

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

GLOBAL INTERACTIVE MEDIA, INC.,

Plaintiff,

v.

TITAN TV, INC., and

BROADCAST INTERACTIVE MEDIA,
LLC,

Defendants.

Civil Action No. 3:18-cv-00597

Jury Trial Demanded

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Global Interactive Media, Inc. (“GIM”) brings this patent-infringement action against Defendants Titan TV, Inc. (“Titan”) and Broadcast Interactive Media, LLC (“BIM”) (collectively, “Defendants”) and alleges as follows:

Parties

1. GIM is a Belizian corporation having its principal place of business at 84 Albert Street, Belize City, Belize.
2. Titan is a corporation organized under the laws of the state of Wisconsin. At times relevant to the claims alleged in this Complaint, Titan has had a regular and established place of business in Madison, Wisconsin.
3. BIM is a limited liability company organized under the law of Delaware, with its principal place of business located in Middleton, Wisconsin.

Jurisdiction and Venue

4. This action arises under the patent laws of the United States, 35 U.S.C. §§ 101. *et seq.*

5. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

6. This Court may exercise personal jurisdiction over Titan and BIM. BIM is headquartered in Wisconsin, and Titan is incorporated in Wisconsin and had its principal office in Wisconsin during the relevant time period. Both BIM and Titan have conducted continuous and systematic business in Wisconsin and in this District. This patent-infringement case also arises directly from Defendants' continuous and systematic activity in this District. Thus, this Court's exercise of jurisdiction over Defendants would be consistent with traditional notions of fair play and substantial justice.

7. Venue is proper in this District pursuant to 28 U.S.C. §1400(b).

The Asserted Patents

8. The asserted patents in this case are U.S Patent No. 7,574,721, U.S. Patent No. 8,032,907, and U.S. Patent No. 6,314,577 (collectively, "Asserted Patents"). The Asserted Patents each claim methods and/or systems of tracking broadcasts and providing program information on demand to customers who may wish to make purchasing decisions based on the program information. The inventions claimed in the Asserted Patents represent uses of technology that were neither well-understood, routine, or conventional as of the time of invention. Prior to the inventions claimed in the Asserted Patents, for example, consumers listening to radio stations may have heard a song they liked and wished to purchase, but unless the station identified the song, the listeners had no ready way to obtain information about the song such as the title or artist. With the inventions claimed by the Asserted Patents, listeners not only are able to obtain that information, they are also able to purchase songs directly, an option that was not available to them until after the inventions of the asserted patents. The technology claimed in the Asserted Patents has become widespread to

the point of ubiquity.

9. Defendants directly and/or indirectly make, use, distribute, market, sells and/or offer to sell throughout the United States, including in this judicial district, products and/or services that infringe one or more claims of the Asserted Patents as described below. Defendants have infringed, literally or through the doctrine of equivalents, directly, jointly, or indirectly, contributorily and/or through the inducement of others, one or more claims of each of the Asserted Patents, by the above referenced acts.

Count 1 – Infringement of U.S. Patent No. 7,574,721

10. GIM owns United States Patent 7,574,721 (the “’721 patent”) (attached as Exhibit A).

11. Defendants have infringed at least one of the 35 methods and systems claimed in the ’721 patent by directly and/or indirectly making, using, distributing, marketing, selling and/or offering to sell throughout the United States, including in this judicial district, their TitanTV product, service, and system: <http://www.titantv.com/Default.aspx?r=t> (“TitanTV”). For example, and for illustration of one of the 35 claims of the ’721 patent that GIM alleges Defendants infringe, Defendants infringe claim 1 of the ’721 patent as follows:

a. Claim 1 is a “method for identifying at least one broadcast provider through a combination of a geographic identification code and a broadcast identifier, the method comprising: digitally storing, in a database, one or more geographic identification codes that are each associated with at least one area or location in which a broadcast is receivable from at least one broadcast provider[.]” (Ex. A, 17:44-50.) TitanTV identifies broadcast providers of certain television programs available to a user based on the geographic location of the user. TitanTV digitally stores ZIP codes in a database, which are associated with service areas in which

broadcasts are receivable.

b. Claim 1 involves “digitally storing, in the database, one or more broadcast identifiers that are each associated with at least one broadcast provider[.]” (Ex. A, 17:51-53.) TitanTV digitally stores in a database broadcast identifiers (categories, e.g., comedy, children, drama, etc.) that correspond to television programs broadcast by broadcast providers (e.g., TBS HD, PBS, Cozi TV or Retro), respectively.

c. Claim 1 involves “receiving at least one user related geographic identification code[.]” (Ex. A, 17:54-55.) TitanTV receives a user related geographic identification code when the user selects the “+” symbol on the TitanTV service, selects her type of service (e.g., broadcast, cable, HD, etc.), and then enters her ZIP code.

d. Claim 1 involves “receiving at least one user related broadcast identifier[.]” (Ex. A, 17:56.) TitanTV receives a user related broadcast identifier when the user selects a category of a television program for which she would like to identify a broadcast provider. For example, the user may select the “comedy” category to identify all the broadcasters broadcasting a comedy television program.

e. Claim 1 involves “determining, by a processor, a subset of data from the database using the received at least one user related geographic identification code, the subset of data comprising at least one of the stored one or more broadcast identifiers that are associated with at least one of the stored one or more geographic identification codes that corresponds to the received at least one user related geographic identification code[.]” (Ex. A, 17:60-67.) TitanTV determines by processor, using the user’s ZIP code, a subset of data comprising stored broadcast identifiers (e.g., Starz) associated with broadcast television programs broadcast by the broadcasters within the user’s service area.

f. Claim 1 involves “identifying, by the processor, at least one broadcast provider using at least both the subset of data and received at least one user related broadcast identifier[.]” (Ex. A. 18:1-3.) TitanTV —using the subset of data based on the user’s ZIP code and the user-related broadcast identifier — identifies, for example, Starz, Ch. 1872 as the broadcaster provider of the comedy television program “Hollywood Shuffle.”

Count 2 – Infringement of U.S. Patent No. 8,032,907

12. GIM owns United States Patent 8,032,907 (the “’907 patent”) (attached as Exhibit B).

13. Defendants are infringing at least one of the 90 methods and systems claimed in the ’907 patent by directly and/or indirectly making, using, distributing, marketing, selling and/or offering to sell TitanTV throughout the United States, including in this judicial district. For example, and for illustration of one of the 90 claims of the ’907 patent that GIM alleges TitanTV infringes, TitanTV infringes claim 1 of the ’907 patent as follows:

a. Claim 1 is a “computer implemented information system to present program description information for one or more broadcast programs[.]” (Ex. B, 17:47-49.) TitanTV is a system that provides descriptions of broadcast programs to users.

b. Claim 1 includes “a user interface coupled to said processing system, said user interface providing means for receiving one or more user inquiries regarding one or more broadcast programs[.]” (Ex. B, 17:50-54.) TitanTV includes a user interface that provides means for the service to receive user inquiries about television broadcasts, for example, a broadcast of Sesame Street episode “Norbert’s Birthday.”

c. The system of claim 1 includes “a database coupled to said processing

system; [and] an input means coupled to said processing system, for inputting program description information of one or more broadcast programs to be broadcast in the future[.]” (Ex. B, 17:55-59.)

The TitanTV system has a database into which Defendants input descriptions of program material that may be broadcasted over the television. For example, the TitanTV database stores the description information of the Sesame Street episode “Norbert’s Birthday”: “After Rosita, Zoe and Grover learn that Norbert the Robot has never had a birthday, they decide to plan him a surprise party to show how much they like him, but the friends have trouble deciding what to get Norbert as a present.”

d. Claim 1 includes “a program description transmission means coupled to said processing system and to said user interface[.]” (Ex. B, 17:60-61.) TitanTV is able to transmit to the user interface the program information.

e. The processing system of claim 1 comprises “means for synchronizing said inputted program description information with one or more broadcast programs of a program transmission[.]” (Ex. B, 17:63-65.) TitanTV synchronizes the program description information with the broadcast of “Norbert’s Birthday,” so that the user may view the program description information at the time she is viewing the broadcast of “Norbert the Robot.”

f. The processing system of claim 1 comprises “means for responding to a user inquiry place through said user interface; and means for further responding to said user inquiry by causing said program description transmission means to transmit program description information responsive to said user inquiry.” (Ex. B, 17:66-18:4.) When the user accesses the TitanTV system and selects “Norbert’s Birthday” from TitanTV’s list of broadcast programs, TitanTV responds by transmitting the program description file to the user, along with information about the channel, cast, ratings, duration, etc.

Count 3 – Infringement of U.S. Patent No. 6,314,577

14. GIM owns United States Patent 6,314,577 (the “’577 patent”) (attached as Exhibit C).

15. Defendants are infringing at least one of the 130 methods and systems claimed in the ’577 patent by directly and/or indirectly making, using, distributing, marketing, selling and/or offering to sell TitanTV throughout the United States, including in this judicial district. For example, and for illustration of one of the 130 claims of the ’577 patent that GIM alleges TitanTV infringes, TitanTV infringes claim 1 of the ’577 patent as follows:

a. Claim 1 is a “computer-implemented information system to provide users with information concerning program materials disseminated according to a program list[.]” (Ex. C, 17:61-63.) TitanTV is a computer implemented information system that provides information concerning broadcast programming.

b. The system of claim 1 includes “a processing system for execution by a computer; [and] a user interface coupled to said processing system, said user interface providing means for placing user inquiries regarding the program material[.]” (Ex. C, 17:64-67.) TitanTV includes a processing system and a user interface with means for placing an inquiry about a television program that the user is currently viewing. For example, a user viewing the episode “Norbert’s Birthday” of the television program Sesame Street may click on that episode block in the TitanTV user interface.

c. The system of claim 1 includes “a database coupled to said processing system; first input means coupled to said processing system, for inputting information reflecting program descriptions of said program materials; second input means coupled to said processing

system, for inputting program list information regarding a plurality of program material items[.]” (Ex. C, 18:1-7.) The TitanTV system has a database into which Defendants input information reflecting a description of “Norbert’s Birthday”: “After Rosita, Zoe and Grover learn that Norbert the Robot has never had a birthday, they decide to plan him a surprise party to show how much they like him, but the friends have trouble deciding what to get Norbert as a present.” TitanTV also has a second input means to input to the database program list information, *i.e.*, all 258 airings of the episode “Norbert’s Birthday.”

d. The claim 1 system includes “a program description output means coupled to said processing system and to said user interface[.]” (Ex. C, 18:8-9.) TitanTV outputs the program description to the user’s device.

e. Claim 1 includes “identifier means responsive to only a broadcast identifier for generating and storing information in said database[.]” (Ex. C, 18:10-11.) TitanTV is able to identify the information related to Sesame Street in response to the user’s selection of the episode “Norbert’s Birthday” in the episode block in the TitanTV user interface.

f. The processing system of claim 1 includes “means for correlating said program descriptions of program material with said program list information and for storing said correlated program descriptions and program list information in said database responsive to receipt of said broadcast identifier[.]” (Ex. C, 18:13-17.) TitanTV correlates the description of “Norbert’s Birthday” and other episodes of Sesame Street in the TitanTV database, responsive to the user’s selection of the episode “Norbert’s Birthday” in the episode block in the TitanTV user interface.

g. The processing system also includes “means for responding to a user inquiry, placed through said user interface, about an item in said program list, by retrieving a selected program description from said database associated with said broadcast identifier[.]” (Ex.

C, 18:18-22.) When the user selects the Sesame Street episode “Norbert’s Birthday” episode block in the TitanTV user interface, TitanTV retrieves the program description: “After Rosita, Zoe and Grover learn that Norbert the Robot has never had a birthday, they decide to plan him a surprise party to show how much they like him, but the friends have trouble deciding what to get Norbert as a present.”

h. Claim 1 includes “means for further responding to said user inquiry by causing said program description output means to produce a message based on said selected program description.” (Ex. C, 18:23-26.) TitanTV produces the program description of “Norbert’s Birthday” to the user.

Prayer for Relief

WHEREFORE, GIM prays for the following relief against Defendants:

- (a) Judgment that Defendants have infringed claims of the ’721 patent, ’907 patent, and the ’577 patent;
- (b) For a reasonable royalty;
- (c) For pre-judgment interest and post-judgment interest at the maximum rate allowed by law; and
- (d) For such other and further relief as the Court may deem just and proper.

Demand for Jury Trial

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

Date: August 3, 2018

Respectfully Submitted,

/s/Thomas G. Southard

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