

1 Coleman W. Watson, Esq.
2 coleman@watsonllp.com
3 California Bar No.: 266015
4 *Attorneys for Plaintiff, Coding Technologies, LLC*
5 Watson LLP
6 189 S. Orange Avenue, Ste. 810
7 Orlando, FL 32801
8 Tel: (407) 377-6634
9 Fax: (407) 377-6688

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CODING TECHNOLOGIES, LLC,

Plaintiff,

vs.

ICONIX ECOM, LLC, D/B/A OCEAN
PACIFIC,

Defendant.

Case No.:

**COMPLAINT FOR PATENT
INFRINGEMENT**

JURY TRIAL DEMANDED

Plaintiff, CODING TECHNOLOGIES, LLC, sues Defendant, ICONIX ECOM, LLC, and alleges as follows:

NATURE OF THE ACTION

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

PARTIES

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

3. Defendant, ICONIX ECOM, LLC, is a foreign corporation with its headquarters

WATSON LLP
189 S. Orange Avenue, Suite 810
Orlando, FL 32801
Telephone: 407.377.6634

1 located in New York, New York. Defendant uses, sells, and/or offers to sell products and
2 services in interstate commerce that infringe the ‘159 Patent.

3 **SUBJECT MATTER JURISDICTION**

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

7 **PERSONAL JURISDICTION**

8 5. The court has general *in personam* jurisdiction over Defendant because Defendant
9 is a citizen of the State of New York.

10 **VENUE**

11 6. Venue is proper in this court, pursuant to 28 U.S.C. § 1400(b), because Defendant
12 has a regular and established place of business in this district and resides in this district.

13 **COUNT I**

14 **PATENT INFRINGEMENT**

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

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

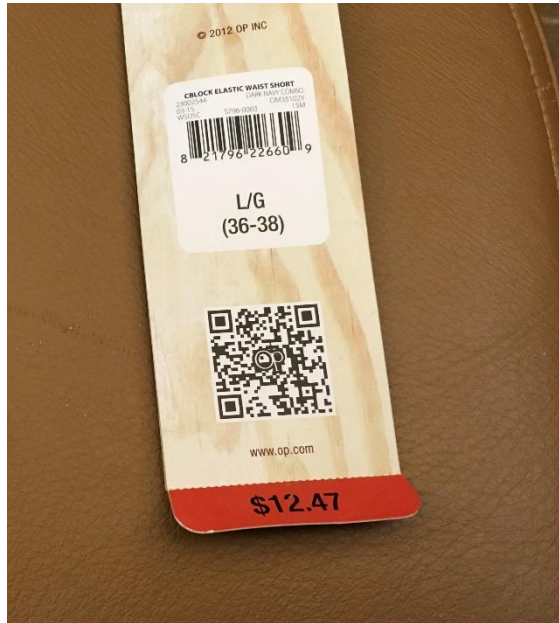
21 9. The ‘159 Patent teaches a method and apparatus for providing a mobile service
22 with the use of code pattern.

23 10. The ‘159 Patent is directed to computerized decoding technologies to provide
24 users with access to and use of various content more conveniently. Traditionally, companies
25 simply provided their URL information to the consuming public, but this is effective only if a
26 consumer memorized the name and spelling of the URL. Thus, there was a need in the art to
27 provide an effective product or method to assist consumers with recalling website or URL
28 information.

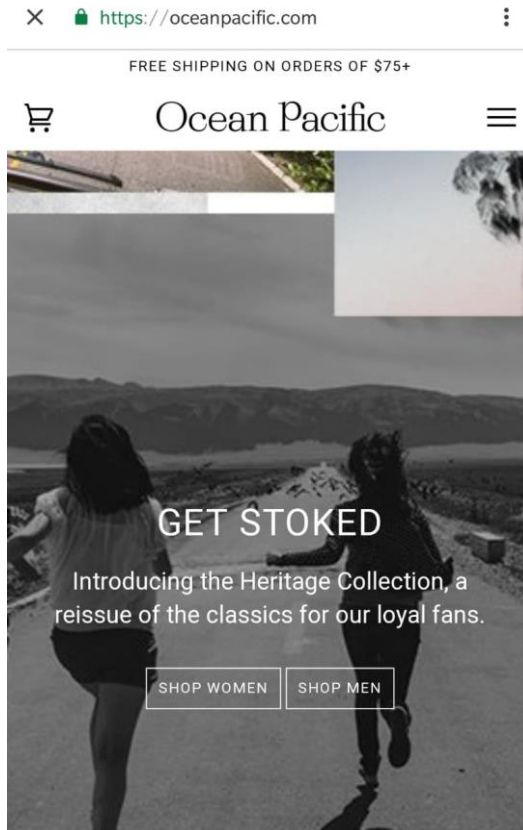
1 photographic image; decoding the extracted code pattern by the processor of the user terminal
2 into code information; transmitting a content information request message to a server based on
3 the code information; and receiving content information from the server in response to the
4 content information request message.

5 18. Defendant infringes claim 1.

6 19. Defendant, at least in internal use and testing, practices a method of providing
7 content (*e.g.*, a web page associated with the defendant) with the use of a code pattern (*e.g.*, a
8 QR code) by a user terminal (*e.g.*, a smartphone), as demonstrated in the following images:
9



10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
WATSON LLP
189 S. Orange Avenue, Suite 810
Orlando, FL 32801
Telephone: 407.377.6634



20. 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).

21. 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.

22. 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:



WATSON LLP
 189 S. Orange Avenue, Suite 810
 Orlando, FL 32801
 Telephone: 407.377.6634

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Claim 8

1
2 31. Through claim 8, the '159 Patent claims a user terminal for providing content
3 with the use of a code pattern, the user terminal comprising: a camera configured to obtain a
4 photographic image of a code pattern; a processor comprising: an image processor configured to
5 process the photographic image of the code pattern to extract the code pattern from the
6 photographic image; and a decoder configured to decode the extracted code pattern into code
7 information; and a transceiver configured to (i) transmit a content information request message
8 to a server based on the code information; and (ii) receive content information from the server in
9 response to the content information request message.

10 32. Defendant infringes claim 8.

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

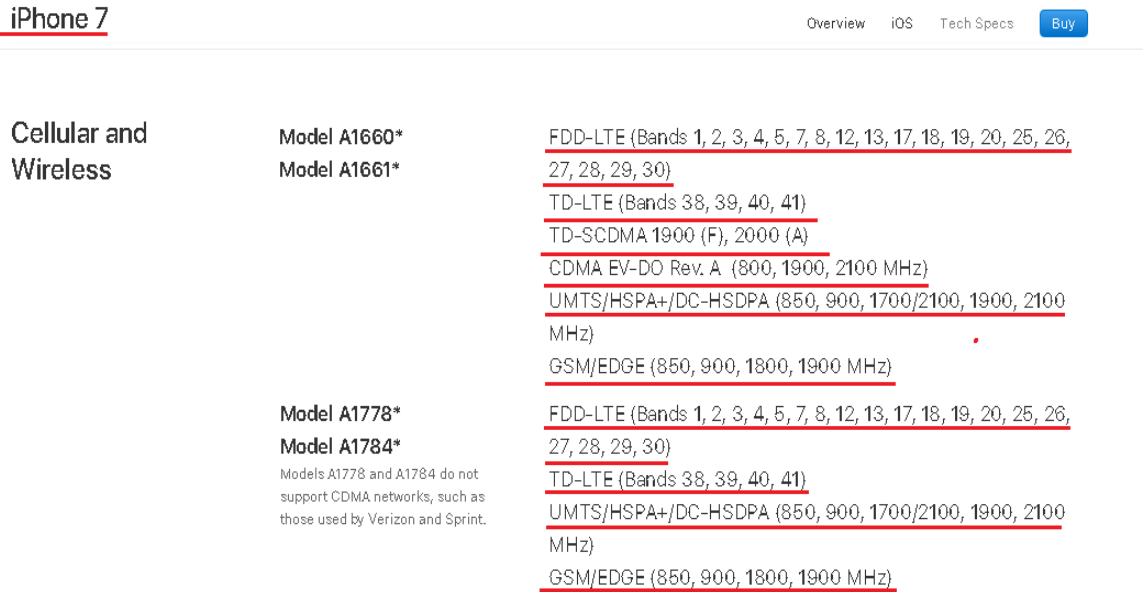
14 34. Defendant uses a user terminal comprising a camera configured to obtain a
15 photographic image of a code pattern (*e.g.*, QR code).

16 35. Defendant uses a user terminal comprising a processor which in turn comprises an
17 image processor configured to process the photographic image of the code pattern (*e.g.*, QR
18 code) to extract the code pattern (*e.g.*, QR code) from the photographic image. Once the
19 photographic image of the QR code is captured by the camera of the smartphone, the
20 photographic image is processed to retrieve the QR code. The retrieved QR code can be viewed
21 on the user interface screen of the smartphone.

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

25 37. Defendant uses a user terminal comprising a transceiver (*e.g.*, FDD- LTE/TDD -
26 LTE/CDMA//EDGE transceiver) which is configured to transmit or receive a content
27 information request message (*e.g.*, http request message for accessing the webpage associated
28 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 or response for accessing a webpage associated with Defendant is sent to Defendant’s server by means of transceiver of the smartphone:



Claim 9

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

39. Defendant infringes claim 9.

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

Claim 10

41. Through claim10, the ‘159 Patent claims the user terminal of claim 8, wherein: the processor is further configured to extract a uniform resource locator (URL) of the server from the code information; and the transceiver is further configured to transmit the content information request message to the server based on the extracted URL.

42. Defendant infringes claim 10.

43. Defendant uses a user terminal (e.g., smartphone) that is configured to extract a uniform resource locator (URL) of the server (e.g., Defendant’s server) from the code

WATSON LLP
 189 S. Orange Avenue, Suite 810
 Orlando, FL 32801
 Telephone: 407.377.6634

1 information (*e.g.*, URL of web page associated with Defendant).

2 44. Defendant uses a user terminal (*e.g.*, smartphone) comprising a transceiver
3 configured to transmit the content information request message (*e.g.*, http request message for
4 accessing the webpage associate with Defendant) to the server (*e.g.*, Defendant’s server) based
5 on the extracted URL.

6 ***Claim 15***

7 45. Through claim 15, the ‘159 Patent claims a non-transitory machine-readable
8 storage medium, having encoded thereon program code, wherein, when the program code is
9 executed by a machine, the machine implements a method for providing content with the use of
10 a code pattern by a user terminal, comprising the steps of: obtaining a photographic image of a
11 code pattern by a camera of the user terminal; processing, by a processor of the user terminal,
12 the photographic image of the code pattern to extract the code pattern from the photographic
13 image; decoding the extracted code pattern by the processor of the user terminal into code
14 information; transmitting a content information request message to a server based on the code
15 information; and receiving content information from the server in response to the content
16 information request message.

17 46. Defendant infringes claim 15.

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

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

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

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

1 59. Defendant's acts of infringement of the '159 Patent have caused and will continue
2 to cause Plaintiff damages for which Plaintiff is entitled to compensation pursuant to 35 U.S.C. §
3 284.

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

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

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

13 **WHEREFORE**, Plaintiff, CODING TECHNOLOGIES, LLC, demands judgment
14 against Defendant, ICONIX ECOM, LLC, and respectfully seeks the entry of an order (i)
15 adjudging that Defendant has infringed the '159 Patent, in violation of 35 U.S.C. § 271; (ii)
16 granting an injunction enjoining Defendant, its employees, agents, officers, directors, attorneys,
17 successors, affiliates, subsidiaries and assigns, and all of those in active concert and participation
18 with any of the foregoing persons or entities from infringing, contributing to the infringement of,
19 or inducing infringement of the '159 Patent; (iii) ordering Defendant to account and pay
20 damages adequate to compensate Plaintiff for Defendant's infringement of the '159 Patent, with
21 pre-judgment and post-judgment interest and costs, pursuant to 35 U.S.C. § 284; (iv) ordering
22 that the damages award be increased up to three times the actual amount assessed, pursuant to 35
23 U.S.C. § 284; (v) declaring this case exceptional and awarding Plaintiff its reasonable attorneys'
24 fees, pursuant to 35 U.S.C. § 285; and, (vi) awarding such other and further relief as this court
25 deems just and proper.

26
27 **DATED** on January 4, 2019
28

1 Respectfully submitted,

2 WATSON LLP

3
4 /s/ Coleman W. Watson

5 **Coleman W. Watson, Esq.**

6 Florida Bar. No. 0087288

7 California Bar No. 266015

8 Georgia Bar No. 317133

9 New York Bar Reg. No. 4850004

10 Email: coleman@watsonllp.com

11 docketing@watsonllp.com

12 **WATSON LLP**

13 189 S. Orange Avenue

14 Suite 810

15 Orlando, FL 32801

16 Telephone: 407.377.6634

17 Facsimile: 407.377.6688

18 *Attorneys for Plaintiff,*

19 *Coding Technologies, LLC*

20
21
22
23
24
25
26
27
28
WATSON LLP
189 S. Orange Avenue, Suite 810
Orlando, FL 32801
Telephone: 407.377.6634