

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

RAINEY CIRCUIT LLC,

Plaintiff,

v.

TWITTER, INC.

Defendant.

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Case No:

JURY TRIAL DEMANDED

**COMPLAINT**

Plaintiff Rainey Circuit LLC (“Plaintiff,” or “Rainey”) files this Complaint against Twitter, Inc. (“Defendant,” or “Twitter”) for infringement of United States Patent No. 8,131,824 (the “’824 Patent”).

**PARTIES AND JURISDICTION**

1. This is an action for patent infringement under Title 35 of the United States Code. Plaintiff is seeking injunctive relief as well as damages.

2. Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331 (Federal Question) and 1338(a) (Patents) because this is a civil action for patent infringement arising under the United States patent statutes.

3. Plaintiff is a Texas limited liability company with its office address at 7460 Warren Parkway, Ste. 100, Frisco, TX 75034.

4. On information and belief, Defendant is a Delaware corporation with a principal place of business at 1355 Market St. #900 San Francisco, CA 94103.

5. On information and belief, this Court has personal jurisdiction over Defendant because Defendant has committed, and continues to commit, acts of infringement in this District,

has conducted business in this District, and/or has engaged in continuous and systematic activities in this District.

6. On information and belief, Defendant's instrumentalities that are alleged herein to infringe were and continue to be used, imported, offered for sale, and/or sold in this District.

**VENUE**

7. Venue is proper in this District pursuant to 28 U.S.C. § 1400(b) because Defendant is deemed to be a resident of this District because acts of infringement are occurring in this District and Defendant has a regular and established place of business in this District located at 111 N Canal St., Suite 1000, Chicago, IL 60606.

**COUNT I**  
**(INFRINGEMENT OF UNITED STATES PATENT NO. 8,131,824)**

8. Plaintiff incorporates paragraphs 1 through 7 herein by reference.

9. This cause of action arises under the patent laws of the United States and, in particular, under 35 U.S.C. §§ 271, *et seq.*

10. Plaintiff is the owner by assignment of the '824 Patent with sole rights to enforce the '824 Patent and sue infringers.

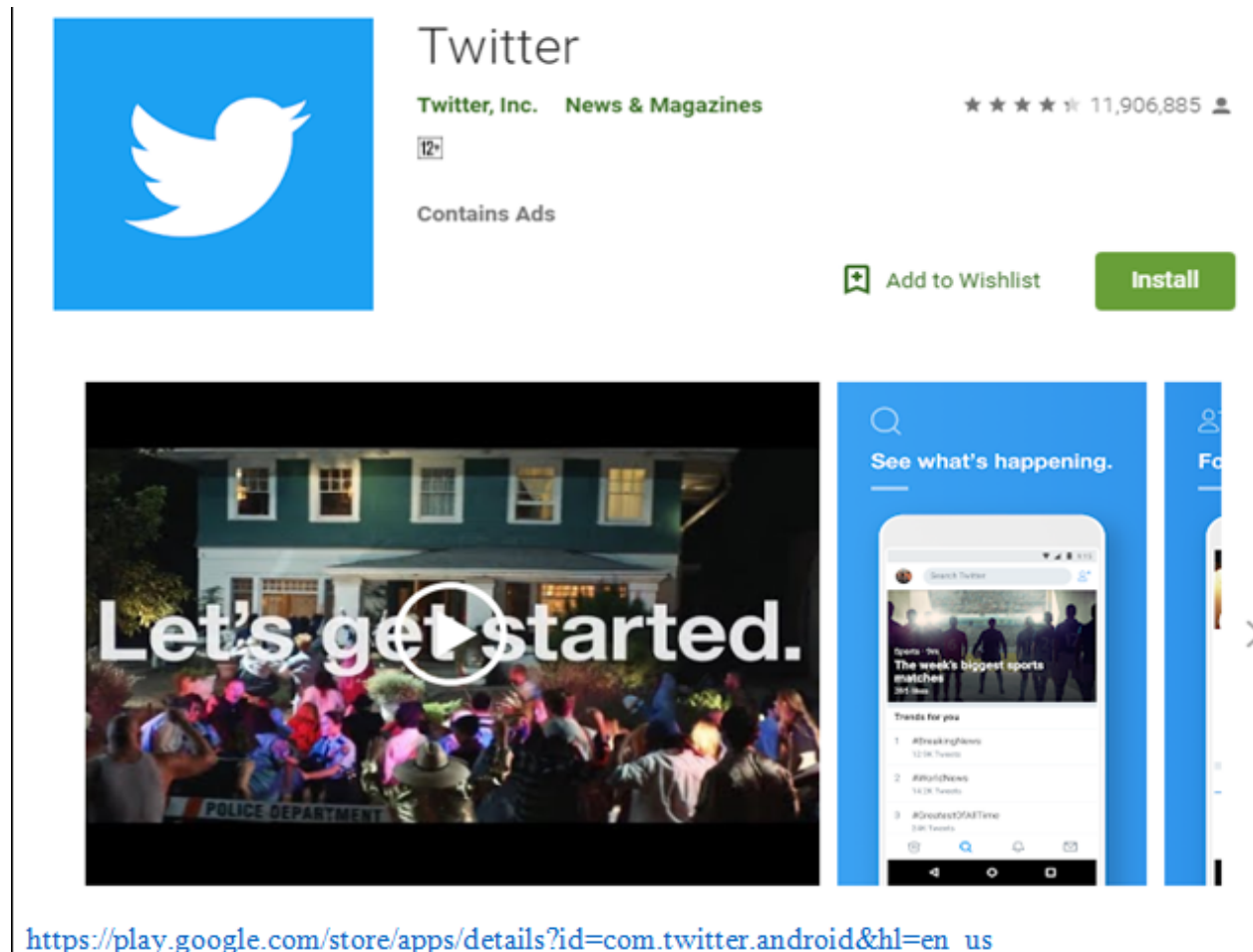
11. A copy of the '824 Patent, titled "Method for the transmission of multimedia data utilizing a signaling signal in a telecommunications network," is attached hereto as Exhibit A.

12. The '824 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

13. On information and belief, Defendant has infringed and continues to infringe one or more claims, including at least Claims 1, 2, and 16 of the '824 Patent by making, using (at least during internal testing and maintenance), importing, selling, and/or offering for sale, a method of transmitting multimedia messages (e.g., such as video messages), which is covered by at least Claims 1, 2, and 16 of the '824 Patent. Defendant has infringed and continues to infringe the '824

patent directly in violation of 35 U.S.C. § 271.

14. Defendant sells, offers to sell, and/or uses a multimedia messaging system and method including, without limitation, the Twitter social networking system, and any similar systems and/or methods (“Product”), which infringe at least Claims 1, 2, and 16 of the ’824 Patent. The Product practices a method for transmitting a multimedia message (e.g., a video message) with a plurality of multimedia components (e.g., audio component of the video message, moving picture component of the video message, preview image of the video message, etc.) from a sender to a recipient in a communication system (e.g., Twitter social networking system). Certain aspects of these elements are illustrated in the screen shots below and/or in screen shots provided in connection with other allegations herein.



#### Explore

- See what topics and hashtags are trending now
- Discover Moments, curated stories showcasing the very best of today's biggest events
- Get caught up on news headlines and videos
- Relive the latest sports highlights
- Be in the know about pop culture and entertainment
- See what fun stories are going viral

#### Notifications



- Find out who started following you
- Discover which of your Tweets were liked or Retweeted
- Respond to replies or be alerted to Tweets you were mentioned in

#### Messages

- Chat privately with friends and followers
- Share Tweets and other media
- Create a group conversation with anyone who follows you

[https://play.google.com/store/apps/details?id=com.twitter.android&hl=en\\_us](https://play.google.com/store/apps/details?id=com.twitter.android&hl=en_us)

## To send a Direct Message from Twitter for Android

1. Tap the **envelope** icon. You'll be directed to your messages.
2. Tap the **message** icon  to create a new message.
3. In the address box, enter the name(s) or @username(s) of the people you wish to send a message to. A group message can include up to 50 people.
4. Enter your message.
5. In addition to text, you can include a photo, video, GIF, or send a sticker via Direct Message.
  - Tap the **photo** icon  to take a photo or record a video, or attach one from your device gallery. You have the option to edit your photo through your Twitter for iOS or Twitter for Android app before sending your message. Tap on the photo to bring up editing screen where you can enhance, crop, add filters, and add stickers. When you are done editing, tap **Save**. Learn more about [advanced photo options](#).

<https://help.twitter.com/en/using-twitter/direct-messages>

15. The Product practices specifying, via at least one multimedia component (e.g., preview image component of the video message/ Start icon image) of the multimedia message (e.g., video message) an immediate display of the at least one multimedia component one of before and on arrival of the remaining multimedia components (e.g., audio component of the video message, moving picture component of the video message, etc.). A user of the accused instrumentality composes a video message which has audio component, moving picture component, image of start icon, preview image, etc. The accused instrumentality operates on the

video message such that at least one multimedia component (e.g., preview image) is immediately displayed at the recipient side before the arrival of the remaining multimedia components (e.g., audio component of the video message and moving picture component of the video message). The preview image is immediately displayed to the recipient. Certain aspects of these elements are illustrated in the screen shots below and/or in screen shots provided in connection with other allegations herein.





Sender composing a multimedia message (video message)



**John Proakis**  
@JohnProakis

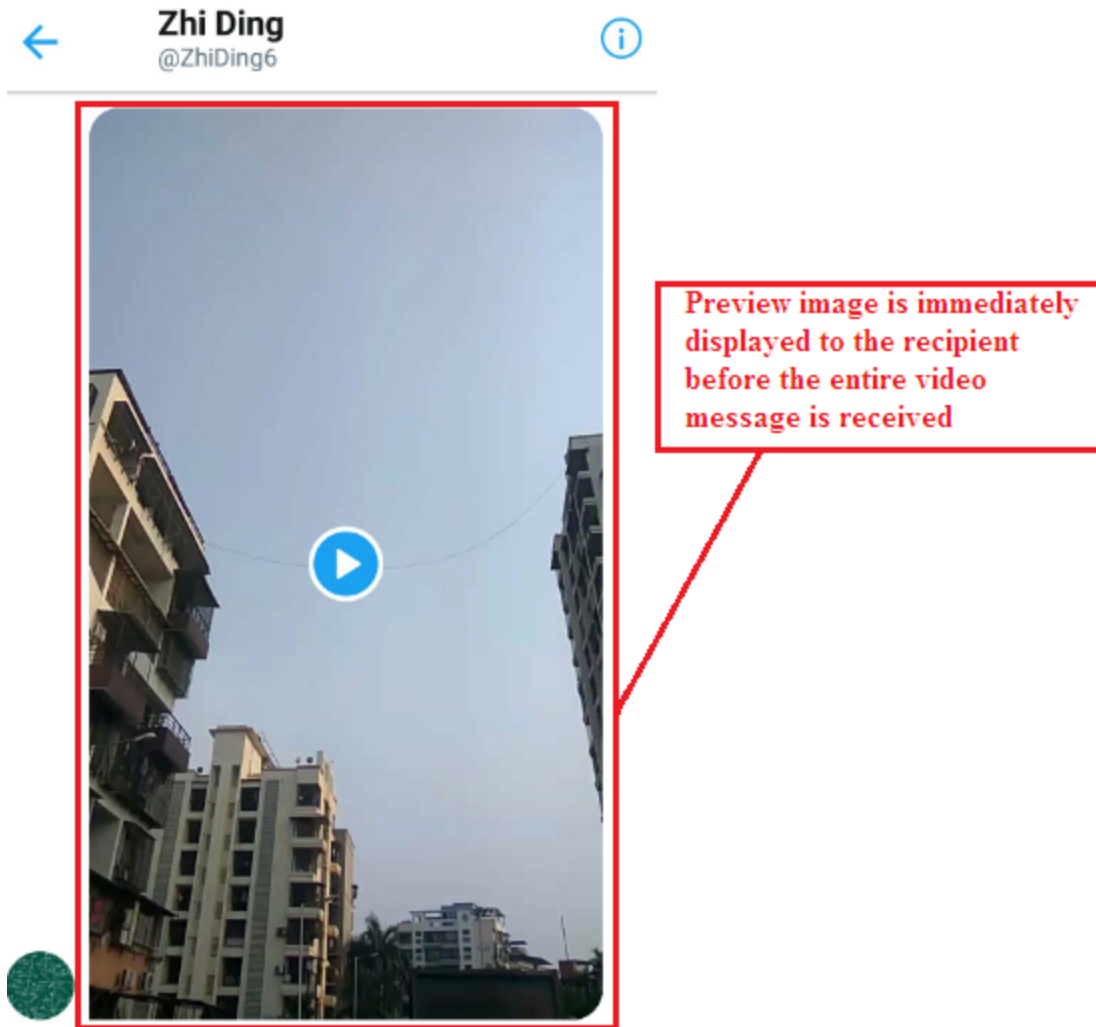


Video message composed and transmitted by a sender to a recipient.

Start icon image of the video message

Preview image of the video message

4:19 p.m. ✓

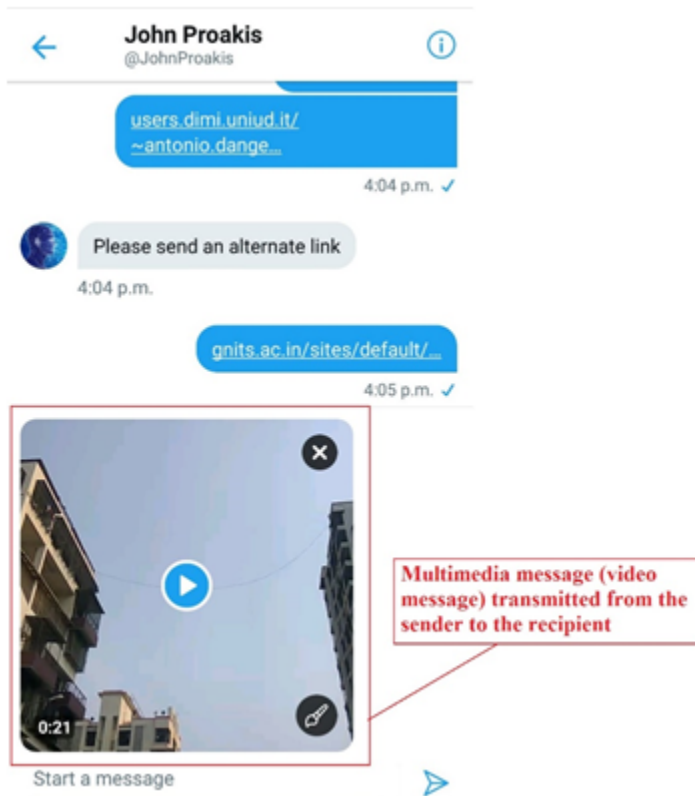


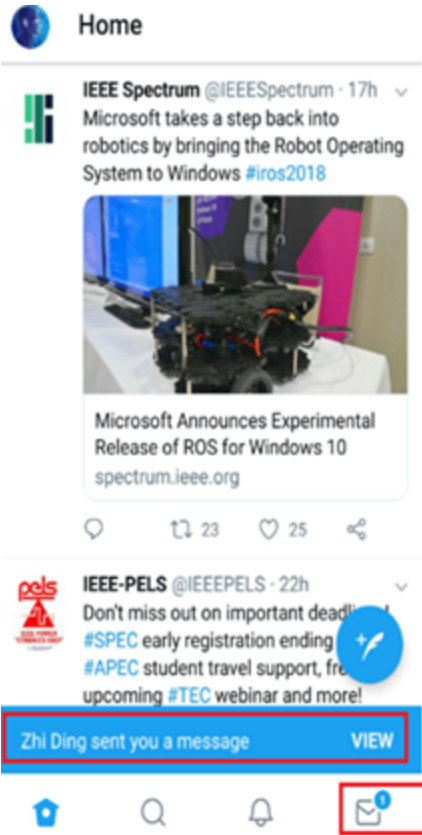
16. The Product practices identifying, by a sender, a predefined subset of the multimedia components (e.g., preview image of the video message) of the multimedia message (e.g., video message) as a signaling signal. When a sender composes a video message, the user terminal identifies a specific preview image as a signaling signal. These elements are illustrated in the screen shots provided in connection with other allegations herein.

17. The Product practices transmitting information to a recipient with the aid of a notification signal, wherein the notification signal indicates that the multimedia message (e.g., video message) is ready in the communication system (e.g., Twitter social media networking system) for downloading, and wherein the multimedia message (e.g. video message) ready for

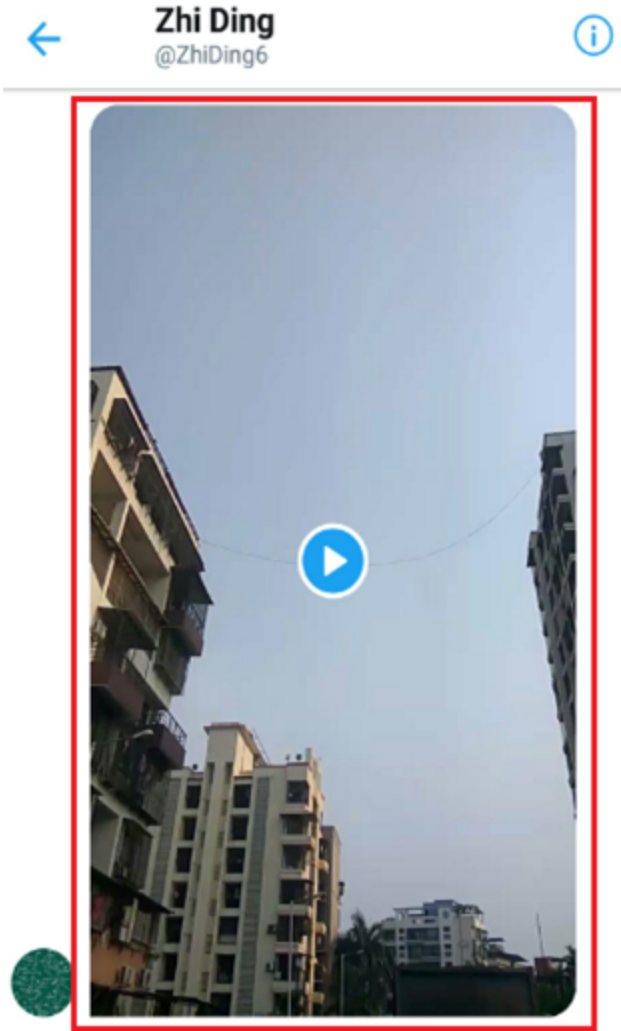


downloading comprises at least one multimedia component (e.g., preview image) which has been identified as a signaling signal. Information is transmitted with the aid of a notification signal. The multimedia message (e.g., video message) ready for download is also shown. The multimedia message (e.g., video message) comprises a signaling message (e.g., preview image). These elements are illustrated in in the screen shots provided below and/or in those provided in connection with other allegations herein.

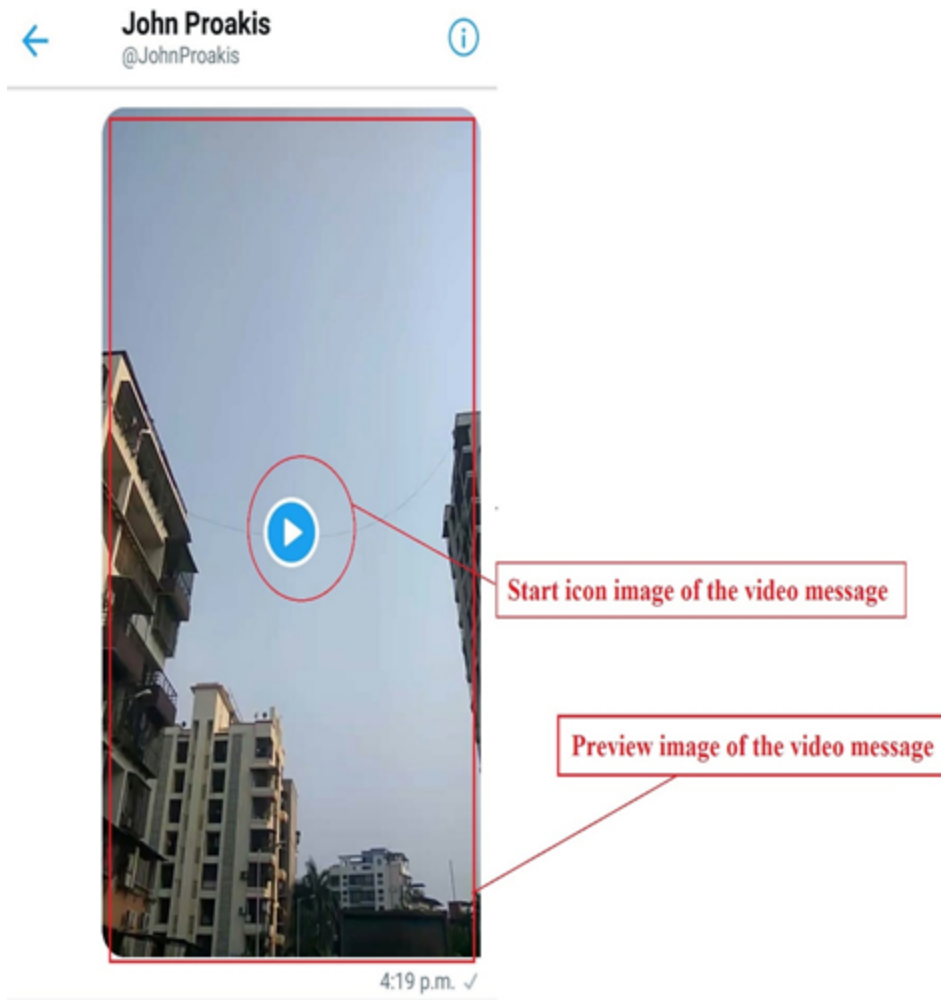




Notification Signal



Multimedia message ready for download



18. The Product practices initiating one of immediate and preferred downloading when the notification signal is received by the recipient, showing that a multimedia component is identified within the multimedia message ready for downloading as a signaling signal. When the recipient checks the notification signal, the multimedia message (e.g., video message) ready for download is shown. The multimedia message (e.g., video message) comprises a signaling message (e.g., preview image). After the recipient clicks on the start icon, the video message gets downloaded in the local storage of the recipient. These elements are illustrated in in the screen shots provided below and/or in those provided in connection with other allegations herein.



Home



IEEE Spectrum @IEEESpectrum · 17h

Microsoft takes a step back into robotics by bringing the Robot Operating System to Windows #iros2018



Microsoft Announces Experimental Release of ROS for Windows 10  
spectrum.ieee.org

23 25



IEEE-PELS @IEEEPELS · 22h

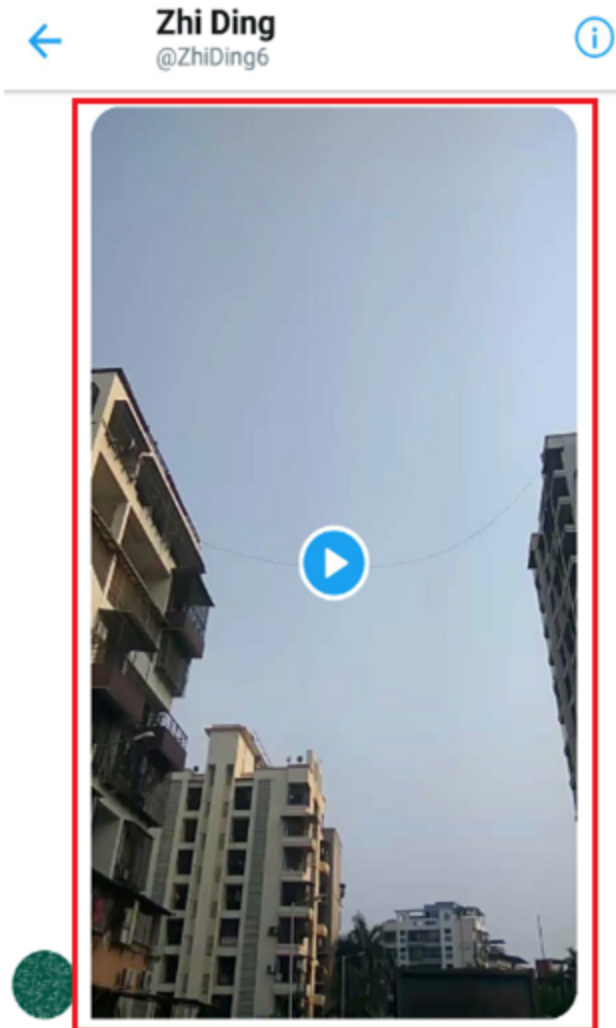
Don't miss out on important deadlines!  
#SPEC early registration ending  
#APEC student travel support, free  
upcoming #TEC webinar and more!

Zhi Ding sent you a message

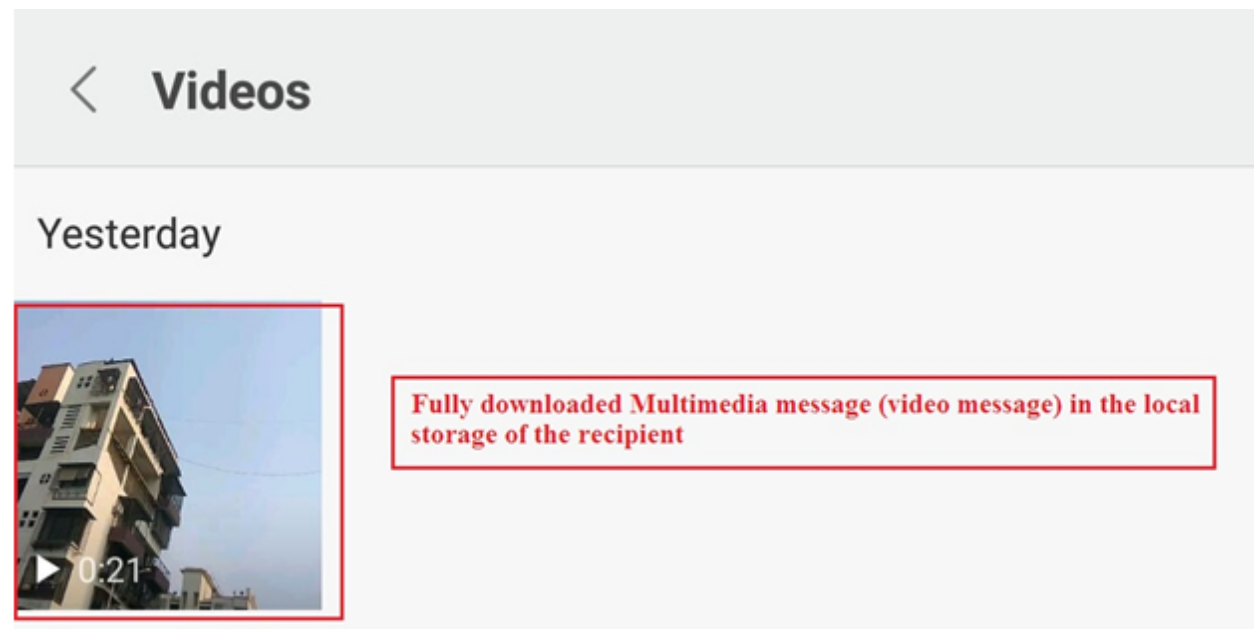
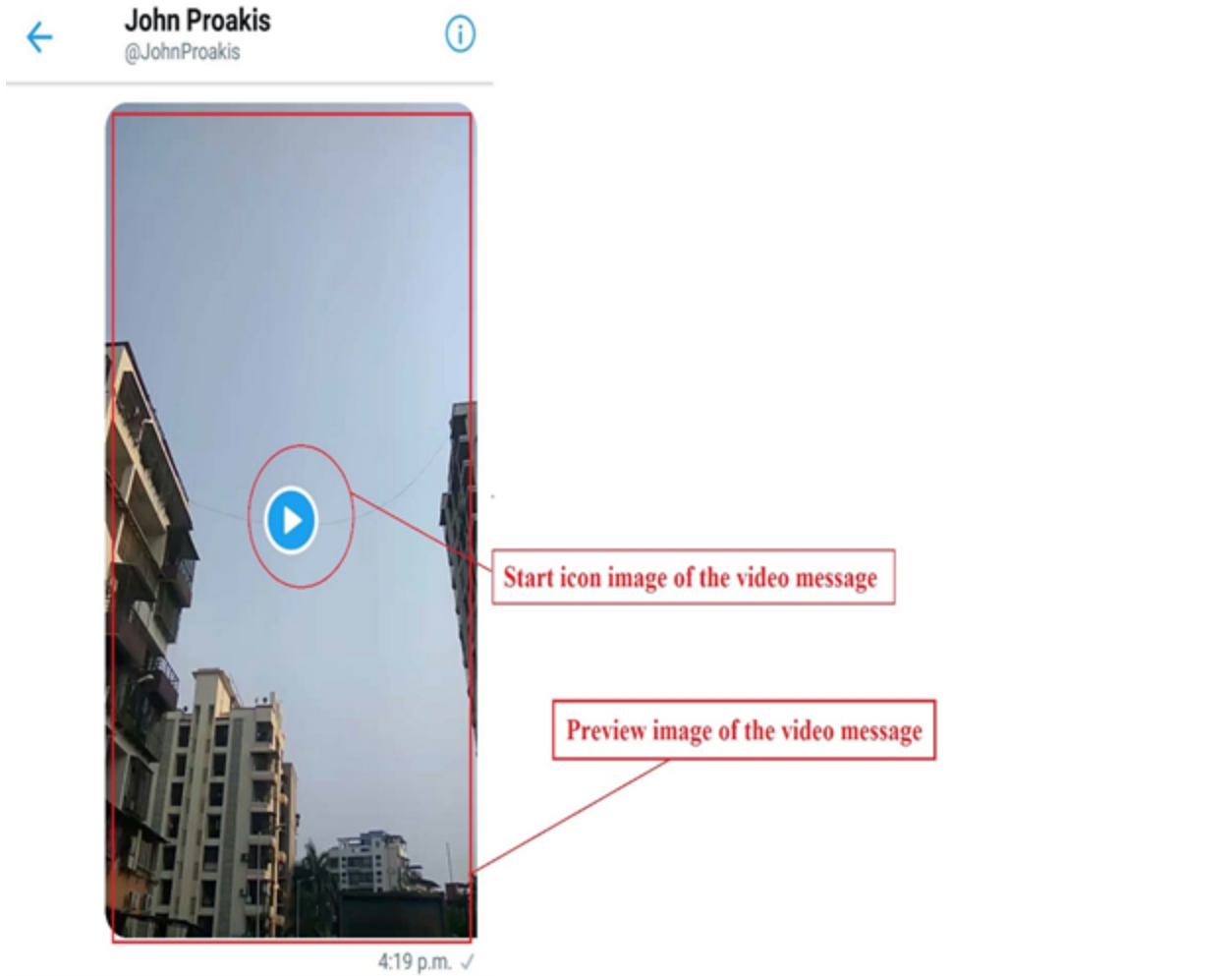
VIEW



Notification signal received by the recipient



Multimedia message ready for download



19. Regarding Claim 2, the signaling signal (e.g., preview image) is delivered to the recipient before the arrival of the remaining multimedia components (e.g., audio component of the video message, moving picture component of the video message) of the multimedia message (e.g., video message) or of the complete multimedia message and thereafter is immediately displayed. These elements are illustrated in the screen shots provided in connection with other allegations herein.

20. Regarding Claim 16, the download of the signaling signal (e.g., preview image) takes place without interaction with the recipient. The preview image is automatically downloaded at the recipient side. These elements are illustrated in the screen shots provided in connection with other allegations herein.

21. Defendant's actions complained of herein will continue unless Defendant is enjoined by this court.

22. Defendant's actions complained of herein are causing irreparable harm and monetary damage to Plaintiff and will continue to do so unless and until Defendant is enjoined and restrained by this Court.

23. Plaintiff is in compliance with 35 U.S.C. § 287.

**DEMAND FOR JURY TRIAL**

Plaintiff demands a trial by jury of any and all causes of action.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff asks the Court to:

(a) Enter judgment for Plaintiff on this Complaint on all causes of action asserted herein;

(b) Enter an Order enjoining Defendant, its agents, officers, servants, employees, attorneys, and all persons in active concert or participation with Defendant who receive notice of



the order from further infringement of United States Patent No. 8,131,824 (or, in the alternative, awarding Plaintiff a running royalty from the time of judgment going forward);

(c) Award Plaintiff damages resulting from Defendant's infringement in accordance with 35 U.S.C. § 284;

(d) Award Plaintiff pre-judgment and post-judgment interest and costs; and

(e) Award Plaintiff such further relief to which the Court finds Plaintiff entitled under law or equity.

Dated: November 30, 2018

Respectfully submitted,

*/s/ Isaac Rabicoff*

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*Counsel for Plaintiff*