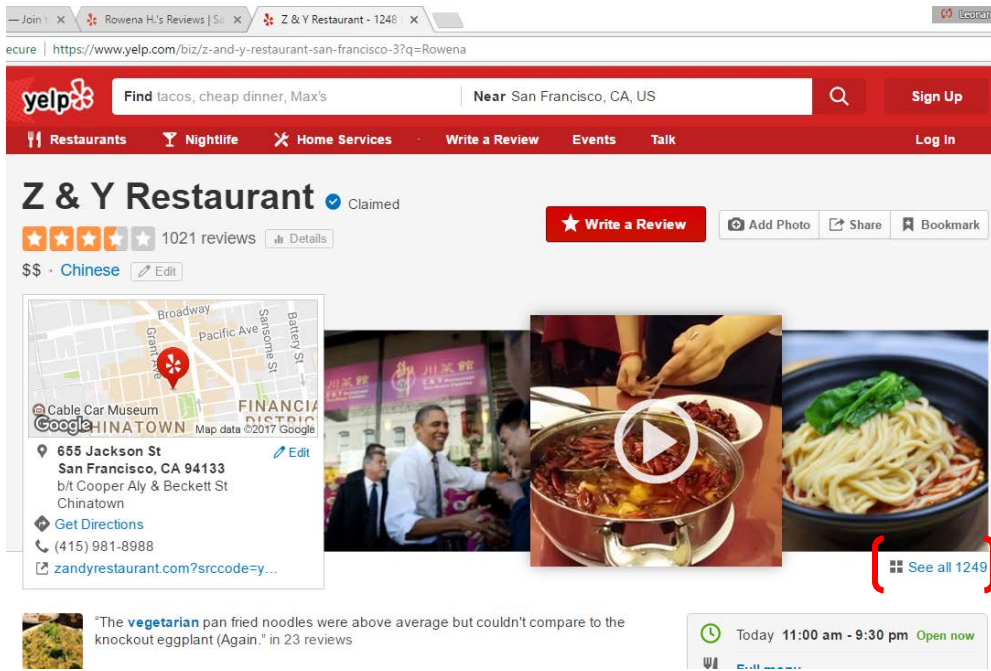
20. As demonstrated in paragraph 18, the Infringing Instrumentalities infringe claim 10 of the '398 patent because they meet the limitations of claim 9 and because the second functional identification element within the Infringing Instrumentalities includes an image.

21. Claim 11 of the '398 patent generally recites the server system of claim 10, wherein the computer hardware system is further configured to perform receiving, from the first entity, the image.

22. The Infringing Instrumentalities infringe claim 11 of the '398 patent because, as demonstrated in paragraph 20, they meet the limitations of claim 10, and because, as demonstrated in paragraph 18, the Infringing Instrumentalities comprise a computer hardware system that is further configured to perform receiving, from the first entity, the image.

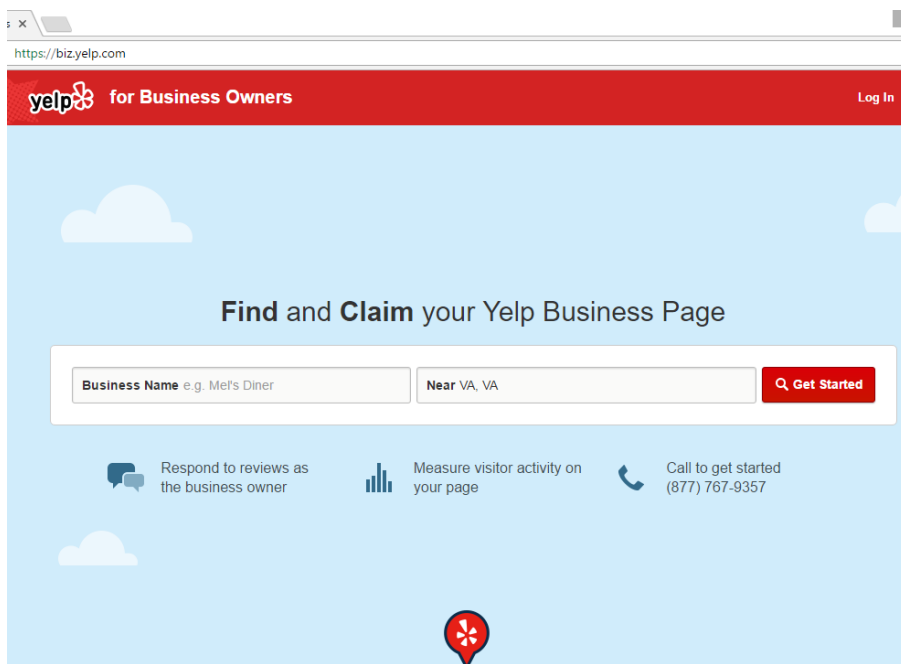
23. Claim 12 of the '398 patent generally recites the server system of claim 9, wherein the first web page includes one or more web pages.

24. The Infringing Instrumentalities infringe claim 12 of the '398 patent because, as demonstrated in paragraph 18, the Infringing Instrumentalities meet the limitations of claim 9, and because, as demonstrated in the exemplary images below, the first web page includes one or more web pages:



25. Claim 16 of the '398 patent generally recites the webpage implementation server system of claim 9, wherein the first entity is a first registered user of the webpage implementation server system, and the second is a second registered user of the webpage implementation server system.

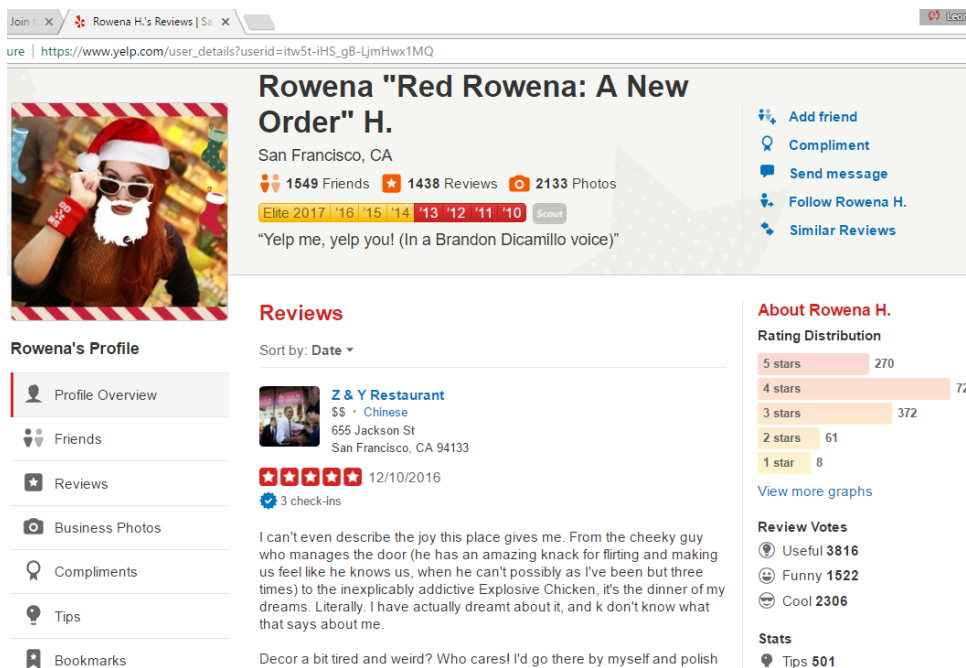
26. The Infringing Instrumentalities infringe claim 16 of the '398 patent because, as demonstrated in paragraph 18, they meet the limitations of claim 9, and because, as demonstrated in the exemplary images below, and on information and belief, the first entity of the Infringing Instrumentalities is a first registered user of the webpage implementation server system,



The screenshot shows a web browser window with the URL <https://www.yelp.com/biz/z-and-y-restaurant-san-francisco-3?q=Rowena>. The page features the Yelp logo, a search bar with the text "Find tacos, cheap dinner, Max's", and a location filter set to "Near San Francisco, CA, US". The main header includes navigation links for "Restaurants", "Nightlife", "Home Services", "Write a Review", "Events", "Talk", and "Log In". The business name "Z & Y Restaurant" is prominently displayed with a "Claimed" badge and a "Write a Review" button. Below the name, there are 1021 reviews, a price range of "\$\$", and the cuisine "Chinese". A map on the left shows the restaurant's location at 655 Jackson St, San Francisco, CA 94133. To the right of the map are three images: a man in a white shirt, a large pot of food, and a bowl of noodles. A review snippet is visible at the bottom left, mentioning "vegetarian pan fried noodles". A status bar at the bottom right indicates the restaurant is "Open now" from 11:00 am to 9:30 pm.

and the second is a second registered user of the webpage implementation server system:

The screenshot shows the "Sign Up for Yelp" page with the URL <https://www.yelp.com/signup>. The page has a red header with the text "Sign Up for Yelp" and "Connect with great local businesses". A blue button labeled "Sign Up with Facebook" is at the top. Below it, a message states "Don't worry, we never post without your permission." followed by "OR". The sign-up form includes input fields for "First Name", "Last Name", "Email", "Password", and "ZIP Code". There is also a "Birthday" section with "Optional" text and dropdown menus for "Month", "Day", and "Year". At the bottom, a red "Sign Up" button is present, along with a link for "Already on Yelp? Log in".



27. Claim 17 of the '398 patent generally recites a webpage implementation system, comprising: a client computer associated with a first entity; and a server system configured to perform: inserting, within a first web page associated with the first entity, a first functional identification element associated with a second entity, and reciprocally inserting, within a second web page associated with the second entity, a second functional identification element associated with the first entity based upon the first functional identification element being inserted within the first web page, wherein the second functional identification element, within the second web page, includes a link to the first web page, and the first functional identification element, within the first web page, includes a link to the second web page.

28. As demonstrated in the exemplary images below, and on information and belief, the Infringing Instrumentalities infringe claim 17 of the '398 patent because they include a webpage implementation system, comprising: a client computer associated with a first entity; and a server system configured to perform: inserting, within a first web page associated with the first entity, a first functional identification element associated with a second entity,

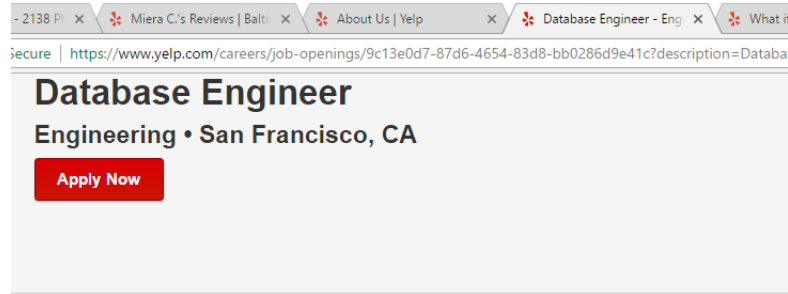


About Us

Our purpose: **To connect people with great local businesses**

10 Things You Should Know About Yelp

1. Yelp was founded in 2004 to help people find great local businesses like dentists, hair stylists and mechanics.
2. Yelp had a monthly average of 25 million unique visitors who visited Yelp via the Yelp app and 72 million unique visitors who visited Yelp via mobile web in Q3 2016.*
3. Yelpers have written more than 115 million reviews by the end of Q3 2016
4. In addition to reviews, you can use Yelp to find [events](#), [lists](#) and to [talk](#) with other Yelpers.
5. Every business owner (or manager) can setup a [free account](#) to post photos and message their customers.
6. Yelp makes money by **selling ads** to local businesses - you'll see these clearly labeled "Yelp Ads" around the site.
7. Paying advertisers can never change or re-order their reviews.
8. Yelp uses [automated software](#) to recommend the most helpful and reliable reviews for the Yelp community among the millions we get. The software looks at dozens of different signals, including various measures of quality, reliability, and activity on Yelp. The process has nothing to do with whether a business advertises on Yelp or not. [Learn more here](#).
9. You can access Yelp via [iPhone](#), [Android](#), and more - see the full list of mobile apps [here](#).
10. The [Local Yelp](#) brings locals updates on the latest and greatest business openings & other happenings.



Summary

Yelp is looking to diversify its database team! Are you a strong MySQL DBA, but interested in being great at Cassandra and PostgreSQL? Experienced in new fangled NoSQL, but want to broaden your skills into traditional SQL? Then you could be just what Yelp is looking for.

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- 2138 P... x Miera C.'s Reviews | Balti... x About Us | Yelp x Database Engineer - Eng x W... x
secure | https://www.yelp.com/careers/job-openings/9c13e0d7-87d6-4654-83d8-bb0286d9e41c?description=Data

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- Participate in light on-call rotation.

Join x Rowena H.'s Reviews | S... x Z & Y Restaurant - 1248 x Leonard
ecure | https://www.yelp.com/biz/z-and-y-restaurant-san-francisco-3?q=Rowena

yelp Find tacos, cheap dinner, Max's Near San Francisco, CA, US Sign Up

Restaurants Nightlife Home Services Write a Review Events Talk Log In

Z & Y Restaurant

Claimed

1021 reviews Details

★ Write a Review Add Photo Share Bookmark

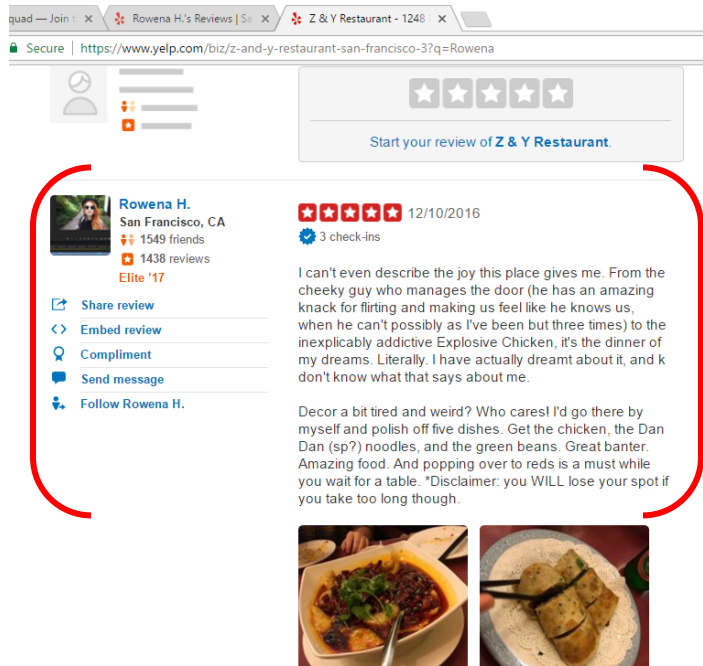
\$\$ · Chinese Edit

655 Jackson St
San Francisco, CA 94133
b/t Cooper Aly & Beckett St
Chinatown

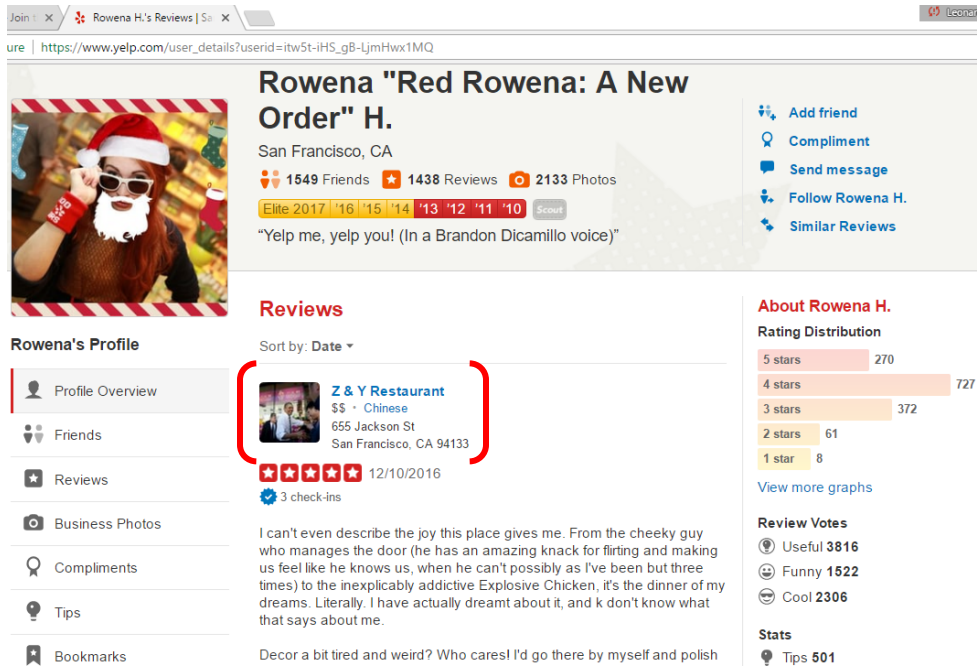
Get Directions (415) 981-8988 zandyrestaurant.com?srccode=y...

"The **vegetarian** pan fried noodles were above average but couldn't compare to the knockout eggplant (Again." in 23 reviews

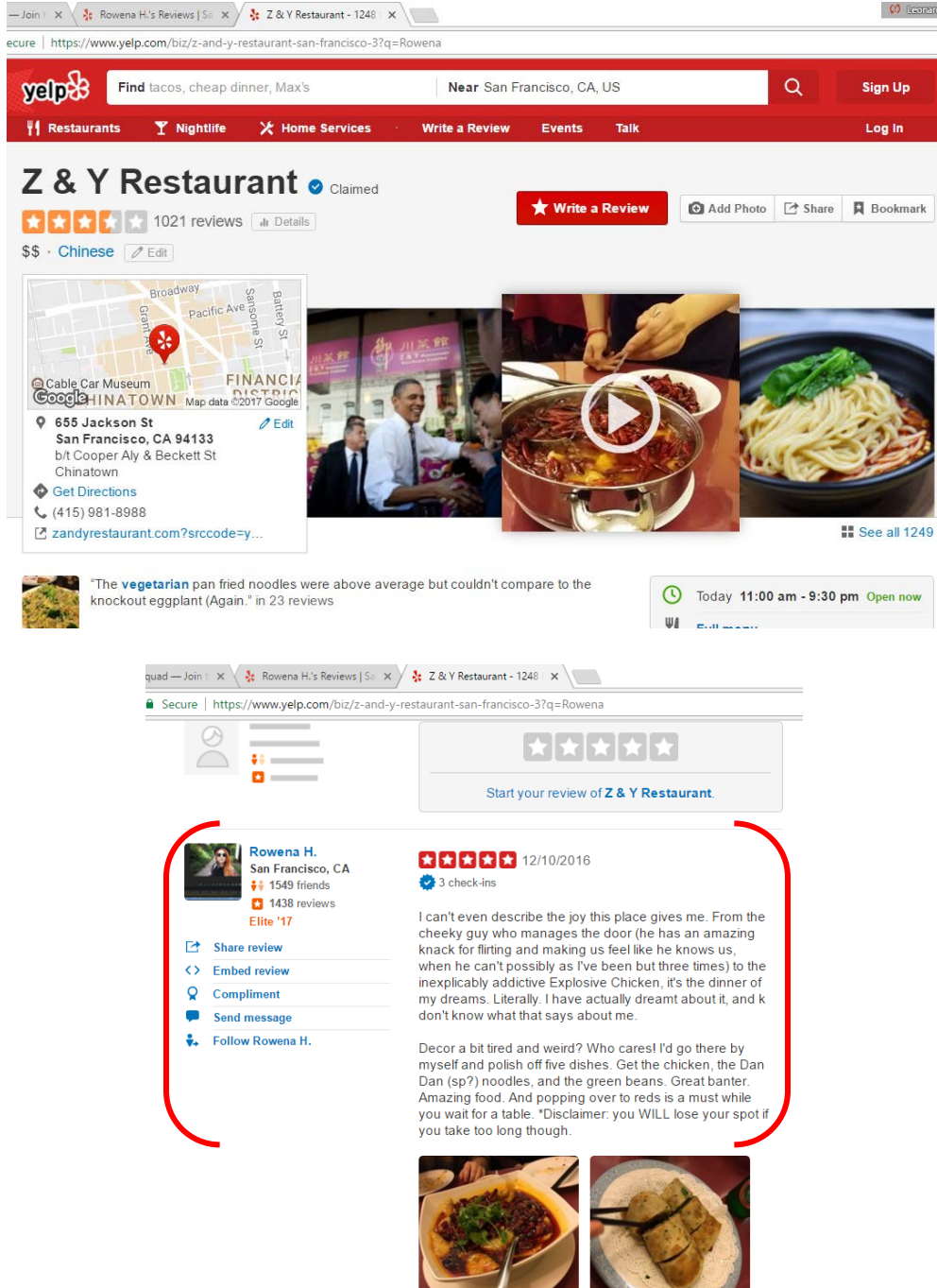
Today 11:00 am - 9:30 pm Open now



and reciprocally inserting, within a second web page associated with the second entity, a second functional identification element associated with the first entity based upon the first functional identification element being inserted within the first web page, wherein the second functional identification element, within the second web page, includes a link to the first web page,



and the first functional identification element, within the first web page, includes a link to the second web page:



29. Claim 18 of the '398 patent generally recites the webpage implementation system of claim 17, wherein the second functional identification element includes an image.

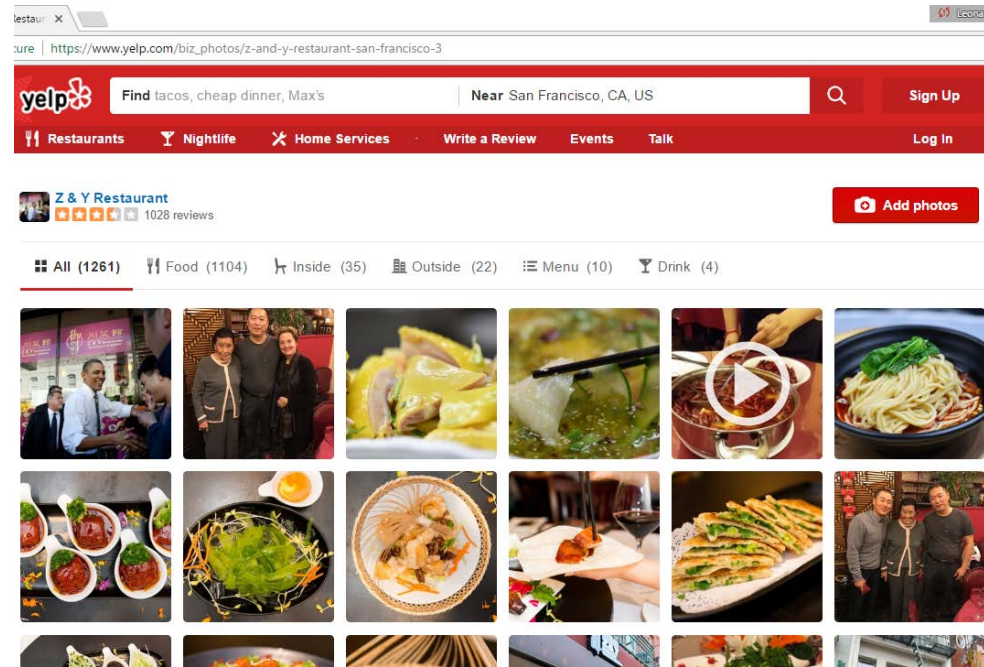
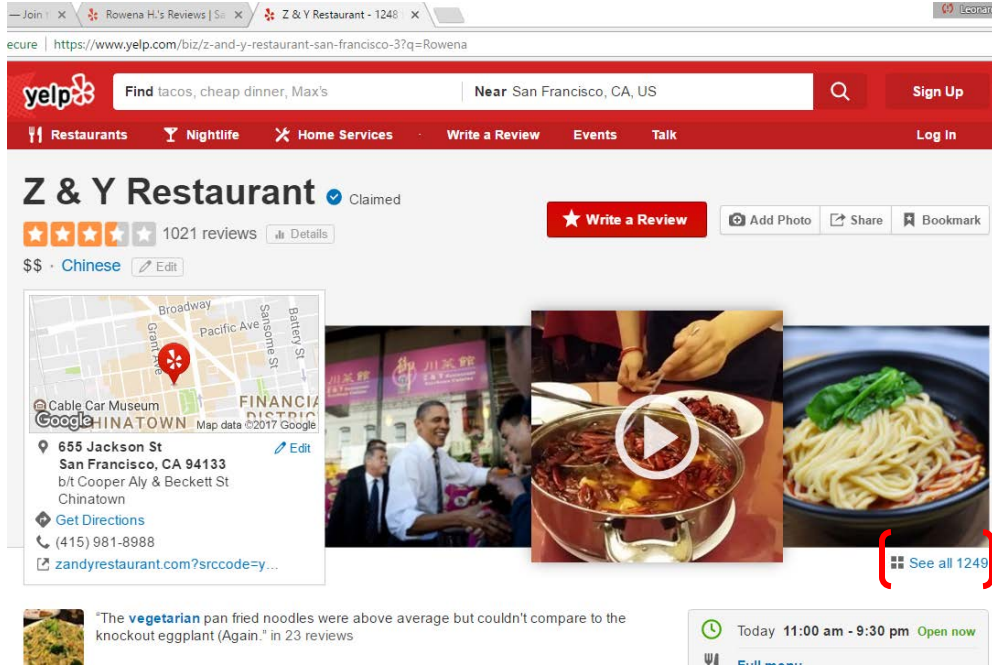
30. As demonstrated in paragraph 28, the Infringing Instrumentalities infringe claim 18 of the '398 patent because they meet the limitations of claim 17 and the second functional identification element within the Infringing Instrumentalities includes an image.

31. Claim 19 of the '398 patent generally recites the webpage implementation system of claim 18, wherein the server system is further configured to perform receiving, from the first entity via the client computer, the image.

32. The Infringing Instrumentalities infringe claim 19 of the '398 patent because, as demonstrated in paragraph 30, they meet the limitations of claim 18, and because, as demonstrated in paragraph 28, the Infringing Instrumentalities comprise a server system that is further configured to perform receiving, from the first entity via the client computer, the image.

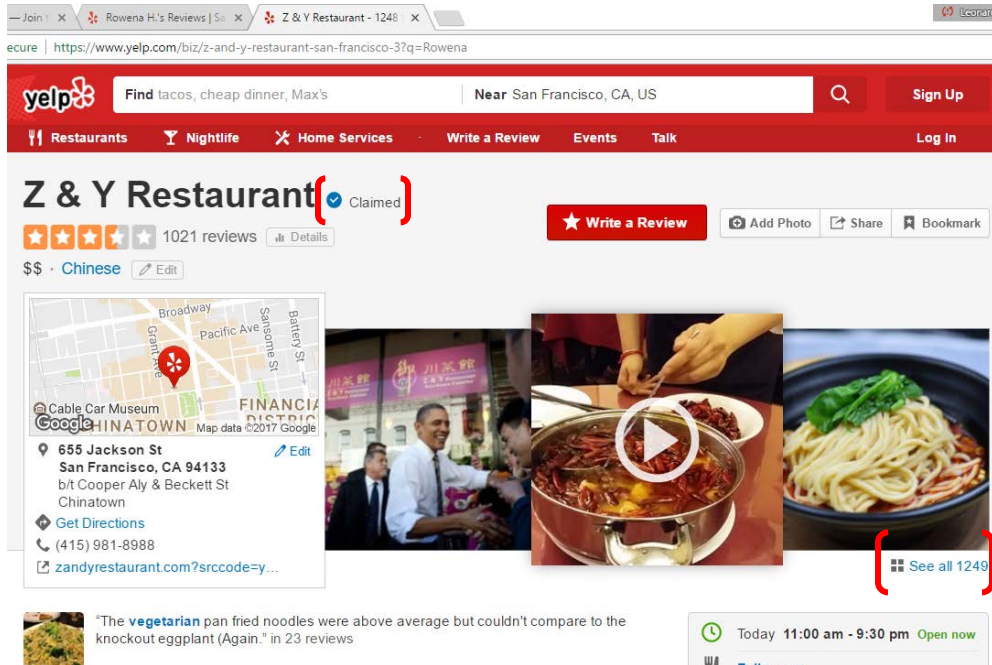
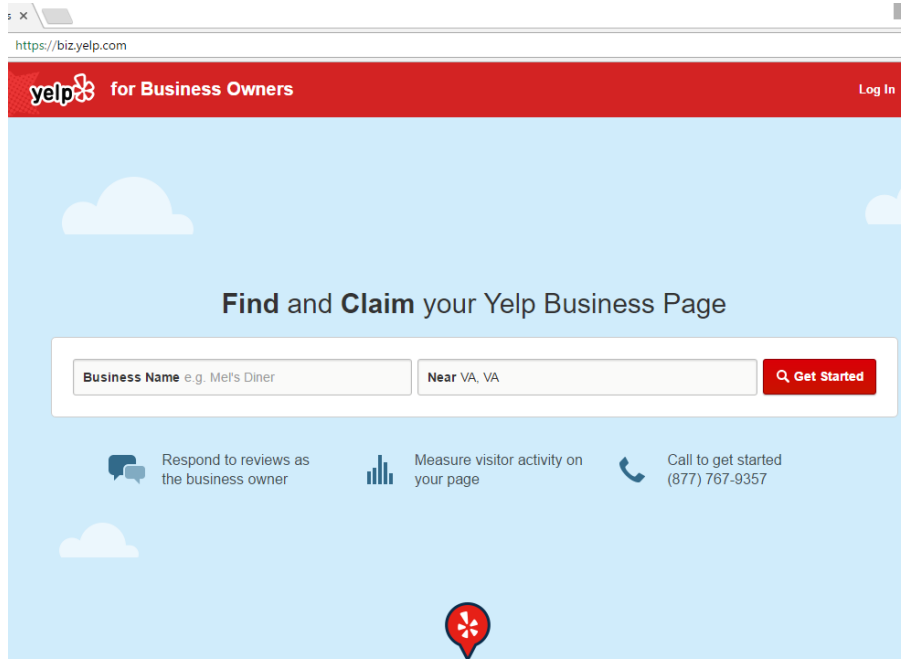
33. Claim 20 of the '398 patent generally recites the webpage implementation system of claim 17, wherein the first web page includes one or more web pages.

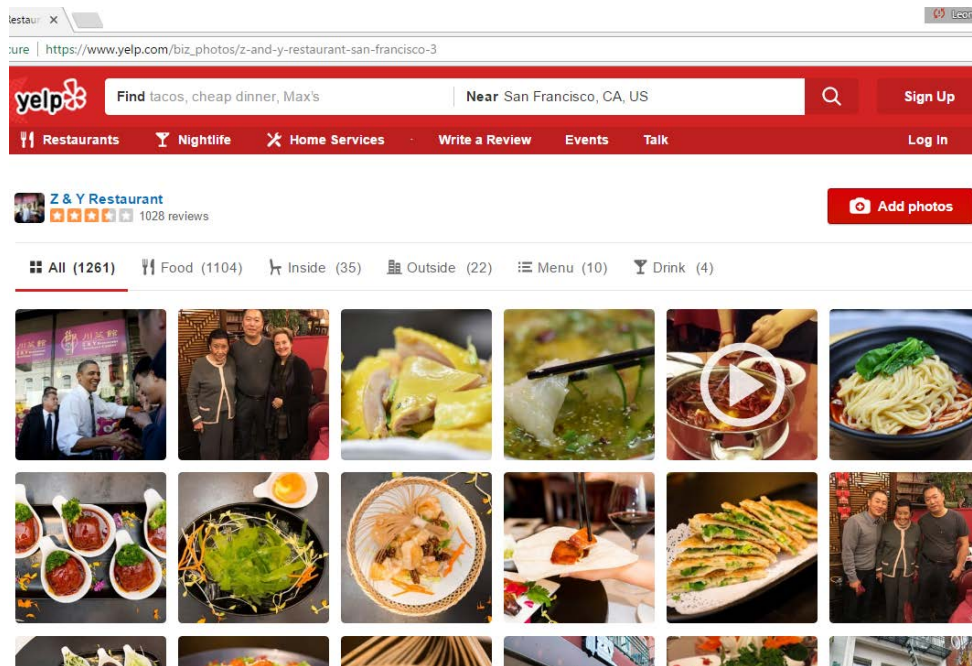
34. The Infringing Instrumentalities infringe claim 20 of the '398 patent because, as demonstrated in paragraph 28, they meet the limitations of claim 17, and because, as demonstrated in the exemplary images below, the first web page of the Infringing Instrumentalities includes one or more web pages:



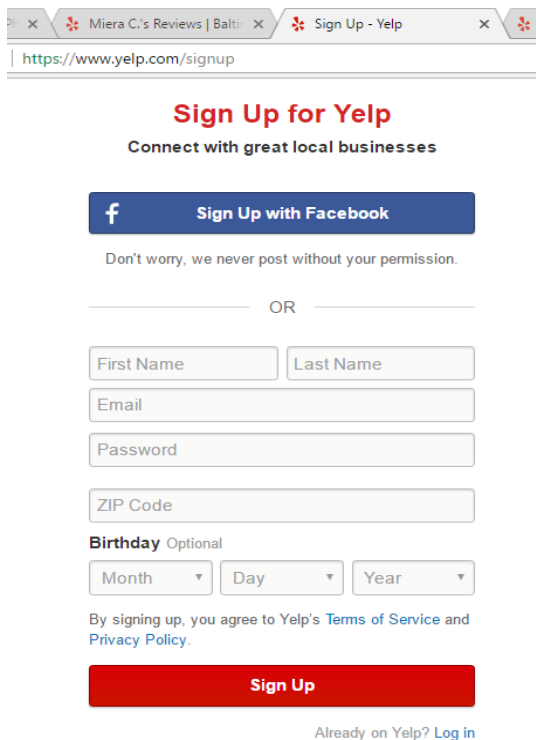
35. Claim 21 of the '398 patent generally recites the webpage implementation system of claim 17, wherein the server system is further configured to perform generating, based upon input provided by the first entity, the first web page; and generating, based upon input provided by the second entity, the second web page.

36. The Infringing Instrumentalities infringe claim 21 of the '398 patent because, as demonstrated in paragraph 28, they meet the limitations of claim 17, and because, as demonstrated in the exemplary images below, and on information and belief, the server system of the Infringing Instrumentalities is further configured to perform generating, based upon input provided by the first entity, the first web page;





and generating, based upon input provided by the second entity, the second web page:



Rowena "Red Rowena: A New Order" H.
San Francisco, CA
1549 Friends 1438 Reviews 2133 Photos
Elite 2017 '16 '15 '14 '13 '12 '11 '10 Scout
"Yelp me, yelp you! (In a Brandon Dicamillo voice)"

Rowena's Profile

- Profile Overview
- Friends
- Reviews
- Business Photos
- Compliments
- Tips
- Bookmarks

Reviews
Sort by: Date

Z & Y Restaurant
\$\$ · Chinese
655 Jackson St
San Francisco, CA 94133
★★★★★ 12/10/2016
3 check-ins

I can't even describe the joy this place gives me. From the cheeky guy who manages the door (he has an amazing knack for flirting and making us feel like he knows us, when he can't possibly as I've been but three times) to the inexplicably addictive Explosive Chicken, it's the dinner of my dreams. Literally. I have actually dreamt about it, and k don't know what that says about me.

Decor a bit tired and weird? Who cares! I'd go there by myself and polish

About Rowena H.

Rating Distribution

5 stars	270
4 stars	727
3 stars	372
2 stars	61
1 star	8

View more graphs

Review Votes

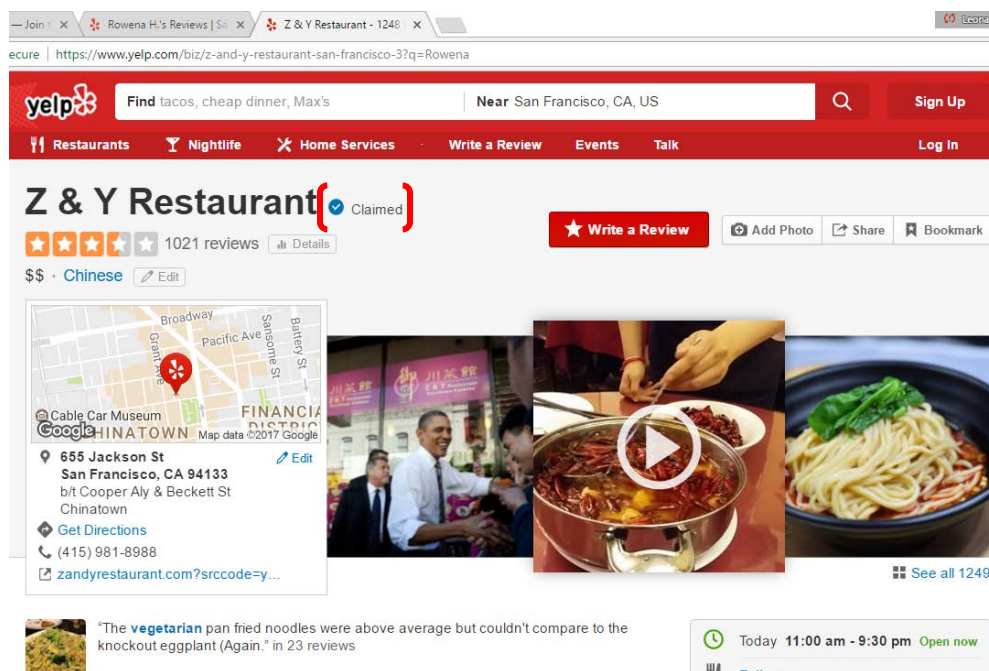
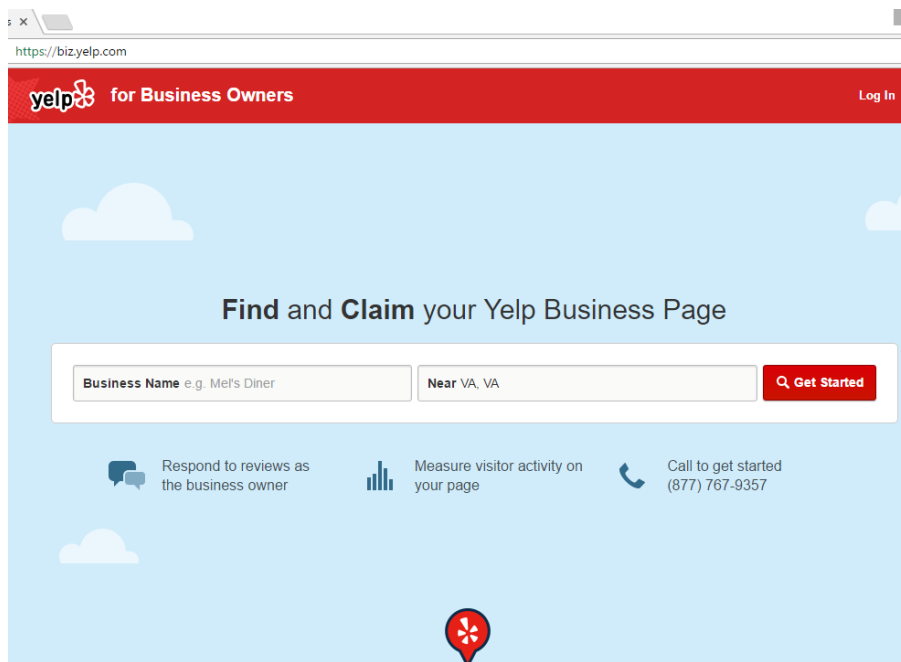
- Useful 3816
- Funny 1522
- Cool 2306

Stats

- Tips 501

37. Claim 23 of the '398 patent generally recites the webpage implementation system of claim 17, wherein the first entity is a first registered user of the webpage implementation system, and the second entity is a second registered user of the webpage implementation system.

38. The Infringing Instrumentalities infringe claim 23 of the '398 patent because, as demonstrated in paragraph 28, they meet the limitations of claim 17, and because, as demonstrated in the exemplary images below, and on information and belief, the first entity of the Infringing Instrumentalities is a first registered user of the webpage implementation system,



and the second entity is a second registered user of the webpage implementation system:

39. Plaintiff has been harmed by Defendants’ infringing activities.

COUNT II – INFRINGEMENT OF U.S. PATENT NO. 8,335,713

40. The allegations set forth in the foregoing paragraphs 1 through 39 are incorporated into this Second Claim for Relief.

41. On December 18, 2012, U.S. Patent No. 8,335,713 (“the ’713 patent”), entitled “Providing Reciprocal Links in Webpage Development System,” was duly and legally issued by the United States Patent and Trademark Office. A true and correct copy of the ’713 patent is attached as Exhibit 2.

42. The inventions of the ’713 patent resolve technical problems related to a streamlined process for developing web pages and posting those web pages on the internet. For example, the inventions allow parties to establish reciprocal linking arrangements between multiple web pages using only a single web page implementation system, as opposed to prior art processes that required multiple systems to accomplish the same result.

43. The claims of the ’713 patent do not merely recite the performance of some business practice known from the pre-Internet world along with the requirement to perform it on the Internet. Instead, the claims of the ’713 patent recite one or more inventive concepts that are rooted in computerized web design technology, and overcome problems specifically arising in the realm of computerized web design.

44. The claims of the ’713 patent recite an invention that is not merely the routine or conventional use of computer hardware systems or graphical user interfaces. Instead, the invention applies a streamlined method of employing these tools to establish a reciprocal linking arrangement between web pages with a single web page implementation system. The ’713 patent claims thus specify how to employ such a method to efficiently achieve the desired reciprocal linking arrangement.

45. The technology claimed in the ’713 patent does not preempt all ways of using computer hardware systems or graphical user interfaces to establish reciprocal linking arrangements between web pages, nor does it preempt the use of all reciprocal linking

arrangements between web pages, nor does it preempt any other well-known or prior art technology.

46. Accordingly, each claim of the '713 patent recites a combination of elements sufficient to ensure that the claim in practice amounts to significantly more than a patent on an ineligible concept.

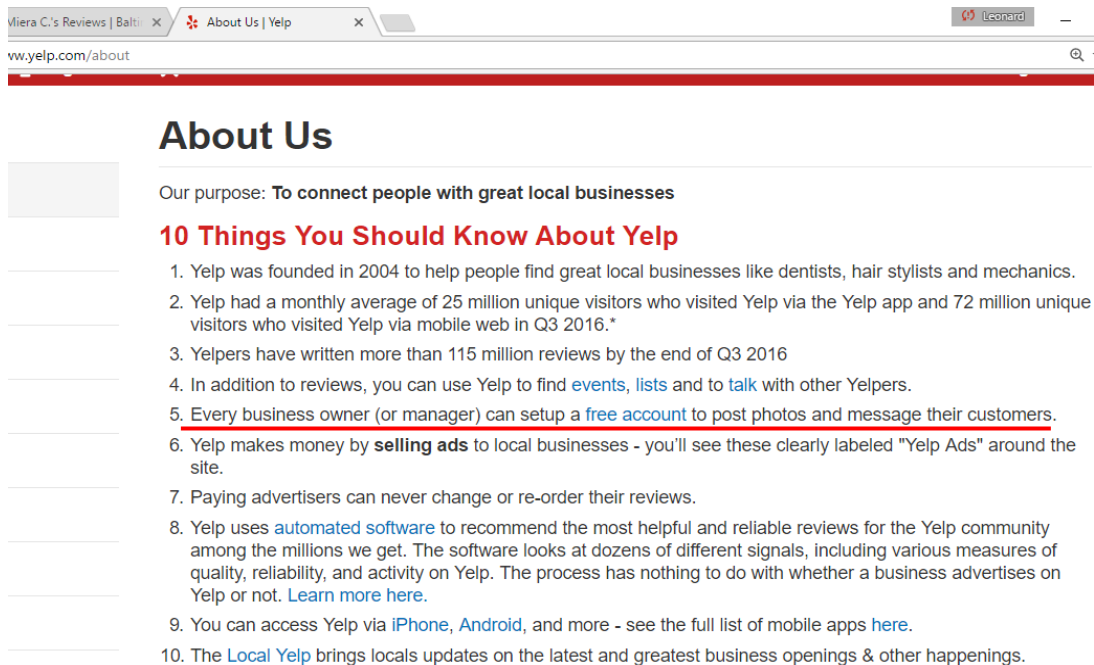
47. Plaintiff is the assignee and owner of the right, title and interest in and to the '713 patent, including the right to assert all causes of action arising under said patents and the right to any remedies for infringement of them.

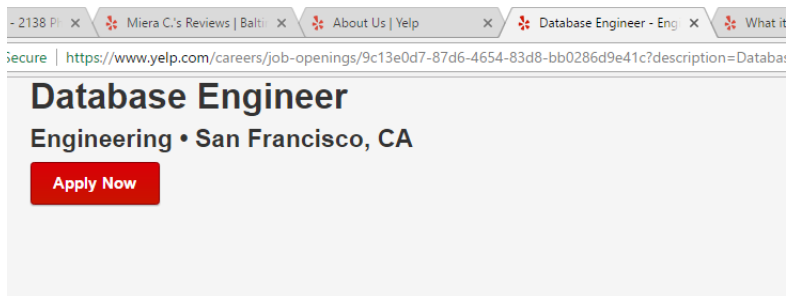
48. Upon information and belief, Defendant has and continues to directly infringe at least claims 1, 2, 3, 4, 5, 6, 8, 9, 10, and 11 of the '713 patent by making, using, selling, importing and/or providing and causing to be used webpage implementation systems configured to establish reciprocal linking arrangements between web pages; such webpage implementation systems are within the scope of claims 1, 2, 3, 4, 5, 6, 8, 9, 10, and 11 of the '713 patent (the "Infringing Instrumentalities").

49. Claim 1 of the '713 patent generally recites a method, within a computer hardware system, comprising: receiving, from a first user, a registration for a first website; receiving, from a second user, a registration for a second website; associating a second functional marketing element with the first user; associating a first functional marketing element with the second user; inserting, within the first website, the first functional marketing element; and reciprocally inserting, within the second website, the second functional marketing element based upon the first functional marketing element being inserted within the first website, wherein the second functional marketing element, within the second website, includes a link to the first

website, and the first functional marketing element, within the first website, includes a link to the second website.

50. As demonstrated in the exemplary images below, and on information and belief, the Infringing Instrumentalities infringe claim 1 of the '713 patent because they comprise a method, within a computer hardware system, comprising: receiving, from a first user, a registration for a first website;



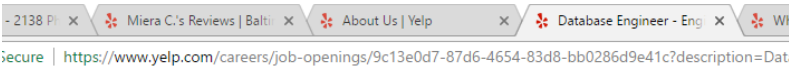


Summary

Yelp is looking to diversify its database team! Are you a strong MySQL DBA, but interested in being great at Cassandra and PostgreSQL? Experienced in new fangled NoSQL, but want to broaden your skills into traditional SQL? Then you could be just what Yelp is looking for.

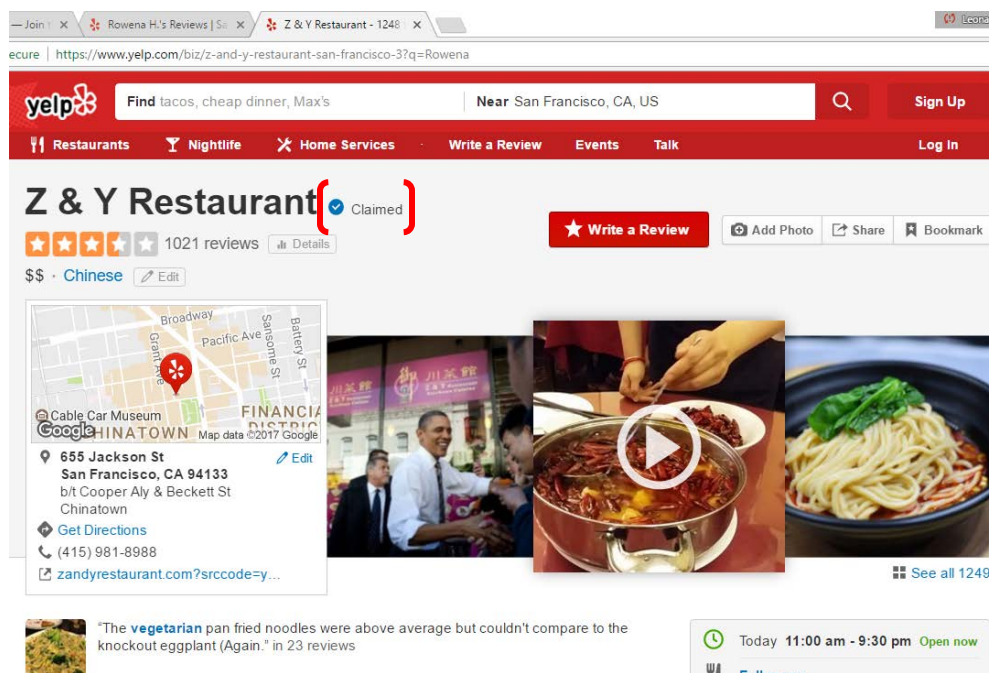
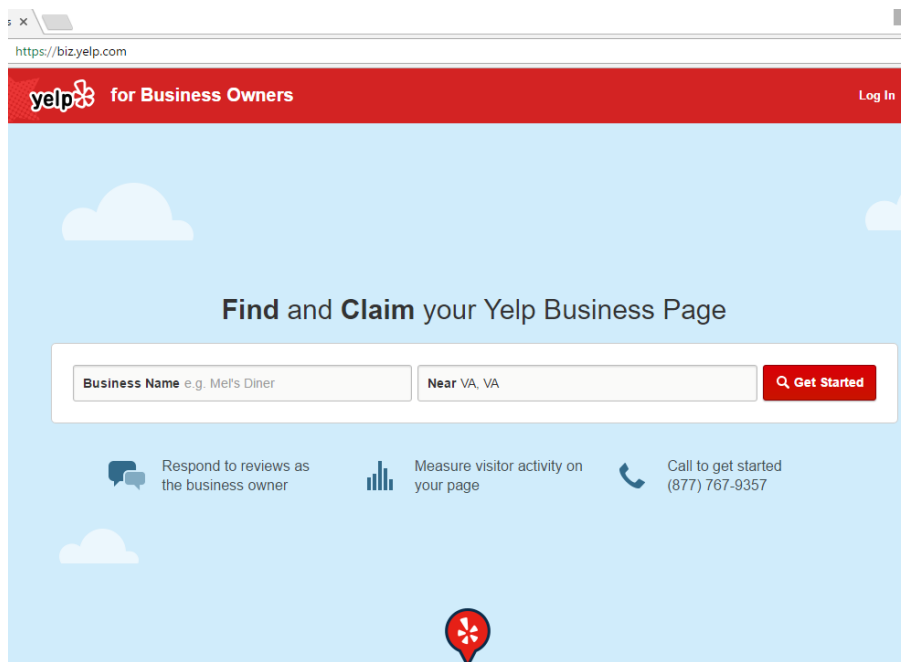
You'll get to work with cutting-edge databases on a website with millions of unique users, choosing and running the best datastores for the job, be they MySQL or NoSQL. We have a ton of monitoring, using a combination of Sensus, SignalFX, Splunk, and VividCortex, and pride ourselves on great documentation and tools for a fast response when something does go wrong.

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What You Will Do:

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★★★★★ 12/10/2016
3 check-ins

I can't even describe the joy this place gives me. From the cheeky guy who manages the door (he has an amazing knack for flirting and making us feel like he knows us, when he can't possibly as I've been but three times) to the inexplicably addictive Explosive Chicken, it's the dinner of my dreams. Literally. I have actually dreamt about it, and k don't know what that says about me.

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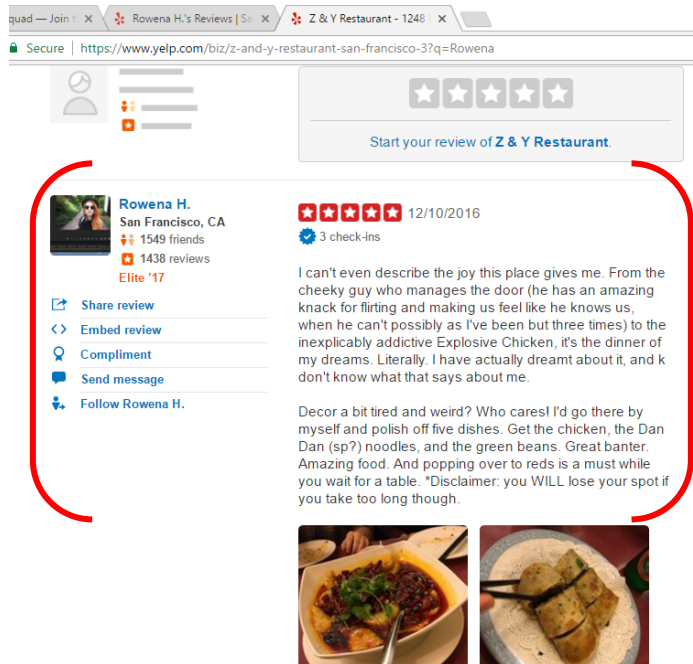
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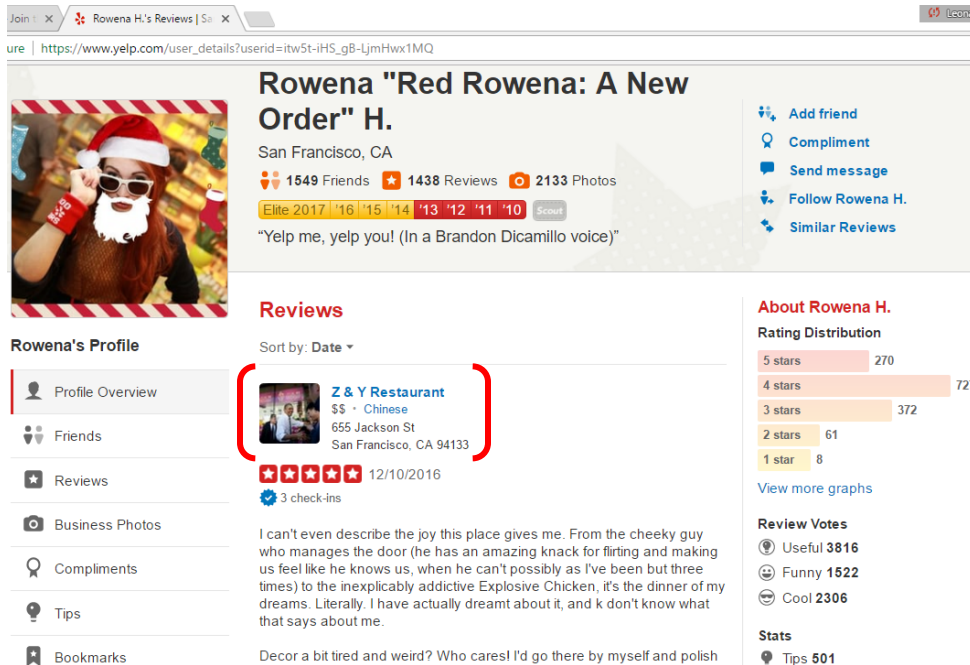
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51. Claim 2 of the '713 patent generally recites the method of claim 1, wherein the second functional marketing element includes an image.

52. As demonstrated in paragraph 50, the Infringing Instrumentalities infringe claim 2 of the '713 patent because they meet the limitations of claim 1 and because the second functional marketing element of the Infringing Instrumentalities includes an image.

53. Claim 3 of the '713 patent generally recites the method of claim 2, further comprising receiving, from the first user, the image.

54. The Infringing Instrumentalities infringe claim 3 of the '713 patent because, as demonstrated in paragraph 52, they meet the limitations of claim 2, and because, as demonstrated in paragraph 50, the method of the Infringing Instrumentalities further comprises receiving, from the first user, the image.

55. Claim 4 of the '713 patent generally recites method of claim 1, wherein the computer hardware system is a server system.

56. The Infringing Instrumentalities infringe claim 4 of the '713 patent because, as demonstrated in paragraph 50, the Infringing Instrumentalities meet the limitations of claim 1, and because, as demonstrated in the exemplary images below and on information and belief, the computer hardware system is a server system:

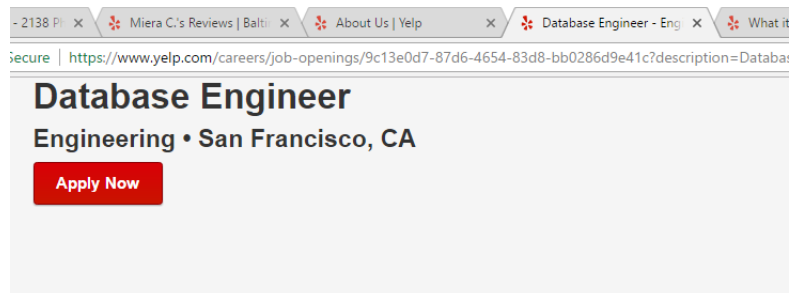


About Us

Our purpose: **To connect people with great local businesses**

10 Things You Should Know About Yelp

1. Yelp was founded in 2004 to help people find great local businesses like dentists, hair stylists and mechanics.
2. Yelp had a monthly average of 25 million unique visitors who visited Yelp via the Yelp app and 72 million unique visitors who visited Yelp via mobile web in Q3 2016.*
3. Yelpers have written more than 115 million reviews by the end of Q3 2016
4. In addition to reviews, you can use Yelp to find [events](#), [lists](#) and to [talk](#) with other Yelpers.
5. Every business owner (or manager) can setup a [free account](#) to post photos and message their customers.
6. Yelp makes money by **selling ads** to local businesses - you'll see these clearly labeled "Yelp Ads" around the site.
7. Paying advertisers can never change or re-order their reviews.
8. Yelp uses [automated software](#) to recommend the most helpful and reliable reviews for the Yelp community among the millions we get. The software looks at dozens of different signals, including various measures of quality, reliability, and activity on Yelp. The process has nothing to do with whether a business advertises on Yelp or not. [Learn more here](#).
9. You can access Yelp via [iPhone](#), [Android](#), and more - see the full list of mobile apps [here](#).
10. The [Local Yelp](#) brings locals updates on the latest and greatest business openings & other happenings.

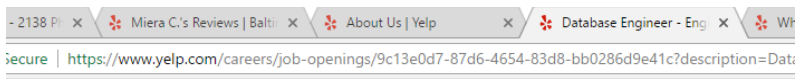


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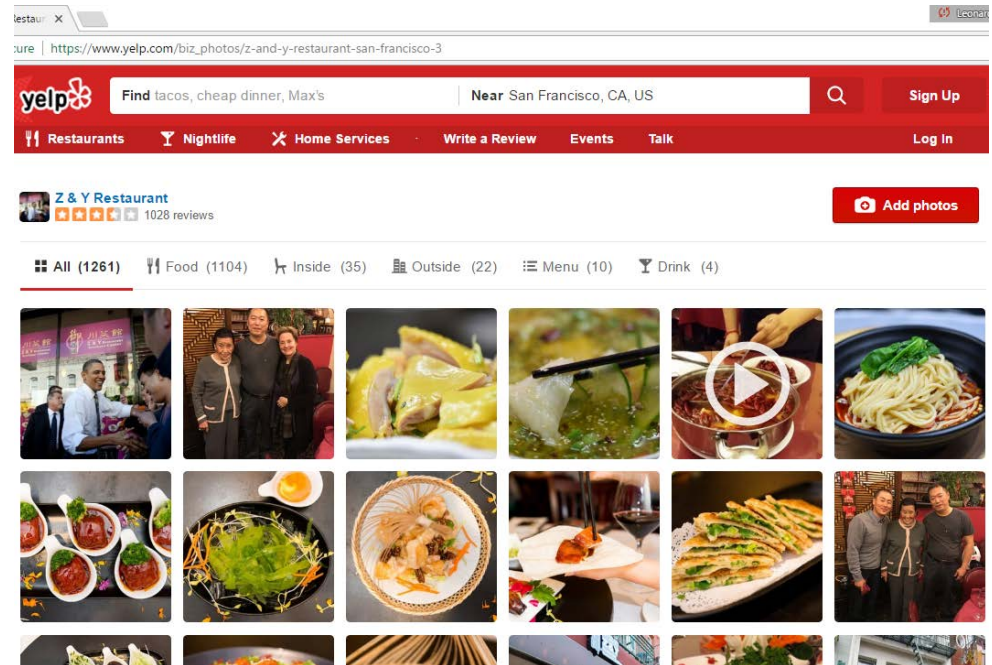
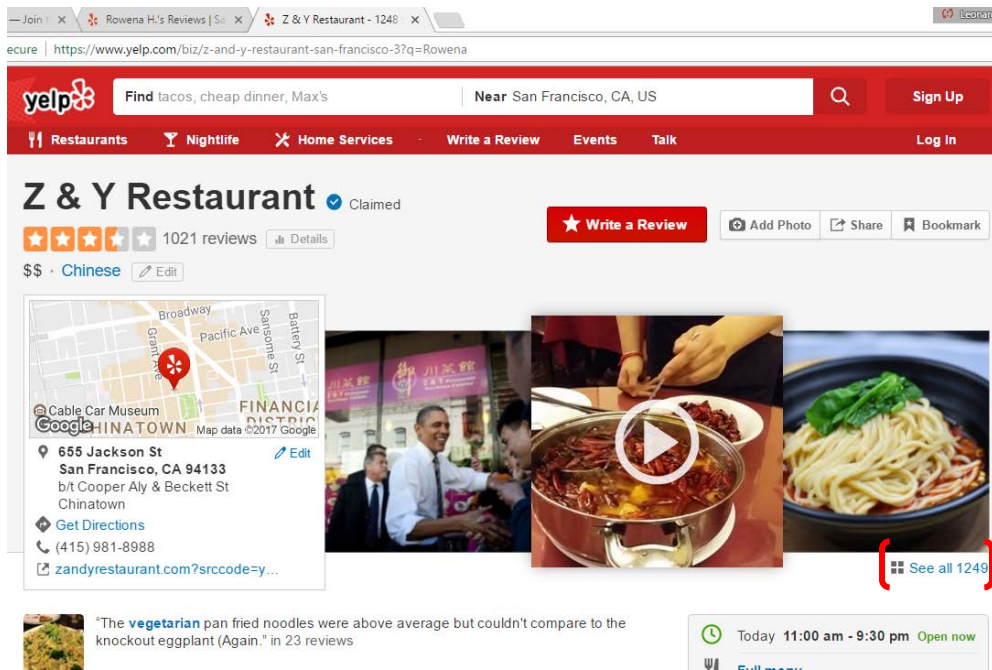
- Be curious, and understand the stack that uses Yelp's databases.
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57. Claim 5 of the '713 patent generally recites the method of claim 4, wherein the server system is a webpage implementation server system.

58. The Infringing Instrumentalities infringe claim 5 of the '713 patent because, as demonstrated in paragraph 56, they meet the limitations of claim 4 and the server system is a webpage implementation server system.

59. Claim 6 of the '713 patent generally recites method of claim 1, wherein the first website includes one or more web pages.

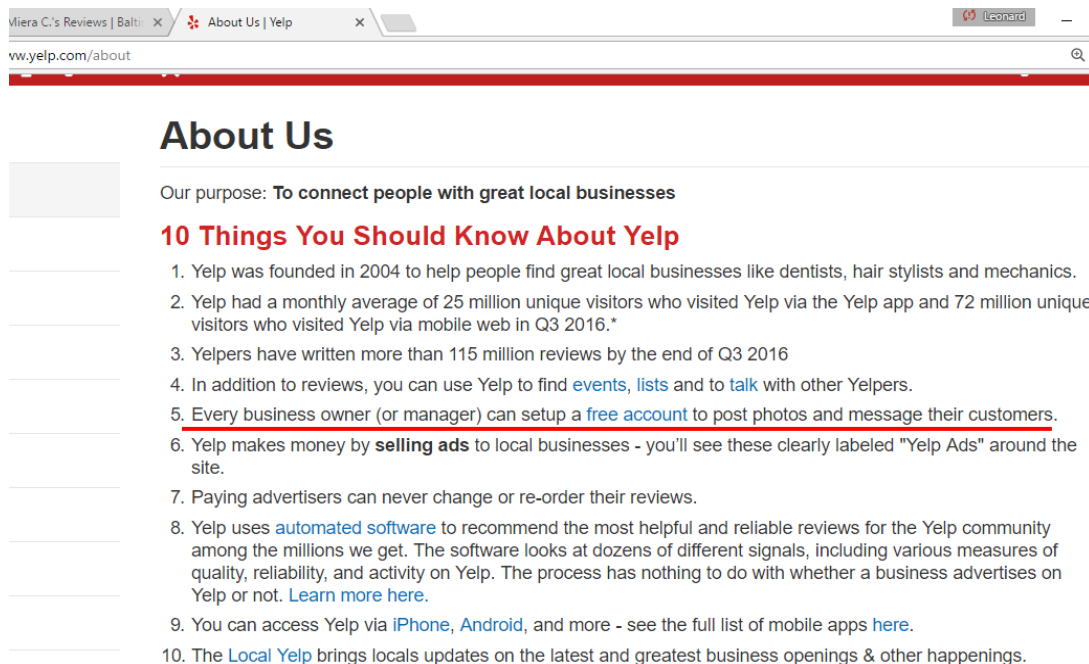
60. The Infringing Instrumentalities infringe claim 6 of the '713 patent because, as demonstrated in paragraph 50, they meet the limitations of claim 1, and as demonstrated in the exemplary images below, the first website of the Infringing Instrumentalities includes one or more web pages:

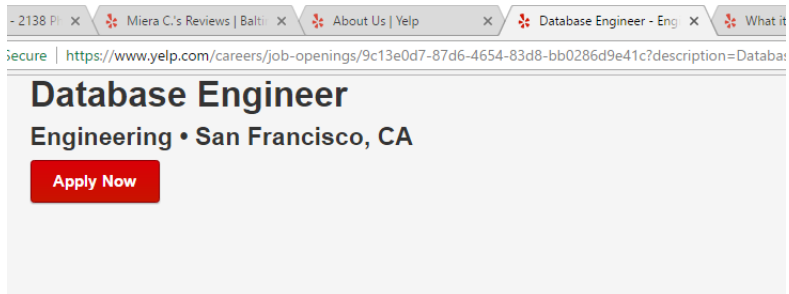


61. Claim 8 of the '713 patent generally recites a webpage implementation server system, comprising: a computer hardware system configured to perform: receiving, from a first user, a registration for a first website; receiving, from a second user, a registration for a second website; associating a second functional marketing element with the first user; associating a first

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62. As demonstrated in the exemplary images below, and on information and belief, the Infringing Instrumentalities infringe claim 8 of the '713 patent because they include a webpage implementation server system, comprising: a computer hardware system configured to perform: receiving, from a first user, a registration for a first website;



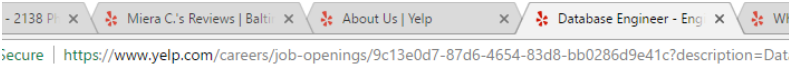


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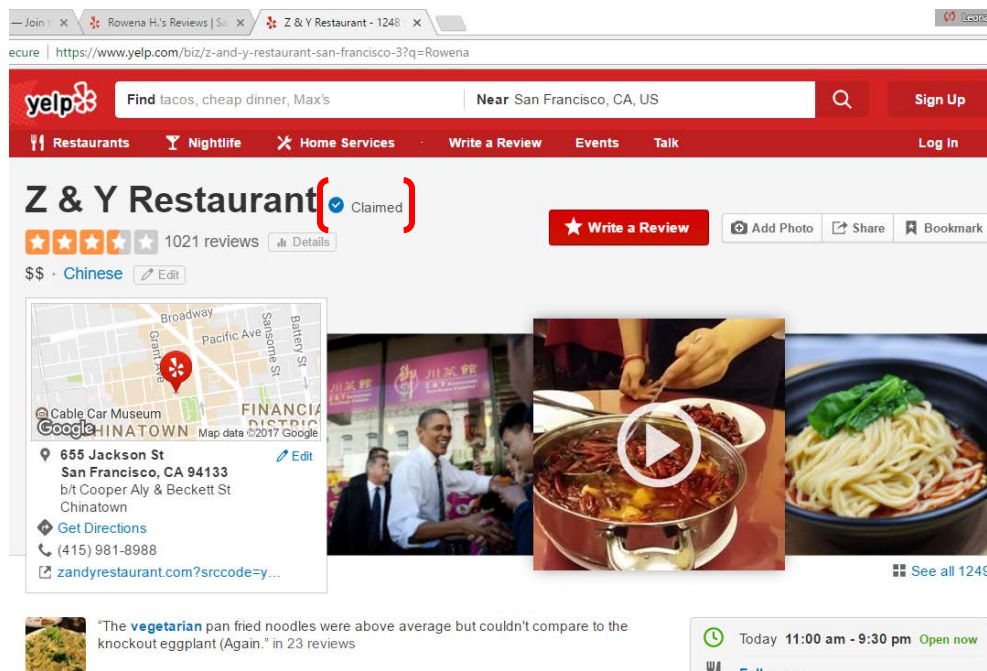
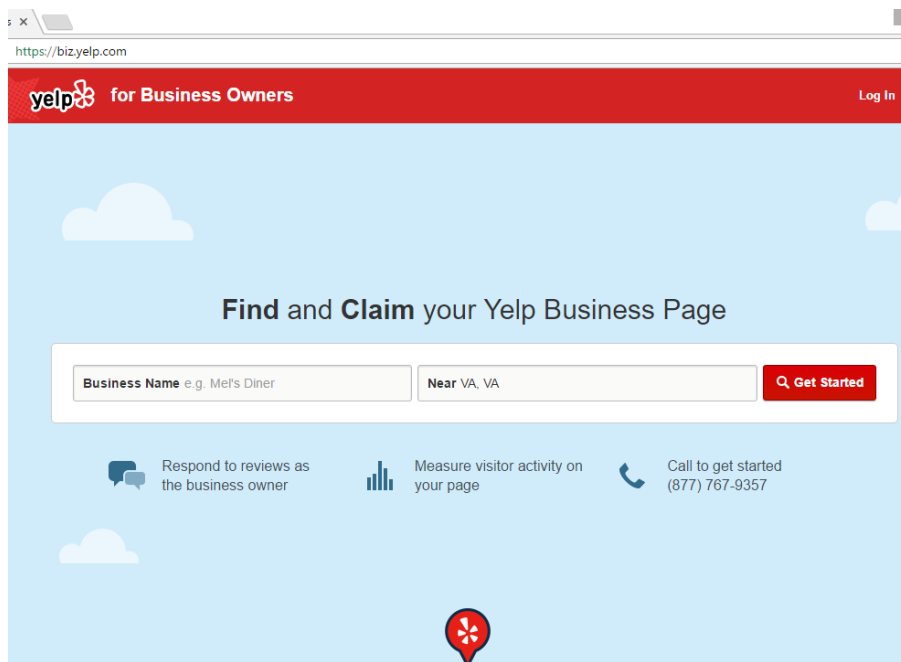
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★★★★★ 12/10/2016

3 check-ins

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5 stars	270
4 stars	727
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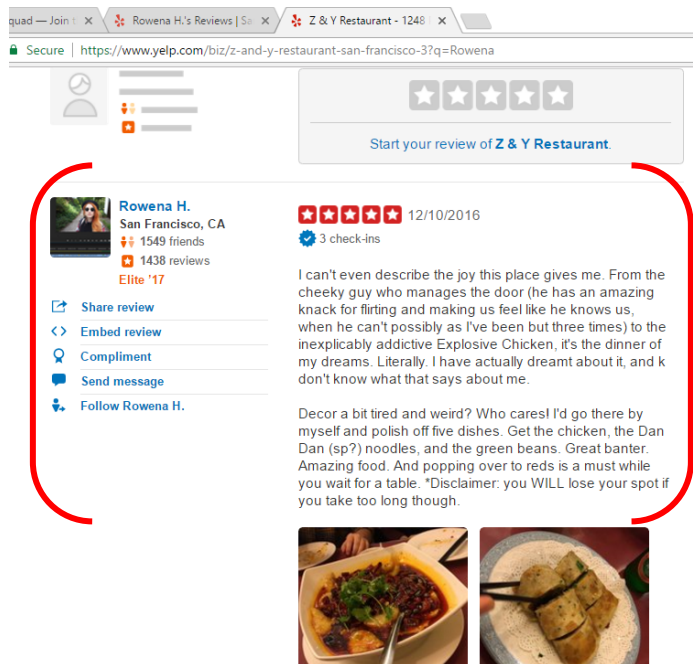
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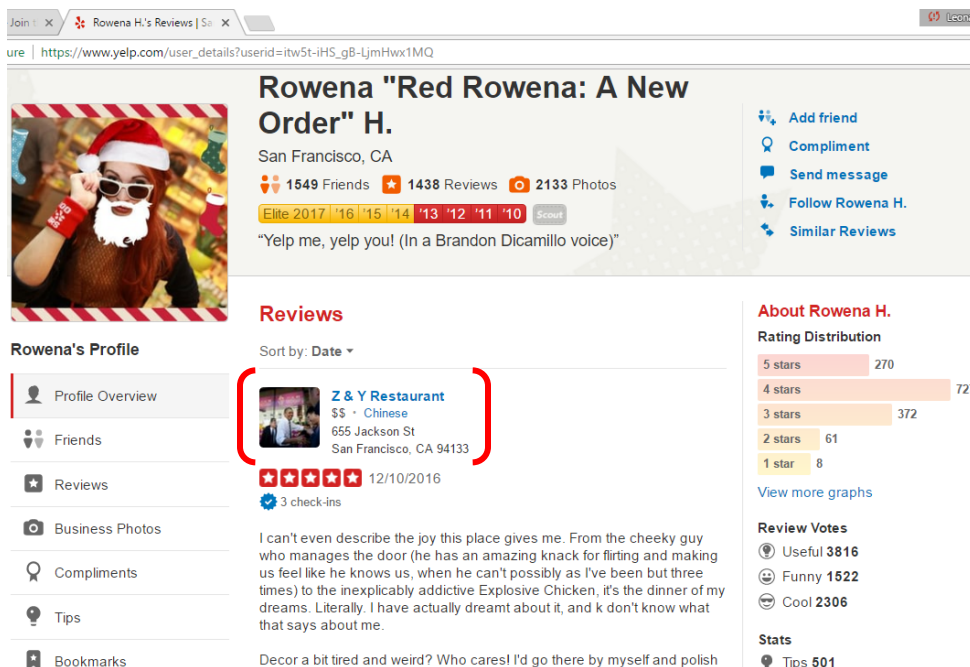
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63. Claim 9 of the '713 patent generally recites the server system of claim 8, wherein the second functional marketing element includes an image.

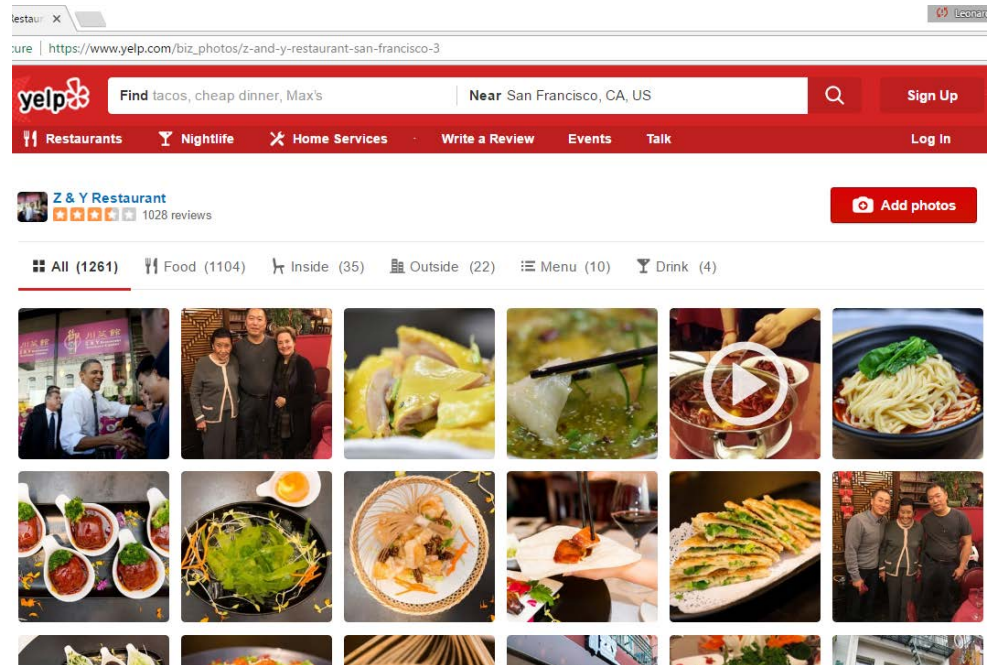
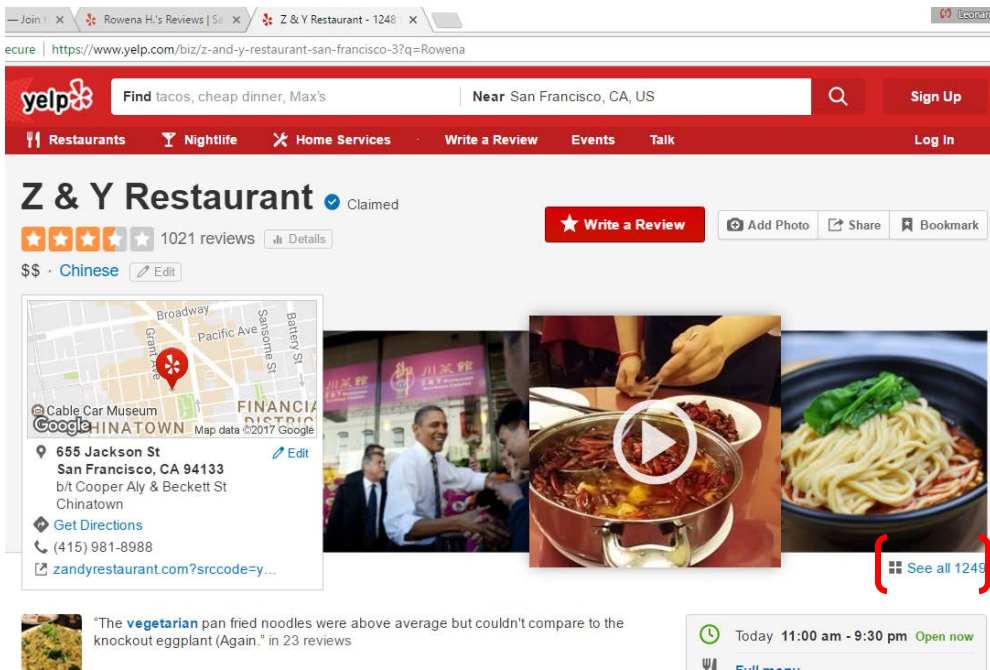
64. As demonstrated in paragraph 62, the Infringing Instrumentalities infringe claim 9 of the '713 patent because they meet the limitations of claim 8 and the second functional marketing element within the Infringing Instrumentalities includes an image.

65. Claim 10 of the '713 patent generally recites the server system of claim 9, wherein the computer hardware system is further configured to perform receiving, from the first user, the image.

66. The Infringing Instrumentalities infringe claim 10 of the '713 patent because, as demonstrated in paragraph 64, they meet the limitations of claim 9, and because, as demonstrated in paragraph 62, the Infringing Instrumentalities comprise a computer hardware system that is further configured to perform receiving, from the first user, the image.

67. Claim 11 of the '713 patent generally recites the server system of claim 8, wherein the first website includes one or more web pages.

68. The Infringing Instrumentalities infringe claim 11 of the '713 patent because, as demonstrated in paragraph 62, they meet the limitations of claim 8, and because, as demonstrated in the exemplary images below, the first web page of the Infringing Instrumentalities includes one or more web pages:



69. Plaintiff has been harmed by Defendants' infringing activities.

JURY DEMAND

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Plaintiff demands a trial by jury on all issues triable as such.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff demands judgment for itself and against Defendants as follows:

- A. An adjudication that Defendant has infringed the '398 patent and the '713 patent;
- B. An award of damages to be paid by Defendant adequate to compensate Plaintiff for Defendants' past infringement of the '398 patent and the '713 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 Plaintiff's reasonable attorneys' fees; and
- D. An award to Plaintiff of such further relief at law or in equity as the Court deems just and proper.

Dated: March 10, 2017

DEVLIN LAW FIRM LLC

/s/ Timothy Devlin

Timothy Devlin (#4241)

tdevlin@devlinlawfirm.com

1306 N. Broom St., 1st Floor

Wilmington, Delaware 19806

Telephone: (302) 449-9010

Facsimile: (302) 353-4251

Attorneys for Plaintiff

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