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LINKSMART WIRELESS TECHNOLOGY, LLC

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

LINKSMART WIRELESS  
TECHNOLOGY, LLC

*Plaintiff,*

*v.*

SONIFI SOLUTIONS, INC.

*Defendants.*

**COMPLAINT FOR PATENT  
INFRINGEMENT**

**DEMAND FOR JURY TRIAL**

1 **Complaint**

2 1. Plaintiff Linksmart Wireless Technology, LLC (“Linksmart” or  
3 “Plaintiff”), files this Complaint against Defendant Sonifi Solutions, Inc. (“Sonifi”  
4 or “Defendant), and alleges as follows:

5 **Nature of the Action**

6 2. This is a civil action for patent infringement arising under the patent  
7 laws of the United States, Title 35, United States Code, including 35 U.S.C. §§ 271  
8 *et seq.* and 281-285.

9 3. On June 27, 2017, the U.S. Patent and Trademark Office duly and  
10 legally issued U.S. Reissued Patent No. RE46,459 (the “’459 patent” or “Asserted  
11 Patent”), entitled “User specific automatic data redirection system,” to Koichiro  
12 Ikudome and Moon Tai Yeung as the named inventors after full and fair  
13 examination. A true and correct copy of the ’459 patent is attached hereto as Exhibit  
14 A and incorporated herein by reference.

15 4. Sonifi has infringed and continues to infringe one or more claims of the  
16 Asserted Patent.

17 **The Parties**

18 5. Linksmart was founded by Koichuru (“Ko”) Ikudome, who along with  
19 co-inventor Moon Tai Yeung, created the innovation claimed by the ’459 patent.

20 6. In 1996, Mr. Ikudome, after over a decade of IT industry and business  
21 experience in Japan and the United States, founded and became the CEO of Auric  
22 Web Systems, Inc. (later renamed AuriQ Systems, Inc.). Mr. Ikudome and Mr.  
23 Yeung, Auric’s Director of Technology, developed innovative and fundamental  
24 technologies for users and Internet service providers (ISPs) to enable access to  
25 information and commerce on the then-nascent Internet and World Wide Web.

26 7. Among Auric’s significant product innovations was the “WEBGate  
27 card.” Auric created the WEBGate card as a prepaid long-distance Internet access  
28 card with a pre-determined time limit. Like a prepaid phone card, the Auric’s

1 innovative WEBGate card allowed Internet access from anywhere in the United  
2 States without paying a long-distance phone bill or looking up local access numbers  
3 when users were away from their home or office. As Auric further developed the  
4 technology needed to make WEBGate work, Auric also developed other innovative  
5 products to enable electronic commerce on the Internet, such as EC Gateway, which  
6 combined an access control system at an ISP system with a CGI module to add  
7 customizable graphical buttons to a merchant's homepage to allow customers to  
8 make purchases more easily and add value to Internet services.

9 8. While Auric's Internet access products received substantial interest and  
10 found some customers, the dot-com crash intervened and directly damaged the  
11 potential customers for this product. Auric was thus forced to seek out new business  
12 directions, ultimately resulting in AuriQ Systems' present-day business focused on  
13 data analytics. Mr. Ikudome subsequently formed Linksmart as a way to continue to  
14 derive value from the intellectual property of his and Auric's innovative  
15 technological contributions, including the Asserted Patent. Many companies have  
16 directly benefitted from the licensed use of Linksmart's patented technology in the  
17 products and services they provide to their customers. Sonifi, however, has taken  
18 advantage of Linksmart's patented technology, selling products and services that  
19 practice the '459 patent, in wanton disregard of Linksmart's exclusive property  
20 rights.

21 9. Plaintiff Linksmart is a limited liability company organized and  
22 existing under the laws of State of California with its principal place of business at  
23 199 S. Los Robles, Suite 440, Pasadena, California 91101.

24 10. Defendant Sonifi Solutions is a corporation organized and existing  
25 under the laws of the State of Delaware, and it has a corporate location at 777 S  
26 Figueroa St. Ste. 4225, Los Angeles, California.

**Jurisdiction**

11. Subject matter jurisdiction is conferred on this Court pursuant to 28 U.S.C. §§ 1381 and 1338(a).

12. Defendant Sonifi Solutions is subject to this Court's personal jurisdiction because it has a regular and established place of business in this District, at its corporate offices located at 777 S Figueroa St. Ste. 4225, Los Angeles, CA 90017. Sonifi is also subject to this Court's personal jurisdiction because Sonifi has committed and induced acts of patent infringement and has regularly and systematically conducted and solicited business in this District by and through at least its development, use, and testing of products and services, sales and offers for sale of products and services, and other contractual arrangements with customers and third parties using such Sonifi products and services located in and/or doing business in this District.

**Venue**

13. As set forth above, Sonifi has a regular and established place of business in this District. Further, Sonifi has committed acts of infringement in this District, including, developing, testing, distributing, advertising, operating, selling, offering for sale, using and/or supporting products or services that fall within one or more claims of the Asserted Patent. Accordingly, venue to adjudicate whether the Asserted Patent is infringed is appropriate in the Central District of California pursuant to 28 U.S.C. §§ 1391 and 1400(b).

**Linksmart's Patented Invention**

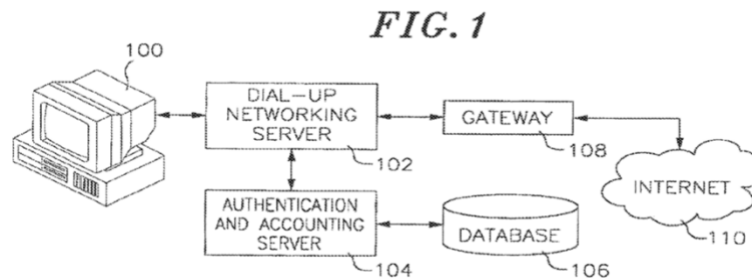
14. The '459 patent is directed to a system for Internet access in a server that dynamically redirects users, i.e., a "redirection server," based on rules that are dynamically and automatically modified by the redirection server itself based on a function of factors that may include, among others, time, user input, data transmitted to the user, or the Internet location accessed by the user.

15. The innovative technology underlying the '459 patent is described in

1 “User Specific Automatic Web Redirection System,” a technical innovation report  
 2 co-authored by Mr. Ikudome and Mr. Yeung. This report was filed as U.S.  
 3 Provisional Pat. App. No. 60/084,014 (the “’014 app.”), which is attached hereto as  
 4 Exhibit B and is incorporated herein by reference. The ’459 patent claims priority to  
 5 this provisional application, and its disclosure is incorporated fully in the ’459  
 6 patent’s disclosure by reference.

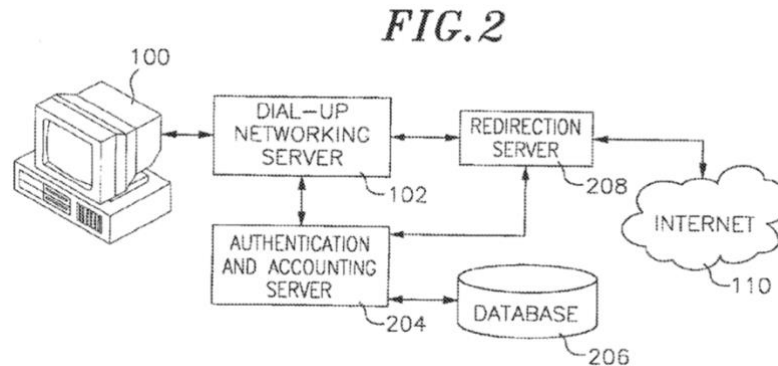
7 16. The automatic redirection system described in the ’459 patent provides  
 8 a novel architecture for Internet access. At the time of the invention, it was  
 9 conventionally understood that the World Wide Web was inherently a “passive  
 10 system,” in which the “user must supply the exact destination, a Web site, before the  
 11 desired information can be retrieved.” *See* ’014 app. at 4. When a user was connected  
 12 to the Internet, and the user requested a particular location on the Internet, the user  
 13 was sent to that requested location. Ikudome and Yeung developed an innovative  
 14 automatic redirection system that could provide a more flexible way to mediate a  
 15 user’s access to the Internet.

16 17. Figure 1 of the ’459 patent shows an ISP environment for Internet  
 17 access in the absence of redirection:



23 18. In such a conventional ISP environment, a user accesses the Internet by  
 24 connecting to the ISP, at which point networking software at the user end and the  
 25 ISP begin “negotiating.” The ISP authenticates a user’s login information, typically  
 26 from a database. Once authentication is successful, a network connection is  
 27 established through the Internet gateway at the ISP. A commercial ISP may also send  
 28 an accounting request to bill the user for the access.

19. Figure 2 of the '459 patent shows the role of a redirection server, as provided by the '459 patent, in the ISP environment:



20. In one embodiment described in the '459 patent, a redirection server runs on the gateway to the Internet. Once the user is connected to the ISP in this case, the user's requests to the Internet first go to the redirection server. There, the redirection server can filter the requests based on a rule set to either the location requested by the user, or some other location based on rule sets programmed in the redirection server. By way of example, rule sets could be programmed such that a user would need to access a location, e.g., a page with advertising, before being able to freely surf the Web. *See, e.g., '459 pat. at 7:10-13.* As another example, a rule set could require a user to access a questionnaire before accessing the Internet. *See '459 pat. at 8:9-14.*

21. Another embodiment described in the '459 patent further provides that the redirection server is configured to be able to automatically modify the rule sets dynamically. For example, if a questionnaire provided by an external server is filled out, the rule set can be changed so that the user no longer needs to access the questionnaire to gain access to the Internet. *See '459 pat. at 14-18.* As another example of the redirection server automatically modifying the rule set if a user has obtained access to the Internet through paid access for a limited time, the user's Internet access could be disabled once that time has been exceeded. *See '459 pat. at 7:65-8:2.*

1           22. The unconventional features of the embodiments described by the '459  
2 patent provided improvements to and solved problems associated with redirection  
3 methods and systems that existed at the time of the invention, as described in the  
4 '459 patent's disclosure. *See id.* at 1:48-3:3.

5           23. In the prior art, redirection was conventionally performed by html code  
6 on a web page that a user would need to manually access after the user has already  
7 gained access to the Internet. The '459 patent, however, describes embodiments that  
8 allow redirection to occur at the Internet gateway or before the user can access to  
9 remote web servers. *See id.* at 2:6-11.

10           24. Another way in which redirection could be implemented in the prior art  
11 was packet filtering at the Internet Protocol (IP) layer, for example, through a  
12 firewall device or firewall at the Internet router. Information about an IP packet  
13 being sent through a network could be used to allow filtering of the packet to  
14 different network locations. However, while packet filtering, e.g., at a firewall, could  
15 be controlled locally by a network administrator, it was a static technology, in which  
16 the rule set could only be changed by manually reprogramming the packet filtering  
17 device. '459 pat. at 2:29-36.

18           25. The '459 patent also describes prior methods in which packet filter  
19 devices were used with proxy systems to control access to the Internet. In such a  
20 method, a packet filter or firewall can prevent web access requests with the exception  
21 of traffic coming from a proxy server. The way that proxy servers worked was that  
22 a terminal had to be allowed access to a proxy server through which to send web  
23 requests. The proxy server was programmed with a list of blocked or allowed  
24 addresses, and requests to addresses were blocked or allowed according to that list.  
25 As the '459 patent describes, such systems were limited in that they could only block  
26 or allow specific terminals or sets of terminals' access to remote sites, and the rules  
27 for access were static and needed to be reprogrammed, i.e., by some external server,  
28 in order to change which locations specific terminals could access. *See* '459 pat. at



1 2:65-3:3.

2 26. The '459 patent issued from U.S. Patent App. No. 14/691,246. The file  
3 history of the application from which the patent issued is available from the United  
4 States Patent and Trademark Office, including electronically through the Office's  
5 Public Patent Application Information Retrieval (PAIR) website, and is in  
6 incorporated by reference herein.

7 27. The '459 patent, therefore, provides an advantageous technological  
8 solution to the problem of mediating user access to the Internet through a redirection  
9 server which can automatically modify rule sets for redirection dynamically while  
10 connected to a user through a network connection. Among the benefits of the '459  
11 patent's novel redirection system solution is that (1) redirection is automatic, i.e., a  
12 user does not need to request a particular external address; it can be reconfigured for  
13 specific users or categories of users; (2) the system can be easily installed and  
14 configured by the ISP and it is resilient to potential failures; and (3) the system can  
15 dynamically reconfigure the rule set controlling the user's access to the Internet,  
16 such as by a function of time or user or external inputs while the user is connected.  
17 *See, e.g., '014 app. at 8; see also the '459 patent.*

18 **Cause of Action**

19 **Infringement of the Linksmart Patent**

20 28. The foregoing paragraphs are incorporated by reference as if fully set  
21 forth herein.

22 29. Sonifi is unlawfully using Linksmart's patented technology. Sonifi  
23 relies on technology covered by the Asserted Patent to enable its core service, for  
24 example, by providing Internet access to guests at hotels and other lodging facilities.

25 30. Sonifi has used, made, offered for sale, and/or sold Internet access  
26 systems for use in hotels and institutions, and elsewhere, that infringed the Asserted  
27 Patent, or induce or contribute to the infringement of the Asserted Patent.

28 31. Sonifi has directly infringed and will continue to infringe, directly and



1 indirectly, through induced and/or contributory infringement, one or more claims of  
 2 the '459 patent, including at least claim 91, among other claims, by making, using,  
 3 selling, offering for sale, or importing in this District and elsewhere into the United  
 4 States systems and/or methods covered by one or more claims of the '459 patent  
 5 including, but not limited to the system that Sonifi has developed for hotels and other  
 6 facilities to provide access to ISP services for users at those facilities, e.g., hotel  
 7 guests and conference participants (the "Accused System"). Further discovery may  
 8 reveal additional infringing products, devices, systems and/or methods.

9 32. By way of example only, the Accused System infringes an exemplary  
 10 claim of the '459 patent, claim 91, as in the following description, which Linksmart  
 11 provides without the benefit of information about the Accused System obtained  
 12 through discovery. Claim 91 claims a system, such as the Accused System,  
 13 comprising:

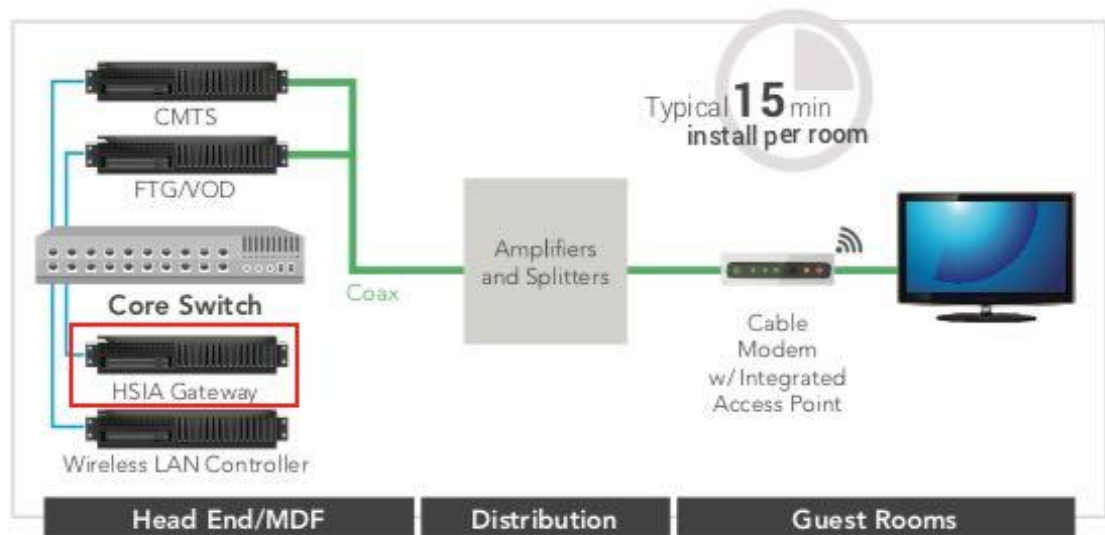
- 14 a. *a redirection server programmed with a user's rule set*  
 15 *correlated to a temporarily assigned network address.* The  
 16 Accused System includes a high-speed Internet access (HSIA)  
 17 gateway server to which a user, e.g., a hotel guest at a hotel with  
 18 a Sonifi system installed, connects through to access the Internet.  
 19 This is illustrated in Sonifi's Internet Services DOCSIS white  
 20 paper as shown below, for example (highlighting the Internet  
 21 access gateway). The redirection server in Sonifi's system  
 22 operates such that when a user, e.g., a guest at a hotel that has a  
 23 Sonifi's system installed, attempts to access the Internet through  
 24 the gateway server with a temporarily assigned network address,  
 25 the gateway server redirects the user's web browser to a splash  
 26 page at which the authentication occurs (e.g., the user enters  
 27 login credentials or payment information). For example, Sonifi's  
 28 website describes its Sonifi's Internet Services system as

providing a “Customizable splash screen to match your brand” and “Multiple authentication options.” See “Internet Services,” <https://www.sonifi.com/internet-services.php>.

b. *wherein the rule set contains at least one of a plurality of*

## TYPICAL INSTALLATION MODEL

A DOCSIS installation is relatively straightforward and routine – with a typical per room installation time of 15 minutes. After installation, SONIFI’s team continues to monitor and tune the MATV plant to optimize the system’s performance, while also monitoring actual bandwidth usage. The following diagram represents a usual DOCSIS installation in a hospitality setting.



*functions used to control data passing between the user and a public network. The server that provides the user’s gateway to the Internet at a location that has installed the Sonifi system is configured to be able to redirect users to the aforementioned splash page, regardless which Internet address the user requests.*

c. *wherein the redirection server is configured to automatically modify at least a portion of the rule set while the rule set is correlated to the temporarily assigned network address. For example, upon a user’s login authentication once the user enters*

information at the portal, the server modifies its rule set to allow that user to access to the Internet.

- d. *wherein the redirection server is configured to modify at least a portion of the rule set as a function of some combination of time, data transmitted to or from the user, or location the user accesses.* For example, upon authentication of user credentials, e.g., through a user's payment or use of a pre-determined pass or login that provides access, a portion of the rule set is modified by providing the user with Internet access for a limited amount of time (e.g., one day), while the rule set is correlated to the temporarily assigned network address given to the user.
- e. *wherein the redirection server is configured to modify at least a portion of the rule set as a function of time while the rule set is correlated to the temporarily assigned network address.* For example, upon payment for a limited time of Internet use, a portion of the rule set is modified by providing the user with Internet access for a limited amount of time (e.g., one day), while the rule set is correlated to the temporarily assigned network address given to the user.

33. Sonifi indirectly infringes the '459 patent, under 35 U.S.C. § 271(b), by actively inducing direct infringement by others (e.g., Sonifi's customers who use, sell, or offer for sale Sonifi Internet access systems). For example, others who directly infringe the '459 patent include hotels and other institutional customers who install Sonifi Internet access systems in hotels and other locations and sell Internet access services to users at those locations in this District and elsewhere in the United States. By at least the filing date and/or service date of this Complaint, Sonifi had knowledge of the '459 patent and that its actions resulted in direct infringement of

1 the '459 patent. Sonifi also knew or was willfully blind that its actions would induce  
2 direct infringement by others and intended that its actions would do so.

3 34. Through Sonifi's affirmative acts of making, selling, using, distributing  
4 and/or otherwise making available the Accused System; causing others to make, sell,  
5 use, distribute, and/or make available the Accused System; and/or providing  
6 instructions, documentation, service and support, and/or other information directed  
7 to customers, end-users, installers, and resellers regarding using the Accused System  
8 in the way Sonifi intends, including service and support directed to installation and  
9 the operation of Sonifi's Internet access systems at hotels and other institutional  
10 locations, Sonifi's customers, installers, and/or end-users make, use, sell, and/or  
11 offer to sell systems in the way that Sonifi intends in their normal and customary  
12 way to directly infringe the '459 patent. On information and belief, Sonifi has  
13 performed and continues to perform these affirmative acts, with knowledge of the  
14 '459 patent and with knowledge or willful blindness that the induced acts directly  
15 infringe the '459 patent.

16 35. For example, Sonifi's company website describes extensive support for  
17 customers, including support for installation of Sonifi's Internet access systems. *See*,  
18 *e.g.*, "Professional Solutions," <https://www.sonifi.com/professional-solutions.php>  
19 ("SONIFI stands apart with our unparalleled service and maintenance programs that  
20 include - expedited site service, remote monitoring and repair, and both third party  
21 and cross platform support. SONIFI employs more than 200 nationwide field  
22 technicians with an average of 14 years of hospitality experience. In addition,  
23 properties that are located in the United States, are typically no more than a two-  
24 hour drive for a field service technician.").

25 36. In accordance with 35 U.S.C. § 287, Sonifi has had knowledge of the  
26 Asserted Patent at least as of the filing date of this Complaint and/or the date this  
27 Complaint was served.  
28

37. Despite Sonifi's knowledge of the Asserted Patent and its infringing activities, Sonifi continues to make, use, market, offer for sale, and/or sell in the United States systems that infringe the Asserted Patent. Sonifi has continued to infringe in wanton disregard of Linksmart's patent rights.

38. Sonifi's continued infringement of the Asserted Patent has damaged and will continue to damage Linksmart.

## Damages

39. The foregoing paragraphs are incorporated by reference as if fully set forth herein.

40. As a result of Sonifi's acts of infringement, Linksmart has suffered actual and consequential damages; however, Linksmart does not yet know the full extent of the infringement. The extent of Sonifi's infringement and damages suffered by Linksmart cannot be ascertained except through discovery and special accounting. To the fullest extent permitted by law, Linksmart seeks recovery of damages at least for reasonable royalties, unjust enrichment, and benefits received by Sonifi as a result of infringing the patents-in-suit. Linksmart further seeks any other damages to which Linksmart is entitled under law or in equity.

## Irreparable Harm to Linksmart

41. The foregoing paragraphs are incorporated by reference as if fully set forth herein.

42. Linksmart has been irreparably harmed by Sonifi's acts of infringement. Linksmart will continue to be irreparably harmed unless and until Sonifi's acts of infringement are enjoined by this Court. Linksmart has no adequate remedy at law to redress Sonifi's continuing acts of infringement. The hardships that would be imposed upon Sonifi are less than those faced by Linksmart should an injunction not issue. Furthermore, the public interest would be served by issuance of an injunction.

## Attorneys' Fees

43. Sonifi's infringement of the Asserted Patent is exceptional, and Linksmart is entitled to recover reasonable and necessary attorneys' fees under applicable law.

**Prayer for Relief**

**WHEREFORE**, Linksmart respectfully requests that this Court enter judgment in its favor and grant the following relief:

- a. A judgment that Sonifi directly and/or indirectly infringes the '459 patent;
- b. An Order enjoining, permanently, Sonifi and its respective officers, directors, agents, partners, servants, employees, attorneys, licensees, successors, and assigns, and those in active concert or participation with any of them, from engaging in infringing activities with respect to the '459 patent;
- c. A judgment that Sonifi's infringement has been willful and that Sonifi's continued infringement of the '459 patent is willful;
- d. A ruling that this case is exception and awarding Linksmart its reasonable attorneys' fees under 35 U.S.C. § 285;
- e. A judgment and order requiring Sonifi to pay Linksmart damages in an amount adequate to compensate Linksmart for Sonifi's infringement, but in no event less than a reasonable royalty under 35 U.S.C. § 284, including supplemental damages for any continuing post-verdict infringement up until entry of judgment, with an accounting, as needed, as well as treble damages for willful infringement under 35 U.S.C. § 284;
- f. Award enhanced damages pursuant to 35 U.S.C. § 284;
- g. A judgment and order requiring Sonifi to pay Linksmart's costs of this action (including all disbursements);
- h. An order for an accounting of damages;

- 1 i. A judgment and order requiring Sonifi to pay pre-judgment and post-  
2 judgment interest to the full extent allowed under the law; and  
3 j. Award such other and further relief as the Court may deem just and  
4 proper under the circumstances.

5 **Demand for Jury Trial**

6 Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, plaintiff  
7 Linksmart Wireless Technology, LLC demands trial by jury on all issues so triable.

8  
9 Respectfully submitted,

10 Dated: April 20, 2018

RUSS AUGUST & KABAT

11  
12 By: /s/ Benjamin T. Wang

13 Larry C. Russ

14 Marc A. Fenster

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15 Kent N. Shum

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18 LINKSMART WIRELESS

19 TECHNOLOGY, LLC  
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