

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

WILLIAM GRECIA,

Plaintiff,

vs.

DISCOVER FINANCIAL SERVICES, INC.,

Defendant.

Case No. 1:17-cv-07300

Hon. John Z. Lee

AMENDED COMPLAINT

William Grecia brings this patent-infringement action against Discover Financial Services, Inc. (“Discover”).

Parties

1. William Grecia is an individual residing in Downingtown, Pennsylvania.
2. Discover is a Delaware corporation, having its principal place of business in Riverwoods, Illinois.

Jurisdiction and Venue

3. This action arises under the patent laws of the United States, 35 U.S.C. §§ 101 *et seq.*
4. This Court has subject matter jurisdiction over this action under 28 U.S.C. §§ 1331 and 1338(a).
5. This Court may exercise personal jurisdiction over Discover. Discover conducts continuous and systematic business in this District; and this patent-infringement case arises directly from Discover’s continuous and systematic activity in this District. In

short, this Court's exercise of jurisdiction over Discover would be consistent with the Illinois long-arm statute and traditional notions of fair play and substantial justice.

6. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b)(1)-(2) and 1400(b).

Infringement of U.S. Patent No. 8,887,308

7. Mr. Grecia owns United States Patent 8,887,308 (the "'308 patent") (attached hereto as Exhibit A).

8. Discover infringes claim 1 of the '308 patent through provision of Discover Digital Exchange (hereinafter, "DDX").

9. For illustration, and without limitation to the services and attributes of those services that Grecia alleges infringe claim 1 of the '308 patent, Discover infringes the '308 patent as follows:

- a. Claim 1 is "[a] process for transforming a user access request for cloud digital content into a computer readable authorization object" (Ex. A, col. 14:31-33.) DDX transforms an access request for cloud digital content—a Discover Primary Account Number ("PAN")—into a computer readable authorization object—a payment token (the "Payment Token").
- b. The first step of the claim 1 process of transforming from a user access request into an authorization object is "receiving an access request for cloud digital content through an apparatus in process with at least one CPU, the access request being a write request to a data store, wherein the data store is at least one of: a memory connected to the at least one

CPU; a storage connected to the at least one CPU; and a database connected to the at least one CPU through the Internet; wherein the access request further comprises verification data provided by at least one user, wherein the verification data is recognized by the apparatus as a verification token” (Ex. A, col. 14:34-44.) DDX receives a request for cloud digital content, for example, when DDX receives an individual’s PAN associated with the individual’s credit card (the “PAN”). The DDX apparatus receiving the PAN recognizes the PAN as a verification token. DDX receives the PAN either from a merchant or the individual’s digital wallet. When DDX receives the PAN, the DDX apparatus is in process with at least one CPU, and the PAN is received by DDX as a request to write the PAN (i.e., the verification token) to the token vault, a data store. This data store is a storage connected to the DDX CPU.

- c. The second step of claim 1 is “authenticating the verification token of (a) using a database recognized by the apparatus of (a) as a verification token database” (Ex. A, col. 14:45-47.) DDX authenticates the PAN by verifying with the issuer of the credit card that the PAN is active and valid. DDX achieves this authentication using the issuer’s database—claim 1’s “verification token database.”
- d. The third step of claim 1 is “establishing an API communication between the apparatus of (a) and a database apparatus, the database apparatus being a different database from the verification token

database of (b) wherein the API is related to a verified web service, wherein the verified web service is part of the database apparatus, wherein establishing the API communication requires a credential assigned to the apparatus of (a), wherein the apparatus assigned credential is recognized as a permission to conduct a data exchange session between the apparatus of (a) and the database apparatus to complete the verification process, wherein the data exchange session is also capable of an exchange of query data, wherein the query data comprises at least one verified web service account identifier”

(Ex. A, col. 14:48-62.) The DDX apparatus establishes an API communication with a token database different than the database used to authenticate the PAN. This API communication between the DDX apparatus and the token database is possible because of a token requestor ID assigned to DDX. The API communication is related to the verified web service of the token vault database. The data exchange session between DDX and the token vault is capable of exchanging the query data—i.e., the verified web service account identifier, the Payment Token.

- e. The fourth and fifth steps of claim 1 are “requesting the query data, from the apparatus of (a), from the API communication data exchange session of (c), wherein the query data request is a request for the at least one verified web service identifier . . . [and then] receiving the query data requested in (d) from the API communication data

exchange session of (c)” (Ex. A, cols. 14:63-15:2.) DDX requests and receives query data that includes the Payment Token via the API communication with the token database.

- f. The sixth step of claim 1 is “creating a computer readable authorization object by writing into the data store of (a) at least one of: the received verification data of (a); and the received query data of (e) . . . wherein the created computer readable authorization object is recognized by the apparatus of (a) as user access rights associated to the cloud digital content, wherein the computer readable authorization object is processed by the apparatus of (a) using a cross-referencing action during subsequent user access requests to determine one or more of a user access permission for the cloud digital content.” (Ex. A, 15:3-14.) DDX creates the “authorization object” of claim 1 when DDX writes into the token vault data store the PAN and the Payment Token. DDX recognizes the object—the PAN and the Payment Token written to the token vault—as access rights to the individual’s cloud digital content. When the individual through his or her digital wallet subsequently uses the credit card to make purchases, DDX processes the authorization object by cross-referencing the PAN and the Payment Token to determine whether the individual is permitted to access the digital financial content in the cloud to complete the purchase.

Prayer for Relief

WHEREFORE, Mr. Grecia prays for the following relief against Discover:

- (a) Judgment that Discover has infringed the '308 patent;
- (b) For a reasonable royalty;
- (c) For pre-judgment interest and post-judgment interest at the maximum rate allowed by law;
- (d) For post-judgment injunctive relief; and
- (e) For such other and further relief as the Court may deem just and proper.

Demand for Jury Trial

Mr. Grecia demands a trial by jury on all matters and issues triable by jury.

Date: February 7, 2018

Respectfully submitted,

/s/ Matthew M. Wawrzyn
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