IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ADIONA IP, LLC,   )
)
            Plaintiff,   )
) Civil Action No. _____
v.   )
) **JURY TRIAL DEMANDED**
LIBRATONE, INC.,   )
)
            Defendant.   )
)

COMPLAINT

For its Complaint, Adiona IP, LLC ("Adiona"), by and through the undersigned counsel, alleges as follows:

THE PARTIES

1.   Adiona is a Texas limited liability company with a place of business located at 5068 West Plano Parkway, Suite 300, Plano, Texas 75093.

2.   Defendant Libratone, Inc. is a Delaware company with, upon information and belief, a place of business located at 3031 Tisch Way, #110 Plaza West, San Jose, California 95128.

3.   By registering to conduct business in Delaware, Defendant has a permanent and continuous presence in Delaware.

JURISDICTION AND VENUE

4.   This action arises under the Patent Act, 35 U.S.C. § 1 *et seq.*

5.   Subject matter jurisdiction is proper in this Court under 28 U.S.C. §§ 1331 and 1338.

6.   Upon information and belief, Defendant conducts substantial business in this forum, directly or through intermediaries, including: (i) at least a portion of the infringements

alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct and/or deriving substantial revenue from goods and services provided to individuals in this district.

7.   Venue is proper in this district pursuant to § 1400(b).

THE PATENT-IN-SUIT

8.   On March 20, 2007, U.S. Patent No. 7,194,520 (the "'520 patent"), entitled "Content Player for Broadcasting to Information Appliances," was duly and lawfully issued by the U.S. Patent and Trademark Office. A true and correct copy of the '520 patent is attached hereto as Exhibit A.

9.   Adiona is the assignee and owner of the right, title and interest in and to the '520 patent, including the right to assert all causes of action arising under said patent and the right to any remedies for infringement of it.

COUNT I – INFRINGEMENT OF U.S. PATENT NO. 7,194,520

10.   Adiona repeats and realleges the allegations of paragraphs 1 through 9 as if fully set forth herein.

11.   Without license or authorization and in violation of 35 U.S.C. § 271(a), Defendant has infringed and continues to infringe at least claim 8 of the '520 patent by making, using, importing, offering for sale, and/or selling, methods of broadcasting media content to an information appliance from a personal computer that is linked to a network, including, but not limited to, the Zipp speaker.

12.   Upon information and belief, Defendant used the Zipp speaker via its internal use and testing in the United States, directly infringing one or more claims of the '520 patent.

13. More specifically, the Zipp speaker is a speaker system (i.e., an information appliance)

with Bluetooth connectivity which allows a user to connect with the speaker wirelessly using the Bluetooth-connectivity of a smartphone or tablet running iOS or Android ("computing device"). *See* https://www.libratone.com/us/ZIPP-Speakers (last accessed May 9, 2018); Zipp User Manual ("User Manual") (available at http://assets.libratone.com/wp-content/uploads/2016/02/Zipp-English.pdf (last accessed May 9, 2018)); How to Setup Through Bluetooth ("Setup") (available at https://support.libratone.com/hc/en-us/articles/360000243829-How-to-setup-through-Bluetooth (last accessed May 9, 2018)). The computing device can access the Internet using Wi-Fi. Once connected to the Zipp speaker, the computing device can stream music to the speaker. *See* User Manual; *see also* Zipp/Zipp Mini - The Touch Interface ("Touch Interface") (available at https://support.libratone.com/hc/en-us/articles/207055445-Zipp-Zipp-Mini-The-Touch-interface (last accessed May 9, 2018)). To stream/play music on the Zipp speaker, the computing device is connected to the speaker over Bluetooth (i.e., a bi-directional communication link). *See* Setup; User Manual. The computing device can play music of various audio formats ("media content"), and it can be in one room while wirelessly connected through Bluetooth to the Zipp speaker located in another room. The computing device can download music files using the Internet and store them in its internal storage. The Zipp speaker can control playback from the computing device, which means the Zipp speaker transmits control signals to the computing device. *See* Touch Interface. For example, if the play/pause button on the Zipp speaker is pressed, a control signal will be generated and transmitted to the computing device via Bluetooth and the computing device will either broadcast or pause the music to the Zipp speaker, which will receive and playback or pause the song; if the skip forward button on the Zipp speaker is pressed, a control signal will be generated and transmitted to the computing device via Bluetooth and the computing device will broadcast the next song to the Zipp speaker.

ZIPP/ZIPP MINI - THE TOUCH INTERFACE

You can control everything on your Zipp and Zipp Mini using the Touch interface. Play, pause, skip, choose your Internet radio station, adjust volume and link your speaker to other speakers. It also acts as a battery indicator.

SOUNDSPACE LINK

PLAY/PAUSE

SKIP BACK   K◁   ▷I   SKIP FORWARD

FAVOURITES   ♡   VOLUME CONTROL

Id. The Block Party Wireless Multiroom Bluetooth Speaker is Bluetooth speaker that includes a radio which transmits data using frequency hopping spread spectrum signal (FHSS) carrier.

1.1 OVERVIEW OF BR/EDR OPERATION

The Basic Rate / Enhanced Data Rate (BR/EDR) radio (physical layer or PHY) operates in the unlicensed ISM band at 2.4 GHz. The system employs a frequency hopping transceiver to combat interference and fading and provides many FHSS carriers. Basic Rate radio operation uses a shaped, binary frequency modulation to minimize transceiver complexity. The symbol rate is 1 megasymbol per second (Msym/s) supporting the bit rate of 1 megabit per second (Mb/s) or, with Enhanced Data Rate, a gross air bit rate of 2 or 3Mb/s. These modes are known as Basic Rate and Enhanced Data Rate respectively.

Bluetooth Core Specification v 5.0 at p. 167 (available at https://www.bluetooth.org/DocMan/handlers/DownloadDoc.ashx?doc_id=42104 (last accessed Apr. 27, 2018)).

14.   Upon information and belief, the computing device includes a controller, a memory, a network connection device, a display system, and an input/output system, the controller configured to communicate with the memory, the network connection device, the display system, and the input/output system with a system bus.

15.   Adiona is entitled to recover from Defendant the damages sustained by Adiona as a result of Defendant's infringement of the '520 patent in an amount subject to proof at trial, which,

by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

JURY DEMAND

Adiona hereby demands a trial by jury on all issues so triable.

PRAYER FOR RELIEF

WHEREFORE, Adiona requests that this Court enter judgment against Defendant as follows:

A.   An adjudication that Defendant has infringed the '520 patent;

B.   An award of damages to be paid by Defendant adequate to compensate Adiona for Defendant's past infringement of the '520 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 Adiona's reasonable attorneys' fees; and

D.   An award to Adiona of such further relief at law or in equity as the Court deems just and proper.

Dated: May 11, 2018   STAMOULIS & WEINBLATT LLC

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