IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

FO2GO LLC,	CIVIL ACTION NO. _____
Plaintiff,	
v.	**PATENT CASE**
TANGOME, INC.,	**JURY TRIAL DEMANDED**
Defendant.	

ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff FO2GO LLC files this Original Complaint for Patent Infringement against Tangome, Inc., and would respectfully show the Court as follows:

I.   THE PARTIES

1.   Plaintiff FO2GO LLC ("FO2GO" or "Plaintiff") is a Delaware limited liability company with a place of business at 122 Delaware Street, New Castle, Delaware 19720. Andrew Knowles, the inventor on United States Patent No. 9,935,998, is the managing member of FO2GO.

2.   On information and belief, Defendant Tangome, Inc. ("Defendant") is a Delaware corporation with its principal place of business at 615 National Ave, Suite 100, Mountain View, California 94043. Defendant has a registered agent in Delaware at Incorporating Services, Ltd, 3500 S. DuPont Hwy, Dover, Delaware 19901.

II.   JURISDICTION AND VENUE

3.   This action arises under the patent laws of the United States, Title 35 of the United States Code. This Court has subject matter jurisdiction of such action under 28 U.S.C. §§ 1331 and 1338(a).

4.   On information and belief, Defendant is subject to this Court's specific and general personal jurisdiction, pursuant to due process and the Delaware Long-Arm Statute, due at least to its business in this forum, including at least a portion of the infringements alleged herein.   Furthermore, Defendant is subject to this Court's specific and general personal jurisdiction because Defendant is a Delaware corporation.

5.   Without limitation, on information and belief, within this state, Defendant has used the patented inventions thereby committing, and continuing to commit, acts of patent infringement alleged herein.   In addition, on information and belief, Defendant has derived revenues from its infringing acts occurring within Delaware.   Further, on information and belief, Defendant is subject to the Court's general jurisdiction, including from regularly doing or soliciting business, engaging in other persistent courses of conduct, and deriving substantial revenue from goods and services provided to persons or entities in Delaware.   Further, on information and belief, Defendant is subject to the Court's personal jurisdiction at least due to its sale of products and/or services within Delaware.   Defendant has committed such purposeful acts and/or transactions in Delaware such that it reasonably should know and expect that it could be haled into this Court as a consequence of such activity.

6.   Venue is proper in this district under 28 U.S.C. § 1400(b). On information and belief, Defendant is incorporated in Delaware.   On information and belief, from and within this District Defendant has committed at least a portion of the infringements at issue in this case.

7.   For these reasons, personal jurisdiction exists and venue is proper in this Court under 28 U.S.C. § 1400(b).

III. COUNT I
(PATENT INFRINGEMENT OF UNITED STATES PATENT NO. 9,935,998)

8.   Plaintiff incorporates the above paragraphs herein by reference.

9.   On April 3, 2018, United States Patent No. 9,935,998 ("the '998 Patent") was duly and legally issued by the United States Patent and Trademark Office. Andrew Knowles is the inventor of the inventions claimed in the '998 patent. The '998 Patent is titled "Digital Message Processing System." The inventor identified on the '998 Patent is Andrew Knowles. A true and correct copy of the '998 Patent is attached hereto as Exhibit A and incorporated herein by reference.

10.   FO2GO is the assignee of all right, title and interest in the '998 patent, including all rights to enforce and prosecute actions for infringement and to collect damages for all relevant times against infringers of the '998 Patent. Accordingly, Plaintiff possesses the exclusive right and standing to prosecute the present action for infringement of the '998 Patent by Defendant.

11.   The invention in the '998 Patent relates to digital cameras that "include a radio frequency (RF) transceiver for transmitting digital photos to a remote destination according to users preferences." (Ex. A at col. 1:16-19). At the time of the invention, digital cameras were becoming increasingly popular because the photos did not require processing and an image could be downloaded for viewing on a computer or, after being stored on a computer, the image could be forwarded by e-mail or incorporated into other electronic documents, such as web pages. (Ex. A at col. 1:23-35). The inventor realized that there were several problems with currently available digital camera systems.
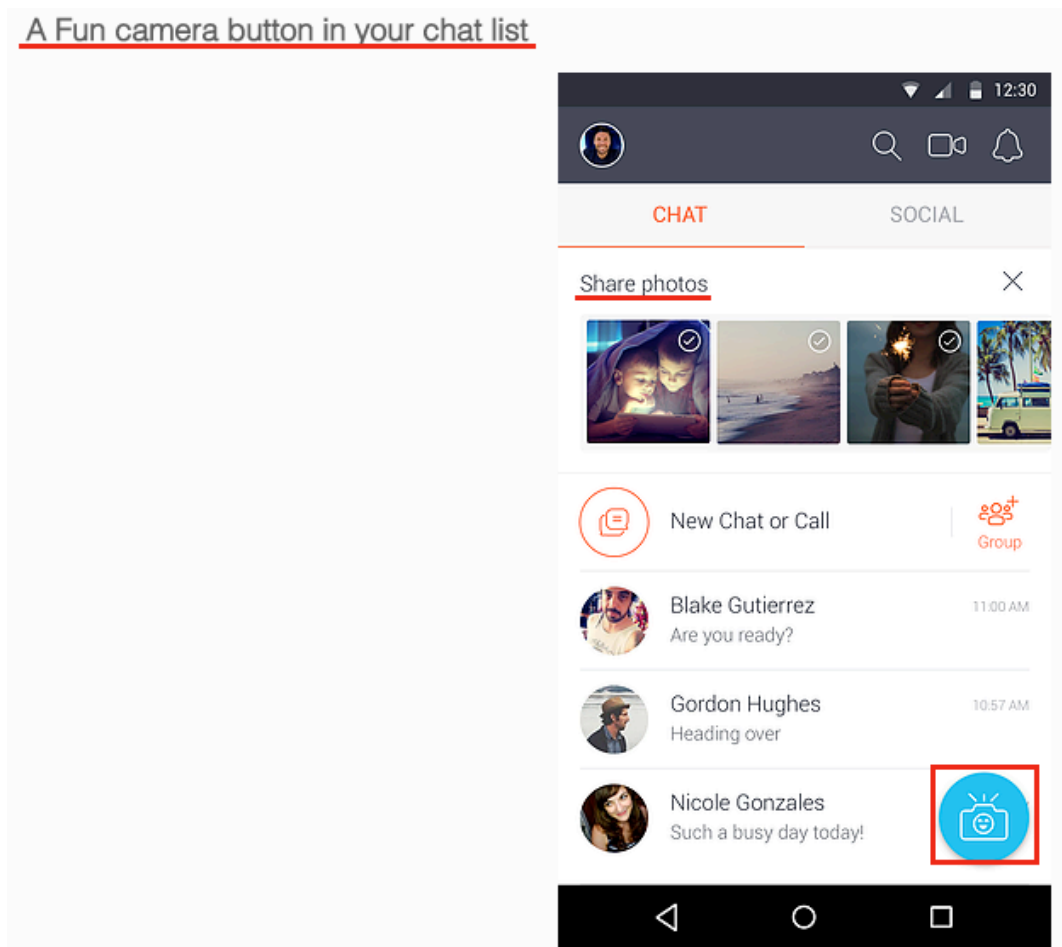
12.   Downloading the images from a digital camera was complicated, which usually required physically connecting the digital camera to a computer, removing memory from the camera to insert into a computer, or providing an infrared port for the computer and camera. (*Id.* at col. 1:36-45). These methods of transferring the digital images detracted from being able to

easily and quickly share the photos. (*Id.* at col. 1:46-54). Another issue with these methods is they required a database of images on a local computer, which had limited accessibility. (*Id.* at col. 1:55-58). The inventor realized that there was value to using RF communications to transmit images from a digital camera to a networked image storage and archival system. (*Id.* at col. 1:59 – col. 2:2). Another problem that the inventor foresaw was the cost and time to wirelessly transmit images to multiple recipients. (*Id.* at col. 2:9-18). Wireless data transmission was not as fast as wired transmission and the cost of wireless data transmission was based on the amount of data sent. The inventor realized that this problem could be solved by allowing a user to forward an image file with distribution instructions using recipient codes to a central repository that would save the image and automatically distribute the image according to the user's instructions. (*Id.* at col. 2:18-24). By forwarding an image once to a central repository with distribution instructions using recipient codes, the cost and time to distribute the images are reduced compared to the prior art method of wirelessly transmitting images to multiple recipients using individual messages from a single wireless device. (*Id.* at col. 2:9-24).

13.   The '998 Patent or its patent family have been cited as prior art during the prosecution history of subsequently-issued United States patents, including patents assigned to Blackberry, Fujitsu Limited, Canon Kabushiki Kaisha, Honeywell International, Palm, Inc., Ricoh Company, Ltd, Fotomedia Technologies, LLC, Photobucket Corporation, Eastman Kodak Company, and Sanyo Electric Co., Ltd.

14.   **Direct Infringement.** Upon information and belief, Defendant has been and now is directly infringing each and every limitation of at least claims 2, 4, and 5 of the '998 patent in Delaware, and elsewhere in the United States, by actions comprising at least making and/or use using the Tango system, including the Tango mobile application, in connection with a digital

camera apparatus that embody the patented invention. Tango includes a digital photo processing system comprising a wireless digital camera apparatus having a processor, memory, a destination address and a previously defined recipient code stored in memory, a user interface (*e.g.* the mobile app's GUI displayed on a mobile device screen) of the digital camera apparatus for displaying previously defined recipient codes, and receiving signals indicating a user selection of a displayed recipient code, a digital camera connected to the processor for capturing digital images in response to signals from the user interface (*e.g.*, Tango's mobile app allows users to select, through the app, to take pictures), and a radio frequency (RF) communications device connected to the processor.

A Fun camera button in your chat list

(https://www.tango.me/new-on-tango-photo-booth/; *also e.g.*,

https://play.google.com/store/apps/details?id=com.sgiggle.production; https://www.tango.me/;

https://www.tango.me/new-on-tango-photo-booth/; https://www.tango.me/new-on-tango-simpler-photo-sharing-animated-stickers-and-more/; https://support.tango.me/hc/en-us/articles/231473728-How-do-I-add-delete-Tango-friends-; https://support.tango.me/hc/en-us/articles/231474448-Getting-Started-on-Tango-; https://www.tango.me/privacy-policy/;

https://support.tango.me/hc/en-us/articles/231473768-Why-can-t-I-register-for-an-account-).

15.   The processor is responsive to the signals from the user interface to transmit a message including a previously defined recipient code and a digital image to the destination address via the RF communications device.
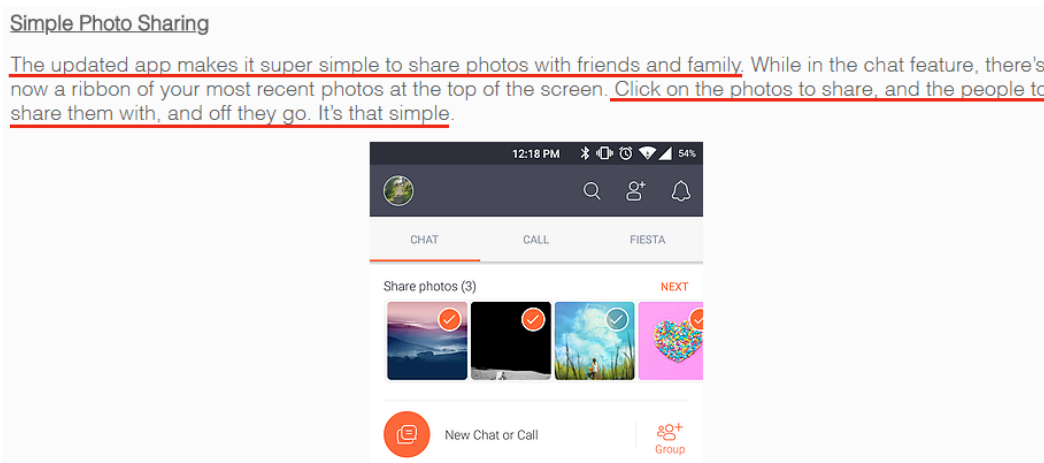
(*E.g.*, https://www.tango.me/new-on-tango-simpler-photo-sharing-animated-stickers-and-more/). For example, the Tango app operates on a mobile device that includes a processor responsive to signals received from the user interface (*e.g.*, the mobile device will act appropriately based upon a user's inputs in the Tango app) for transmitting a message (*e.g.*, a message to a specific user or group), including at least the selected recipient code (*e.g.*, the message identifies the appropriate recipient, whether that is a specific user or a group) and a digital image (*e.g.*, the image to be sent/shared), to the destination address (on information and belief, when a user sends a message

with an image, there is a server where the image must be sent so that it can then be forwarded to another user; the destination address is the address for the Tango server which accepts and forwards messages including the photo sent) via the RF communications device (*e.g.*, the image is sent or shared via a wireless connection to via an Internet connection which is provided by the mobile device's Wi-Fi and/or cellular module).

      16.   Tango also comprises a server associated with the destination address and responsive to messages received at the destination address from the wireless digital camera apparatus, a database storing account configuration data including recipient code data, and a server communications device.

Address Book

If you are not already a user of the Service, when you first install an application that is part of the Service on your device, you are invited to register with Tango and as part of this initial registration, you will be asked to allow us access to your address book. If you consent, we will have access to contact information in your address book on the devices you use for the Service (names, numbers, emails, and Facebook ID, but not notes or other personally identifiable information) and we will store it on our servers and use it to improve the Service and help you use the Service. If you do not want Tango to store this information, you may opt-out at any time through your account settings in the Tango mobile app, or in your devices privacy settings, in which case we will delete that information from our servers. However, in this case, we may not be able to offer some of the features that require this information. See also How We Use the Information We Collect" below.

(*E.g.*, https://www.tango.me/privacy-policy/).   The server is configured to parse the previously defined recipient codes from the message, retrieve from the database account configuration data that is associated with the previously defined recipient codes, and processes the message according to the account configuration data.

Shared Text, Photos, Videos and Other Communications

The Service allows you to share text messages, photos, videos and other communications (such as interactions during games) with other users, and if you choose to share your text messages, photos, videos and other communications, such items will be stored on our servers in accordance with our data retention policies.

In addition, if you choose to share these items with other Service users, we may not be able to remove them from our servers or make them unavailable to anyone you have shared them with. Sending text messages, photos, videos or other communications through the Service is your decision. By choosing to share that information, you should understand that you may no longer be able to control how that information is used and that it may become publicly available (depending in part on your actions or the actions of others with whom you have shared the information). Tango is not responsible for any use or misuse of information you share.

Device and Log Information

If you use our Service, we collect information about your device and browser. This may include device information (type of device, operating system version, unique device identifier (such as an advertising identifier), browser type and version, mobile network information) or log information (IP address, MAC address, screen resolution, and referring domain).

(*E.g.,* https://www.tango.me/privacy-policy/). For example, the Tango app system uses a server that is configured or otherwise operable to parse the one or more previously defined recipient codes from the message, retrieving from the database account, configuration data that is associated with one or more previously defined recipient codes (*e.g.,* the Tango server will receive any messages sent by a first user, parse the message to determine a recipient code (*e.g.,* a group/individual contact), access a database to retrieve account configuration data associated with the recipient code (*e.g.,* determine the particular members of a group/individual contact), and process the message according to the account configuration data (*e.g.,* the message will be routed appropriately to all users indicated as being members of the group/individual contact).

17.   Tango's server is also configured to distribute the message to recipient addresses associated with the previously defined recipient codes included in the account configuration data. (*E.g.,* https://www.tango.me/privacy-policy/).

18.   Furthermore, the message sent by the Tango system comprises an account identifier, the database configuration data includes an account identifier, and the server is configured to retrieve from the account configuration data, data that is associated with both the account identifier and the one or more previously defined recipient codes.   (*E.g., id.*;

https://www.tango.me/; https://www.tango.me/new-on-tango-simpler-photo-sharing-animated-stickers-and-more/).

19.   Plaintiff has been damaged as a result of Defendant's infringing conduct. Defendant is thus liable to Plaintiff for damages in an amount that adequately compensates Plaintiff for such Defendant's infringement of the '998 patent, *i.e.*, in an amount that by law cannot be less than would constitute a reasonable royalty for the use of the patented technology, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

20.   On information and belief, Defendant will continue its infringement of one or more claims of the '998 patent unless enjoined by the Court. Each and all of the Defendant's infringing conduct thus causes Plaintiff irreparable harm and will continue to cause such harm without the issuance of an injunction.

21.   On information and belief, Defendant has had at least constructive notice of the '998 patent by operation of law, and there are no marking requirements that have not been complied with.

VI.   JURY DEMAND

Plaintiff, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of any issues so triable by right.

VII.   PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that the Court find in its favor and against Defendant, and that the Court grant Plaintiff the following relief:

a.   Judgment that one or more claims of United States Patent No. 9,935,998 has been infringed, either literally and/or under the doctrine of equivalents, by Defendant;

b.   Judgment that Defendant account for and pay to Plaintiff all damages to and costs incurred by Plaintiff because of Defendant's infringing activities and other conduct complained of herein;

c.   That Plaintiff be granted pre-judgment and post-judgment interest on the damages caused by Defendant's infringing activities and other conduct complained of herein;

d.   That Defendant be permanently enjoined from any further activity or conduct that infringes one or more claims of United States Patent No. 9,935,998; and

e.   That Plaintiff be granted such other and further relief as the Court may deem just and proper under the circumstances.

Dated: August 22, 2018   Respectfully submitted,

STAMOULIS & WEINBLATT LLC

OF COUNSEL: */s/ Stamatios Stamoulis*
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