

1 UNITED STATES DISTRICT COURT  
2 SOUTHERN DISTRICT OF NEW YORK

3  
4 CODING TECHNOLOGIES LLC,  
5 Plaintiff,  
6 vs.  
7 ROBERT GRAHAM HOLDINGS, LLC,  
8 Defendant.

Case No.: 1:18-cv-04535-PAE

9 **AMENDED COMPLAINT**  
10 **INJUNCTIVE RELIEF DEMANDED**  
11 **JURY TRIAL DEMANDED**

12 Plaintiff, CODING TECHNOLOGIES LLC, sues Defendant, ROBERT GRAHAM  
13 HOLDINGS, LLC, and alleges as follows:

14 **NATURE OF THE ACTION**

15 1. This is an action for infringement of United States Patent No. 8,540,159 under the  
16 Patent Act, 35 U.S.C. § 271, *et seq.*, based on Defendant’s unauthorized commercial  
17 manufacture, use, importation, offer for sale, and sale of infringing products and services in the  
18 United States.

19 **PARTIES**

20 2. Plaintiff, CODING TECHNOLOGIES, LLC, is a foreign limited liability  
21 company, organized under the laws of the State of Texas.

22 3. Defendant, ROBERT GRAHAM HOLDINGS, LLC, is a domestic corporation  
23 with its headquarters located in New York, New York. Defendant uses, sells, and/or offers to  
24 sell products and services in interstate commerce that infringe the ‘159 Patent.

25 **SUBJECT MATTER JURISDICTION**

26 4. This court has original jurisdiction over the subject matter of this action, pursuant  
27 to 28 U.S.C. §§ 1331 and 1338(a), because this action involves a federal question relating to  
28 patents.

1 **PERSONAL JURISDICTION**

2 5. The court has general *in personam* jurisdiction over Defendant because Defendant  
3 is found in this state. Alternatively, Defendant has already appeared in this action and has not  
4 challenged *in personam* jurisdiction, which is now waived by operation of law.

5 **VENUE**

6 6. Venue is proper in this court, pursuant to 28 U.S.C. § 1400(b), because Defendant  
7 resides in this district, has committed acts of infringement in this district, and has a regular and  
8 established place of business in this district. Alternatively, Defendant has already appeared in  
9 this action and has not challenged venue, which is now waived by operation of law.

10 **COUNT I**

11 **PATENT INFRINGEMENT**

12 7. Plaintiff repeats and re-alleges paragraphs 2 through 6 by reference, as if fully set  
13 forth herein.

14 8. On September 24, 2013, the United States Patent & Trademark Office (USPTO)  
15 duly and legally issued the ‘159 Patent, entitled “Method for Providing Mobile Service Using  
16 Code Pattern.” A true and authentic copy of the ‘159 Patent is attached hereto as **Exhibit “A”**  
17 and is incorporated herein by reference.

18 9. The ‘159 Patent teaches a method and apparatus for providing a mobile service  
19 with the use of code pattern. The mobile service reads the code pattern and converts the  
20 information recorded in the code pattern to produce content that may then be read by the human  
21 eye. In one aspect of the invention, a user simply takes a photograph of a code pattern, the  
22 invention decodes the photograph and recognizes URL information that is contained in the code  
23 pattern that is not recognizable by the human eye, the invention compares the content on the  
24 entire URL associated with the code pattern, transmits information to the associated URL, and  
25 then retrieves all content associated with that URL that corresponds with the code pattern.

26 10. In short, the present invention, through use of technology, eliminates the need for  
27 hand typing certain information into a URL, which, *inter alia*, eliminates the risk of transcription  
28 error. The present invention is an improvement in the use of traditional barcodes; rather, the

1 present invention includes the additional step of converting analog information to digital  
2 information, which is an improvement in the prior art.

3 11. The '159 Patent is directed to computerized decoding technologies to provide  
4 users with access to and use of various content more conveniently. Traditionally, companies  
5 simply provided their URL information to the consuming public, but this is effective only if a  
6 consumer memorized the name and spelling of the URL. Thus, there was a need in the art to  
7 provide an effective product or method to assist consumers with recalling website or URL  
8 information.

9 12. The '159 Patent claims, among other things, a method of providing content with  
10 the use of code pattern by a user terminal; a user terminal for providing content with the use of  
11 code pattern; a non-transitory machine-readable storage medium having encoded thereon  
12 program code; and, a method of providing content with the use of an image captured by a user  
13 terminal.

14 13. Collectively, the claimed embodiments in the '159 Patent provides new solutions  
15 to problems related to transmitting information from a mobile service provider to a mobile  
16 device. For example, the inventive concept can be used in a variety of circumstances, including  
17 but not limited to transmitting and converting code patterns directed to taxi call services,  
18 transmitting and converting code patterns directed to personal connection information, and  
19 transmitting and converting code patterns directed to paying bills.

20 14. The '159 Patent solves a problem with the art that is rooted in computer  
21 technology that uses mobile service providers. The '159 Patent does not merely recite the  
22 performance of some business practice known from the pre-Internet world along with the  
23 requirement to perform it on the Internet.

24 15. The invention claimed by the '159 Patent consists of a system of units that  
25 correspond to produce an inventive concept. The system of units includes a code distribution  
26 unit, barcode image analyzing unit, code information analyzing unit, transmitting/receiving unit,  
27 code information database managing unit, control unit, photographing unit, and user interface  
28 unit. In laymen's terms, each unit, which collectively interact as a whole to produce a result,

1 functions as follows:

- 2 a. Code distribution unit – unit that analyzes the service identifier recognizes that a  
3 service type is the content providing service, and transmits a received barcode  
4 image or code information to the barcode image transmitting unit or the code  
5 information analyzing unit according to embodiments;
- 6 b. Barcode image analyzing unit – unit that receives a barcode image photographed  
7 by a photographing unit to extract code information from the barcode image and  
8 transmit the code information to the code information analyzing unit in a case  
9 where a decoder for decoding the barcode is not provided in the user terminal;
- 10 c. Code information analyzing unit – unit that functions to analyze code information  
11 received from the code distribution unit or the barcode image analyzing unit and  
12 extract the information of a Web page, including content information, from the  
13 analyzed code information corresponding to the code information with reference  
14 to the code information database storing therein user contact information  
15 corresponding to the code information;
- 16 d. Transmitting/receiving unit – unit that functions to receive the content  
17 information request message from the user terminal and transmit extracted content  
18 information or Web page information to the user terminal;
- 19 e. Code information database managing unit – unit that functions to manage the  
20 code information database storing therein the Web page information of a Web  
21 server corresponding to the code information;
- 22 f. Control unit – unit that controls the respective components, generates control  
23 signals required to control the barcode image analyzing unit and the code  
24 information analyzing unit, extracts content corresponding to the received content  
25 request message, and transmits the content to the transmitting/receiving unit;
- 26 g. Photographing unit – unit that is a means for recognizing or photographing an  
27 image that functions to recognize (or photograph) the barcode, convert recognized  
28 (photographed) analog image data into digital image data, and transmit the digital

1 image data to the decoder;

2 h. User interface unit – unit that functions to provide a user interface so that the user  
3 can access the service provider server to be provided with Internet content and  
4 provides user interface so that the user can access a corresponding Web server  
5 when Web page information is received from the service provider server.

6 16. Plaintiff is the assignee of the entire right, title, and interest in the ‘159 Patent at  
7 the USPTO, including the right to assert causes of action arising under the ‘159 Patent.

8 17. Upon information and belief, Defendant has and continues to directly infringe the  
9 ‘159 Patent by making, using (including by at least internally testing the Accused Products as  
10 defined herein), selling, offering for sale, importing in the United States, including this judicial  
11 district, a user terminal designed to capture certain code pattern information and convert same  
12 into embedded content, which embodies or uses the invention claimed in the ‘159 Patent (the  
13 “Accused Products”), all in violation of 35 U.S.C. § 271.

14 18. The Accused Products infringe at least claims 1, 2, 3, 8, 9, 10, 15, and 16 of the  
15 ‘159 Patent. Each of these claims are system claims.

16 ***Claim 1***

17 19. Through claim 1, the ‘159 Patent claims a method of providing content with the  
18 use of a code pattern by a user terminal, the method comprising: obtaining a photographic image  
19 of a code pattern by a camera of the user terminal; processing, by a processor of the user  
20 terminal, the photographic image of the code pattern to extract the code pattern from the  
21 photographic image; decoding the extracted code pattern by the processor of the user terminal  
22 into code information; transmitting a content information request message to a server based on  
23 the code information; and receiving content information from the server in response to the  
24 content information request message.

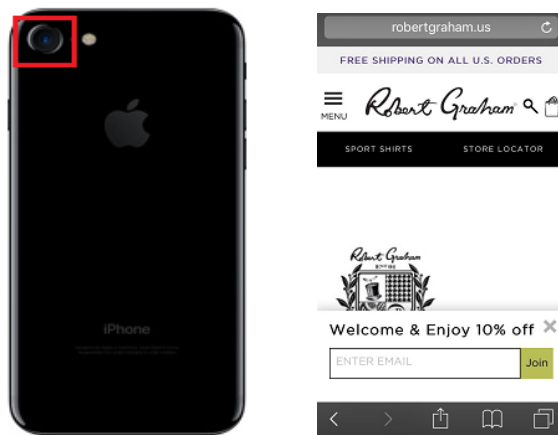
25 20. Defendant infringes claim 1.

26 21. Defendant, at least in internal use and testing, practices a method of providing  
27 content (*e.g.*, a web page associated with the defendant) with the use of a code pattern (*e.g.*, a  
28 QR code) by a user terminal (*e.g.*, a smartphone), as demonstrated in the following image:

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22. Defendant, at least in internal use and testing, obtains a photographic image of a code pattern (e.g., QR code) by a camera of the user terminal (e.g., smartphone), as shown below:



23. Defendant, at least in internal use and testing, processes by a processor of the user terminal (e.g., smartphone), the photographic image of the code pattern (e.g., QR code) to view and extract the code pattern from the photographic image.

24. Defendant, at least in internal use and testing, decodes the extracted code pattern by the processor of the user terminal from the QR code into code information (e.g., URL of web page associated with the defendant), as shown below:



25. Defendant, at least in internal use and testing, transmits a content information request message (*e.g.*, http request message for accessing the webpage associated with Defendant) to a server (*e.g.*, Defendant's server) based on the code information (*e.g.*, URL of the webpage associated with Defendant). As shown below, once the URL is decoded from the extracted QR code, a request for accessing a webpage associated with Defendant is sent to Defendant's server.

26. Defendant, at least in internal use and testing, receives content information (*e.g.*, a web page associated with Defendant) from the server (*e.g.*, Defendant's server) in response to the content information request message (*e.g.*, http request message for accessing the webpage associated with Defendant). As shown below, the terminal (*e.g.*, smartphone) receives content information (*e.g.*, webpage associated with Defendant).

### *Claim 2*

27. Through claim 2, the '159 Patent claims the method of claim 1, wherein the content information comprises at least one of the following: image, sound, moving picture, and text data.

28. Defendant infringes claim 2.

29. Defendant uses a user terminal to receive content information that comprises image and text data.

### *Claim 3*

30. Through claim 3, the '159 Patent claims the method of claim 1, wherein the transmitting a content information request message includes: extracting a uniform resource

1 locator (URL) of the server from the code information; and transmitting the content information  
2 request message to the server based on the extracted URL.

3 31. Defendant infringes claim 3.

4 32. Defendant transmits a content information request message (*e.g.*, http request  
5 message for accessing the webpage associate with Defendant) which includes extracting URL of  
6 the server and transmitting the content information request message (*e.g.*, http request message  
7 for accessing the webpage associate with Defendant) to the server (*e.g.*, Defendant's server)  
8 based on the extracted URL.

9 ***Claim 8***

10 33. Through claim 8, the '159 Patent claims a user terminal for providing content  
11 with the use of a code pattern, the user terminal comprising: a camera configured to obtain a  
12 photographic image of a code pattern; a processor comprising: an image processor configured to  
13 process the photographic image of the code pattern to extract the code pattern from the  
14 photographic image; and a decoder configured to decode the extracted code pattern into code  
15 information; and a transceiver configured to (i) transmit a content information request message  
16 to a server based on the code information; and (ii) receive content information from the server in  
17 response to the content information request message.

18 34. Defendant infringes claim 8.

19 35. Defendant, at least in internal use and testing, uses a user terminal (*e.g.*,  
20 smartphone) for providing content (*e.g.*, a web page associated with Defendant) with the use of a  
21 code pattern (*e.g.*, QR code).

22 36. Defendant uses a user terminal comprising a camera configured to obtain a  
23 photographic image of a code pattern (*e.g.*, QR code).

24 37. Defendant uses a user terminal comprising a processor which in turn comprises an  
25 image processor configured to process the photographic image of the code pattern (*e.g.*, QR  
26 code) to extract the code pattern (*e.g.*, QR code) from the photographic image. Once the  
27 photographic image of the QR code is captured by the camera of the smartphone, the  
28 photographic image is processed to retrieve the QR code. The retrieved QR code can be viewed



1 on the user interface screen of the smartphone.

2 38. Defendant uses a user terminal (*e.g.*, smartphone) comprising a decoder that is  
 3 configured to decode the extracted code pattern (*e.g.*, QR code) into code information (*e.g.*, URL  
 4 of web page associated with Defendant).

5 39. Defendant uses a user terminal comprising a transceiver (*e.g.*, FDD- LTE/TDD -  
 6 LTE/CDMA//EDGE transceiver) which is configured to transmit or receive a content  
 7 information request message (*e.g.*, http request message for accessing the webpage associated  
 8 with Defendant) to a server (*e.g.*, Defendant’s server) based on the code information (*e.g.*, URL  
 9 of the webpage associated with Defendant). As shown below, once the URL is decoded from  
 10 the extracted QR code, a request or response for accessing a webpage associated with Defendant  
 11 is sent to Defendant’s server by means of transceiver of the smartphone:

12 iPhone 7 Overview iOS Tech Specs Buy

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14 Cellular and 15 Wireless	16 Model A1660* 17 Model A1661*	18 <u>FDD-LTE (Bands 1, 2, 3, 4, 5, 7, 8, 12, 13, 17, 18, 19, 20, 25, 26,</u> 19 <u>27, 28, 29, 30)</u> 20 <u>TD-LTE (Bands 38, 39, 40, 41)</u> 21 <u>TD-SCDMA 1900 (F), 2000 (A)</u> 22 <u>CDMA EV-DO Rev. A (800, 1900, 2100 MHz)</u> 23 <u>UMTS/HSPA+/DC-HSDPA (850, 900, 1700/2100, 1900, 2100</u> 24 <u>MHz)</u> 25 <u>GSM/EDGE (850, 900, 1800, 1900 MHz)</u>
	26 Model A1778* 27 Model A1784* 28 <small>Models A1778 and A1784 do not support CDMA networks, such as those used by Verizon and Sprint.</small>	29 <u>FDD-LTE (Bands 1, 2, 3, 4, 5, 7, 8, 12, 13, 17, 18, 19, 20, 25, 26,</u> 30 <u>27, 28, 29, 30)</u> 31 <u>TD-LTE (Bands 38, 39, 40, 41)</u> 32 <u>UMTS/HSPA+/DC-HSDPA (850, 900, 1700/2100, 1900, 2100</u> 33 <u>MHz)</u> 34 <u>GSM/EDGE (850, 900, 1800, 1900 MHz)</u>

**Claim 9**

35 40. Through claim 9, the ‘159 Patent claims the user terminal of claim 8, wherein the  
 36 content information comprises at least one of the following: image, sound, moving picture, and  
 37 text data.

38 41. Defendant infringes claim 9.

39 42. Defendant uses a user terminal to receive content information that comprises

1 image and text data.

2 ***Claim 10***

3 43. Through claim 10, the '159 Patent claims the user terminal of claim 8, wherein:  
4 the processor is further configured to extract a uniform resource locator (URL) of the server  
5 from the code information; and the transceiver is further configured to transmit the content  
6 information request message to the server based on the extracted URL.

7 44. Defendant infringes claim 10.

8 45. Defendant uses a user terminal (*e.g.*, smartphone) that is configured to extract a  
9 uniform resource locator (URL) of the server (*e.g.*, Defendant's server) from the code  
10 information (*e.g.*, URL of web page associated with Defendant).

11 46. Defendant uses a user terminal (*e.g.*, smartphone) comprising a transceiver  
12 configured to transmit the content information request message (*e.g.*, http request message for  
13 accessing the webpage associated with Defendant) to the server (*e.g.*, Defendant's server) based  
14 on the extracted URL.

15 ***Claim 15***

16 47. Through claim 15, the '159 Patent claims a non-transitory machine-readable  
17 storage medium, having encoded thereon program code, wherein, when the program code is  
18 executed by a machine, the machine implements a method for providing content with the use of  
19 a code pattern by a user terminal, comprising the steps of: obtaining a photographic image of a  
20 code pattern by a camera of the user terminal; processing, by a processor of the user terminal,  
21 the photographic image of the code pattern to extract the code pattern from the photographic  
22 image; decoding the extracted code pattern by the processor of the user terminal into code  
23 information; transmitting a content information request message to a server based on the code  
24 information; and receiving content information from the server in response to the content  
25 information request message.

26 48. Defendant infringes claim 15.

27 49. Defendant, at least in internal use and testing, practices a method of providing  
28 content (*e.g.*, a webpage associated with Defendant) with the use of a code pattern (*e.g.*, a QR

1 code) by a user terminal (*e.g.*, a smartphone).

2 50. Defendant, at least in internal use and testing, obtains a photographic image of a  
3 code pattern (*e.g.*, QR code) by a camera of the user terminal (*e.g.*, smartphone).

4 51. Defendant, at least in internal use and testing, uses a processor of the user  
5 terminal (*e.g.*, smartphone) to processes the photographic image of the code pattern (*e.g.*, QR  
6 code) to extract the code pattern from the photographic image.

7 52. Defendant, at least in internal use and testing, decodes the extracted code pattern  
8 by the processor of the user terminal into code information (*e.g.*, URL of web page associated  
9 with Defendant).

10 53. Defendant, at least in internal use and testing, transmits and receives a content  
11 information request message (*e.g.*, http request message for accessing the webpage associated  
12 with Defendant) to and from a server (*e.g.*, Defendant's server) based on the code information  
13 (*e.g.*, URL of the webpage associated with Defendant).

14 ***Claim 16***

15 54. Through claim 16, the '159 Patent claims a method of providing content with the  
16 use of an image captured by a user terminal, the method comprising: obtaining a photographic  
17 image by a camera of the user terminal; processing, by a processor of the user terminal, the  
18 photographic image to extract characteristic information from the photographic image;  
19 transmitting a content information request message with the extracted characteristic information  
20 to a server; and receiving content information from the server in response to the content  
21 information request message.

22 55. Defendant infringes claim 16.

23 56. Defendant, at least in internal use and testing, practices a method of providing  
24 content (*e.g.*, a webpage associated with Defendant) with the use of a code pattern (*e.g.*, a QR  
25 code) by a user terminal (*e.g.*, a smartphone).

26 57. Defendant, at least in internal use and testing, obtains a photographic image of a  
27 code pattern (*e.g.*, QR code) by a camera of the user terminal (*e.g.*, smartphone).

28 58. Defendant, at least in internal use and testing, processes by a processor of the user

1 terminal (*e.g.*, smartphone), the photographic image of the code pattern (*e.g.*, QR code) to  
2 extract characteristic information from the photographic image.

3 59. Defendant, at least in internal use and testing, transmits and receives a content  
4 information request message (*e.g.*, http request message for accessing the webpage associated  
5 with Defendant) to or from a server (*e.g.*, Defendant's server) based on the extracted  
6 characteristic information (*e.g.*, URL of the webpage associated with Defendant).

7 60. Upon information and belief, Defendant has known of the existence of the '159  
8 Patent, and its acts of infringement have been willful and in disregard for the '159 Patent,  
9 without any reasonable basis for believing that it had a right to engage in the infringing conduct.

10 61. Defendant's acts of infringement of the '159 Patent have caused and will continue  
11 to cause Plaintiff damages for which Plaintiff is entitled to compensation pursuant to 35 U.S.C. §  
12 284.

13 62. Defendant's acts of infringement of the '159 Patent have caused and will continue  
14 to cause Plaintiff immediate and irreparable harm unless such infringing activities are also  
15 enjoined by this court pursuant to 35 U.S.C. § 283. Plaintiff has no adequate remedy at law.

16 63. Upon information and belief, the '159 Patent, at all times material, was and is in  
17 compliance with 35 U.S.C. § 287.

18 64. Plaintiff retained the law firm of WATSON LLP to represent its interests in this  
19 action and is obligated to pay such firm reasonable attorneys' fees for its services. Plaintiff may  
20 recover its attorneys' fees and costs from Defendant, pursuant to 35 U.S.C. § 285, because this  
21 case is exceptional.

22 **WHEREFORE**, Plaintiff, CODING TECHNOLOGIES LLC, demands judgment  
23 against Defendant, ROBERT GRAHAM HOLDINGS, LLC, and respectfully seeks the entry of  
24 an order (i) adjudging that Defendant has infringed the '159 Patent, in violation of 35 U.S.C. §  
25 271; (ii) granting an injunction enjoining Defendant, its employees, agents, officers, directors,  
26 attorneys, successors, affiliates, subsidiaries and assigns, and all of those in active concert and  
27 participation with any of the foregoing persons or entities from infringing the '159 Patent; (iii)  
28 ordering Defendant to account and pay damages adequate to compensate Plaintiff for

1 Defendant's infringement of the '159 Patent, with pre-judgment and post-judgment interest and  
2 costs, pursuant to 35 U.S.C. § 284; (iv) ordering that the damages award be increased up to three  
3 times the actual amount assessed, pursuant to 35 U.S.C. § 284; (v) declaring this case  
4 exceptional and awarding Plaintiff its reasonable attorneys' fees, pursuant to 35 U.S.C. § 285;  
5 and, (vi) awarding such other and further relief as this court deems just and proper.

6  
7 **DATED** on July 6, 2018

8  
9 Respectfully submitted,

10 WATSON LLP

11  
12 */s/ Coleman Watson*

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15 California Bar No. 266015

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