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Attorneys for Plaintiff Lone Star Targeted Advertising,  
LLC

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

LONE STAR TARGETED ADVERTISING, LLC,

Plaintiff,

v.

CADENT TECHNOLOGY and CROSS  
MEDIWORKS, LLC,

Defendants.

CASE NO.

COMPLAINT FOR PATENT  
INFRINGEMENT

1 Plaintiff Lone Star Targeted Advertising, LLC (“LSTA”), for its Complaint against Cadent  
2 Technology (“Cadent”) and Cross MediaWorks, LLC (collectively “Defendants”), alleges as  
3 follows:

4 **PARTIES**

5 1. Plaintiff Lone Star Targeted Advertising, LLC (“LSTA”) is a limited liability  
6 company organized under the laws of the State of Texas with its principal place of business in  
7 Dallas, Texas.

8 2. On information and belief, that Cadent Technology (“Cadent”) is a Pennsylvania  
9 company with an office in San Jose, California. LSTA is further informed and believes, and on  
10 that basis alleges, that Cadent is a provider of TV advertising and data solutions and helps the pay-  
11 TV industry monetize video delivered to television.

12 3. On information and belief, Cadent Technology operates a website at cadenttech.tv  
13 that lists under contact information an address at 4 N Street, #1100, San Jose, California.

14 4. On information and belief, Cross MediaWorks, LLC is a Delaware Corporation that  
15 owns Cadent Technology, according to its website at <http://crossmw.tv/>.

16  
17 **JURISDICTION AND VENUE**

18 5. This is an action for patent infringement in violation of the Patent Act of the United  
19 States, 35 U.S.C. §§ 1 *et seq.*

20 6. This Court has original and exclusive subject matter jurisdiction over the patent  
21 infringement claims for relief under 28 U.S.C. §§ 1331 and 1338(a).

22 7. This Court has personal jurisdiction over Cadent because Cadent has transacted and  
23 is transacting business in the Northern District of California that includes, but is not limited to, the  
24 use of products and systems that practice the subject matter claimed in the patents involved in this  
25 action. On information and belief, Cadent is headquartered in San Jose, California.

26 Venue is proper in this district under 28 U.S.C. 1400(b) because Defendants have  
27 committed acts of infringement and have regular and established places of business within this  
28 District. Specifically, on information and belief, Cadent Technology has a principal place of

1 business or regular and established place of business at 4 N Street, #1100, San Jose, California.

2 **INTRADISTRICT ASSIGNMENT**

3 8. This is an Intellectual Property action appropriate for district-wide assignment  
4 under Civ. L.R. 3-2(c).

5 **FACTS**

6 9. On October 9, 2001, U.S. Patent No. 6,301,619, entitled “System and Method for  
7 Providing Service of Sending Real Time Electronic Information to Selected Individual Viewers of  
8 Transmitted Video or Computerized Signals” was duly and legally issued. A true and correct copy  
9 of the ’619 Patent is attached hereto as Exhibit A. The ’619 Patent issued from application Serial  
10 Number 09/260,035 filed March 2, 1999. The inventors assigned all right, title and interest in the  
11 ’619 Patent to Oplus Technologies Ltd. Oplus Technologies Ltd. assigned its entire right, title,  
12 and interest in ’619 Patent to Lone Star Technological Innovations, LLC, who then assigned its  
13 entire right, title, and interest in the ’619 Patent to LSTA. LSTA is the sole owner of all rights,  
14 title, and interest in and to the ’619 Patent including the right to sue for and collect past, present,  
15 and future damages and to seek and obtain injunctive or any other relief for infringement of the  
16 ’619 Patent.

17 10. On information and belief, Defendants, through Cadent Technology, has a solution  
18 for household-level addressable advertising for linear broadcast television, as well as provides  
19 solutions for dynamic advertising.

20 11. On information and belief, “the addressable advertising solution for linear broadcast  
21 is designed for two-way networks, harnessing an IP return path to pre-position ad files into a DVR,  
22 then make ad calls to the campaign manager and receive decisions on which ads to show. These  
23 advertisements are then spliced into linear channels in order to replace the ads that already exist in  
24 the linear TV feeds.” [https://www.v-net.tv/2016/03/10/cadent-technology-blackarrow-unveils-its-  
25 solution-for-linear-stb-addressable-advertising/](https://www.v-net.tv/2016/03/10/cadent-technology-blackarrow-unveils-its-solution-for-linear-stb-addressable-advertising/)

26 12. On information and belief, “viewers of the set-top box are profiled using  
27 demographic and other lifestyle data so that the most suitable ad campaigns can be targeted at  
28 them. Cable operators are an obvious initial target market but the solution can be used by satellite

1 operators for their footprint of homes with DVRs featuring IP connections.” [https://www.v-](https://www.v-net.tv/2016/03/10/cadent-technology-blackarrow-unveils-its-solution-for-linear-stb-addressable-advertising/)  
2 [net.tv/2016/03/10/cadent-technology-blackarrow-unveils-its-solution-for-linear-stb-addressable-](https://www.v-net.tv/2016/03/10/cadent-technology-blackarrow-unveils-its-solution-for-linear-stb-addressable-advertising/)  
3 [advertising/](https://www.v-net.tv/2016/03/10/cadent-technology-blackarrow-unveils-its-solution-for-linear-stb-addressable-advertising/)

4 13. On information and belief, “viewers of the set-top box are profiled using  
5 demographic and other lifestyle data so that the most suitable ad campaigns can be targeted at  
6 them.” [https://www.v-net.tv/2016/03/10/cadent-technology-blackarrow-unveils-its-solution-for-](https://www.v-net.tv/2016/03/10/cadent-technology-blackarrow-unveils-its-solution-for-linear-stb-addressable-advertising/)  
7 [linear-stb-addressable-advertising/](https://www.v-net.tv/2016/03/10/cadent-technology-blackarrow-unveils-its-solution-for-linear-stb-addressable-advertising/)

8 14. On information that belief, “the Cadent Technology addressable STB solution has  
9 been developed initially using RDK and demonstrated with RDK firmware on real set-top boxes.  
10 However, the solution will be available for integration with any middleware and can be  
11 downloaded into the field via STB firmware updates. As well as managing the ad calls and ad  
12 splicing, the new software also provides measurement feedback for when ads have been inserted  
13 and seen.” [https://www.v-net.tv/2016/03/10/cadent-technology-blackarrow-unveils-its-solution-](https://www.v-net.tv/2016/03/10/cadent-technology-blackarrow-unveils-its-solution-for-linear-stb-addressable-advertising/)  
14 [for-linear-stb-addressable-advertising/](https://www.v-net.tv/2016/03/10/cadent-technology-blackarrow-unveils-its-solution-for-linear-stb-addressable-advertising/)

15 15. On information and belief, “the information about which targeted ads have been  
16 shown to a household can be returned to the campaign manager, in the network, almost instantly.  
17 If a campaign objective is to limit frequency to three set-top box views per day (for a given  
18 advertising campaign) the campaign manager will know immediately if this threshold has been  
19 reached. It will tell the DVR not to deliver this ad any more times until tomorrow. In contrast, if  
20 the measurement information reaches the campaign manager hours later rather than seconds after  
21 ad delivery, it could direct the DVR to show the ads too many times.” [https://www.v-](https://www.v-net.tv/2016/03/10/cadent-technology-blackarrow-unveils-its-solution-for-linear-stb-addressable-advertising/)  
22 [net.tv/2016/03/10/cadent-technology-blackarrow-unveils-its-solution-for-linear-stb-addressable-](https://www.v-net.tv/2016/03/10/cadent-technology-blackarrow-unveils-its-solution-for-linear-stb-addressable-advertising/)  
23 [advertising/](https://www.v-net.tv/2016/03/10/cadent-technology-blackarrow-unveils-its-solution-for-linear-stb-addressable-advertising/)

24 17. Claim 1 of the '619 Patent states:

25 A system for a sender sending real time electronic information to a viewer of  
26 transmitted video signals, the system comprising:

27 (a) viewer attribute information related to the viewer;

28

1 (b) an electronic device included with and in communication with a television belonging to  
2 the viewer for receiving and storing said viewer attribute information input into said  
3 electronic device by the viewer;

4 (c) sender requested electronic information of the sender to be transmitted by request of the  
5 sender to the viewer, said sender requested electronic information of the sender is included  
6 with a non-viewer provided subset of said viewer attribute information related to the  
7 viewer;

8 (d) a service center for communicating to a television station provider of the transmitted  
9 video signals encoding instructions to form encoded sender requested electronic  
10 information of the sender, said television provider of the transmitted video signals  
11 transmits a compound video signal including said non-viewer provided subset of viewer  
12 attribute information and said encoded sender requested electronic information of the  
13 sender to said electronic device included with and in communication with said television  
14 belonging to the viewer, said electronic device makes a decision selected from the group  
15 consisting of accepting said encoded sender requested electronic information of the sender  
16 and not accepting said encoded sender requested electronic information of the sender, said  
17 decision of accepting said encoded sender requested electronic information is made by  
18 recognizing said non-viewer provided sheet subset of said viewer attribute information, and  
19 said electronic device decodes said encoded sender requested electronic information of the  
20 sender to form decoded sender requested electronic information of the sender; and

21 (e) a subwindow within said television of the viewer for displaying said decoded sender  
22 requested electronic information of the sender to the viewer.

23 18. On information and belief, Defendants have a system for sender sending real time  
24 electronic information to a viewer of transmitted video signals. Cadent itself describes its system  
25 as follows: “The next generation of consumers is watching TV content whenever and wherever  
26 they want. We bring real, scalable technology to a market that is demanding advanced advertising  
27 capabilities across all screens. Using our centralized platform, you can simplify advertising  
28 workflows across on-demand or linear programming delivered through traditional or next  
generation OTT platforms.” (<http://cadenttech.tv>). Cadent’s system infringes each element of  
Claim 1 as follows:

29 a. “Viewer attributable information related to the viewer” – Cadent  
30 uses viewer attributable information related to the viewer, analytics, to target specific ads of an  
31 advertiser to a viewer. For example, Cadent itself describes its system as: “This is a new world of  
32 video consumption. By leveraging the power of your data and combining it with data from market  
33 leading partners, we bring powerful insights and analytics to increase the value of multiscreen

1 advertising. Our real-time reporting and intuitive tools help you identify the right audience and  
2 make the most of every impression.” (<http://cadenttech.tv>)

3 b. “an electronic device included with and in communication with a  
4 television belonging to the viewer for receiving and storing said viewer attribute information input  
5 into said electronic device by the viewer” -- In order for Cadent to utilize its platform and  
6 analytical system, an electronic device of the viewer’s is in communication with TV in order to  
7 obtain “real-time” audience data and insights. For most viewers, this will be the Set Top Box that  
8 provides the real-time analytics information to the “sender”.

9 c. “sender requested electronic information of the sender to be  
10 transmitted by request of the sender to the viewer, said sender requested electronic information of  
11 the sender is included with a non-viewer provided subset of said viewer attribute information  
12 related to the viewer” -- On information and belief, targeted advertisement based on the campaign  
13 being run using Cadent’s platform meet this requirement, as the sender is requesting the sending of  
14 information from sender to viewer based on viewer attributable information.

15 d. “a service center for communicating to a television station provider  
16 of the transmitted video signals encoding instructions to form encoded sender requested electronic  
17 information of the sender, said television provider of the transmitted video signals transmits a  
18 compound video signal including said non-viewer provided subset of viewer attribute information  
19 and said encoded sender requested electronic information of the sender to said electronic device  
20 included with and in communication with said television belonging to the viewer, said electronic  
21 device makes a decision selected from the group consisting of accepting said encoded sender  
22 requested electronic information of the sender and not accepting said encoded sender requested  
23 electronic information of the sender, said decision of accepting said encoded sender requested  
24 electronic information is made by recognizing said non-viewer provided sheet subset of said  
25 viewer attribute information, and said electronic device decodes said encoded sender requested  
26 electronic information of the sender to form decoded sender requested electronic information of  
27 the sender” -- Cadent provides a platform in order for ads to be deployed from the content  
28 provider (TV Stations) to viewers. Upon information and belief, Cadent’s system “streamlines

1 targeted advertising across traditional linear television, rounding out its unified multiscreen  
2 advertising system, where its unified ad control plane offers real-time access to reporting data that  
3 enables optimisation of campaigns on the fly, such as pacing, metering and rebalancing across all  
4 screens. Pay-TV service providers worldwide have been under pressure to not only provide  
5 addressable advertising across traditional television, but to match the scale, advanced reporting and  
6 analytics that are offered on digital platforms. Additionally, advertisers are demanding cross-  
7 platform reach, which requires service providers to connect multiple viewing platforms in a single  
8 infrastructure. Adapting new technologies that provide digital-like capabilities and centralized  
9 operations among currently siloed viewing platforms in a service provider's legacy infrastructure  
10 has historically been challenging." "Cadent updates addressable TV platform,"  
11 [https://www.rapidtvnews.com/2017072048087/cadent-updates-addressable-tv-](https://www.rapidtvnews.com/2017072048087/cadent-updates-addressable-tv-platform.html#ixzz50guf5Gnm)  
12 [platform.html#ixzz50guf5Gnm](https://www.rapidtvnews.com/2017072048087/cadent-updates-addressable-tv-platform.html#ixzz50guf5Gnm). Further, as discussed above in paragraph 16, the information  
13 about which targeted ads have been shown to a household can be returned to the campaign  
14 manager, in the network, almost instantly and the campaign manager can send instructions  
15 regarding which ad should be shown.

16 e. "A subwindow within said television of the viewer for displaying  
17 said decoded sender requested electronic information of the sender to the viewer." Specifically, on  
18 information and belief, the television displays content and within the television, there are other  
19 windows, such as when choosing the menu, which pop up.

20 19. On or about January 26, 2018, LSTA sent a letter to Cadent informing Cadent of  
21 the '619 Patent and that Cadent's actions constituted infringement of the '619 Patent.

## 22 **FIRST CLAIM FOR RELIEF**

### 23 **Patent Infringement of the '619 Patent (35 U.S.C. §§ 101, et seq.)**

#### 24 **(Against all Defendants)**

25 20. LSTA refers to and incorporates herein by reference paragraphs 1-19.

26 21. Defendants infringed, either directly or indirectly, at least Claim 1 of the '619  
27 Patent in this judicial district and elsewhere in California and the United States, through the  
28 services it provides as outlined at cadenttech.tv and as described above.

1           22.   Specifically, as outlined above Defendants have a system for sender sending real  
2 time electronic information to a viewer of transmitted video signals comprises:

3           a.    “Viewer attributable information” related to the viewer, analytics, to target  
4 specific ads of an advertiser to a viewer.

5           b.    “An electronic device” that is included with and in communication with a  
6 television belonging to a viewer in order to obtain “real-time” data and insights. For most viewers,  
7 this will be the Set Top Box that provides the real-time analytics information to the “sender”.

8           c.    “Sender requested electronic information of the sender to be transmitted by  
9 request of the send to the viewer.” The targeted advertisement based on the campaign being run  
10 using Defendants’ platform meet this requirement, as the sender is requesting the sending of  
11 information from sender to viewer based on viewer attributable information.

12           d.    “A service center for communicating to a television station provider of the  
13 transmitted video signals encoding instructions to form encoded sender requested electronic  
14 information of the sender.” As discussed above in paragraph 16, the information about which  
15 targeted ads have been shown to a household can be returned to the campaign manager, in the  
16 network, almost instantly and the campaign manager can send instructions regarding which ad  
17 should be shown.

18           e.    “A subwindow within said television of the viewer for displaying said decoded  
19 sender requested electronic information of the sender to the viewer.” Specifically, on information  
20 and belief, the television displays content and within the television, there are other windows, such  
21 as when choosing the menu, which pop up.

22           21.   Defendants, therefore, by the acts complained of herein, are making, using, selling,  
23 or offering for sale in the United States, including in the Northern District of California, products  
24 and/or services embodying the invention, and has in the past and is now continuing to infringe the  
25 ’619 Patent, either literally or under the doctrine of equivalents, pursuant to 35 U.S.C. §271(a).

26           22.   To the extent that some elements of a claim are performed by a different party than  
27 Cadent, Cadent – through its infringing system – participates in the infringement (as described  
28 above and herein) and receives a benefit upon performance of the steps of the patented



1 system. For example, Cadent provides the software and technology that establishes viewer  
2 attribute information related to the viewer that can be collected, and how that information is  
3 transmitted, received, stored and acted upon in accordance with the patented system. Cadent  
4 receives a benefit from such actions by the customer and television station provider as it allows  
5 targeted advertising to be displayed through the top set box.

6 23. Upon information and belief, the acts described above concerning the use, offer for  
7 sale, sale, operation, distribution, and/or installation of Cadent's products and/or software and  
8 those described below also constitute acts of induced and contributory infringement. Customers  
9 and users use the infringing products and software to provide targeted ads.

10 24. To the extent that some elements of a claim are performed by a different party than  
11 Cadent, Cadent, through its software and infringing products, participates in the infringement (as  
12 described herein) and receives a benefit upon performance of steps of a patented system. For  
13 example, Cadent provides the software and technology that establishes viewer attribute  
14 information related to the viewer that can be collected, and how that information is transmitted,  
15 received, stored and acted upon in accordance with the patented system. Cadent receives a benefit  
16 from such actions by the customer and television station provider as it allows targeted advertising  
17 to be displayed.

18 25. Upon information and belief, Cadent provides its customers and/or users of its  
19 products and software to use, load and operate in an infringing manner or to create and use  
20 infringing products. Upon information and belief, Cadent further induces its customers and/or  
21 users of Cadent's platform to use its products (and accompanying software) by providing  
22 subscriptions to Cadent's platform. Further, Cadent has actively induced infringement by its  
23 customers and/or users of Cadent's products and software in this judicial district. Upon  
24 information and belief, Cadent knowingly and specifically designed Cadent's platform in a manner  
25 that infringed the Asserted Patent. Upon information that belief, Cadent also provides support  
26 services for the Accused System and Method. Cadent's targeted advertising platform has no  
27 substantial non-infringing use. Cadent has acted with specific intent to induce or cause  
28 infringement and to conduct acts of infringement as described herein within the jurisdiction and

1 elsewhere. Upon information and belief, Cadent continues to provide instructions since having  
2 notice and actual knowledge of the Asserted Patent.

3 26. Upon information and belief, Cadent has had knowledge of the Asserted Patent at  
4 least as of the service of this complaint. Notwithstanding, Cadent continues to willfully and with  
5 specific intent infringe and cause others to infringe the Asserted Patents. Cadent provides, makes,  
6 sells, and offers to sell Cadent systems with the specific intent that its customers, third parties,  
7 and/or end users use the Cadent systems in an infringing manner, and its customers, third parties,  
8 and/or end users do so. Upon information and belief, Cadent provides and instructs third parties to  
9 use the aforementioned product in the manner claimed in the Asserted Patents.

10 27. Upon information and belief, Cadent's platform has no substantial non-infringing  
11 uses and is especially made and/or adapted so as to infringe the Asserted Patents. Cadent has acted  
12 with specific intent to induce or cause infringement and to conduct acts of infringement as  
13 described herein within this District and elsewhere. Cadent continues to contribute to the  
14 infringement of third parties even after having notice and actual knowledge of the Asserted Patent  
15 as previously described.

16 28. Defendants threaten to continue to engage in the acts complained of herein and,  
17 unless restrained and enjoined, will continue to do so, all to LSTA's irreparable injury. It would  
18 be difficult to ascertain the amount of compensation that would afford LSTA adequate relief for  
19 such future and continuing acts, and a multiplicity of judicial proceedings would be required.  
20 LSTA does not have an adequate remedy at law to compensate it for the injuries threatened.

21 29. By reason of the acts of Cadent alleged herein, LSTA has suffered damage in an  
22 amount to be proved at trial.

23 **JURY DEMAND**

24 LSTA demands a jury trial on all issues so triable.

25 **PRAYER FOR RELIEF**

26 WHEREFORE, LSTA prays for relief as follows:

27 A. Judgment that Defendants have directly infringed, and induced others to infringe,  
28 the '619 Patent either literally and/or under the doctrine of equivalents;

1           B.       Judgment that Defendants’ infringement of the ’619 Patent have been willful at  
2 least as early as January 26, 2018, when notice was sent to the Defendants;

3           C.       Judgment permanently enjoining Defendants, their officers, directors, agents,  
4 servants, affiliates, employees, subsidiaries, divisions, branches, parents, attorneys,  
5 representatives, and all others acting in concert or privity with any of them, from infringing the  
6 ’619 Patent, and from inducing others to infringe the ’619 Patent;

7           D.       Judgment awarding LSTA general and/or specific damages, including a reasonable  
8 royalty and/or lost profits, in amounts to be fixed by the Court in accordance with proof, including  
9 enhanced and/or exemplary damages, as appropriate, as well as all of Defendants’ profits or gains  
10 of any kind from its acts of patent infringement;

11          E.       Judgment awarding LSTA enhanced damages pursuant to 35 U.S.C. § 284 due to  
12 the willful and wanton nature of Defendants’ infringement from at least January 26, 2018 when  
13 notice was given;

14          F.       Judgment awarding LSTA all of its costs, including its attorneys' fees, incurred in  
15 prosecuting this action, including, without limitation, pursuant to 35 U.S.C. § 285 and other  
16 applicable law;

17          G.       Judgment awarding LSTA pre-judgment and post-judgment interest; and

18          H.       Judgment awarding LSTA such other and further relief as the Court may deem just  
19 and proper.

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Dated: February 5, 2018

Respectfully submitted,  
  
BANIE & ISHIMOTO LLP  
  
By /s/ John A. Lee

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John A. Lee  
Jennifer Ishimoto  
  
Attorneys for Plaintiff  
Lone Star Targeted Advertising, LLC

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**DEMAND FOR JURY TRIAL**

LSTA demands a jury trial on all claims as to which it has a right to a jury trial.

Dated: February 5, 2018

Respectfully submitted,

BANIE & ISHIMOTO LLP

By /s/ John A. Lee

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John A. Lee  
Jennifer Ishimoto

Attorneys for Plaintiff  
Lone Star Targeted Advertising, LLC