**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

DODOTS LICENSING SOLUTIONS LLC,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 18-cv-98-MN
	)	
	)	**JURY TRIAL DEMANDED**
LENOVO HOLDING CO., INC., LENOVO	)	
(UNITED STATES), INC. and MOTOROLA	)	
MOBILITY LLC,		
Defendants.		

SECOND AMENDED COMPLAINT FOR PATENT INFRINGEMENT

This is an action for patent infringement in which Plaintiff DoDots Licensing Solutions

LLC ("DoDots"), makes the following allegations against Lenovo Holding Co., Inc. ("LHCI")

and Lenovo (United States) Inc. ("Lenovo U.S.A.") (collectively, "Lenovo"), and against

Motorola Mobility LLC ("Motorola"). Plaintiff refers to Lenovo and Motorola collectively

herein as "Defendants":

THE PARTIES

1.   DoDots is a Texas limited liability company with a place of business at 836

Diamond Street, Laguna Beach, California 92651.

2.   Upon information and belief, LHCI is a Delaware corporation having a regular

and established place of business in Morrisville, North Carolina. LHCI may be served with

process through its registered agent for service in Delaware: The Corporation Trust Company,

Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801.

3.   Upon information and belief, Lenovo U.S.A. is a Delaware corporation having a

regular and established place of business in Morrisville, North Carolina. Lenovo U.S.A. may

be served with process through its registered agent for service in Delaware: The Corporation

Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801.

4.   Upon information and belief, Motorola is a Delaware limited liability company

having a regular and established place of business in Chicago, Illinois. Motorola may be served

with process through its registered agent for service in Delaware: The Corporation Trust

Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801.

5.   Upon information and belief, Lenovo and Motorola are affiliates because

Motorola is controlled by, or under common control with, at least LHCI or Lenovo U.S.A.

JURISDICTION AND VENUE

6.   This is an action for patent infringement arising under the patent laws of the

United States, Title 35 of the United States Code.

7.   This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and

1338(a).

8.   This Court has personal jurisdiction over LHCI because, on information and

belief, LHCI resides in this judicial district because LHCI is a corporation organized under the

laws of the State of Delaware and maintains as a registered agent, The Corporation Trust

Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801.

9.   This Court has personal jurisdiction over Lenovo U.S.A. because, on information

and belief, Lenovo U.S.A. resides in this judicial district because Lenovo U.S.A. is a corporation

organized under the laws of the State of Delaware and maintains as a registered agent, The

Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington,

Delaware 19801.

10.   This Court has personal jurisdiction over Motorola because, on information and

belief, Motorola resides in this judicial district because Motorola is a limited liability company

organized under the laws of the State of Delaware and maintains as a registered agent, The

Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington,

Delaware 19801.

11.   This Court further has personal jurisdiction over Defendants because Defendants

have committed, or aided, abetted, contributed, and/or participated in the commission of tortious

acts of patent infringement that has led to foreseeable harm and injury to DoDots in this judicial

district. Upon information and belief, Defendants have derived substantial revenue from their

infringing acts in the State of Delaware and this District, including from its sales of infringing

devices in the United States.

12.   Venue is proper pursuant to 28 U.S.C. §§ 1391 and 1400(b).

THE PATENTS-IN-SUIT

13.   On June 14, 2016, the U.S. Patent and Trademark Office duly and lawfully

issued U.S. Patent No. 9,369,545 (the "'545 Patent"), entitled "Accessing and Displaying

Network Content," naming John Kembel *et al*. as the inventors. The '545 Patent is in force.

DoDots is the lawful owner of all right, title and interest in the '545 Patent and has the right to

sue and to recover for past infringement of the '545 Patent. A copy of the '545 Patent is attached

as Exhibit A.

14.   On September 13, 2011, the U.S. Patent and Trademark Office duly and

lawfully issued U.S. Patent No. 8,020,083 (the "'083 Patent"), entitled "System and Methods for

Creating and Authoring Internet Content Using Application Media Packages," naming John

Kembel *et al*. as the inventors. The '083 Patent is in force. DoDots is the lawful owner of all

right, title and interest in the '083 Patent and has the right to sue and to recover for past

infringement of the '083 Patent. A copy of the '083 Patent is attached as Exhibit B.

15.   On August 13, 2013, the U.S. Patent and Trademark Office duly and lawfully issued U.S. Patent No. 8,510,407 (the "'407 Patent"), entitled "Displaying Time-Varying Internet Based Data Using Application Media," naming John Kembel *et al.* as the inventors. The '407 Patent is in force. DoDots is the lawful owner of all right, title and interest in the '407 Patent and has the right to sue and to recover for past infringement of the '407 Patent. A copy of the '407 Patent is attached as Exhibit C.

BACKGROUND

16.   DoDots, Inc. was a new Silicon Valley technology company founded in 1999 by inventors and twin brothers, John Kembel and George Kembel, along with Tony Medrano when they were all graduate students at Stanford University. In those days, well before the first iPod was released, much less the first smartphone, conventional wisdom revolved around accessing content on the web using Microsoft's Internet Explorer or Netscape Navigator. DoDots, Inc. set out to commercialize a novel and completely unconventional approach to delivering content from the Internet in the form of connected widgets or applications called "Dots" rather than via a web browser.

17.   DoDots, Inc. developed and distributed a system and platform for its businesses and other third parties to develop such widgets or apps and make them available to desktop and mobile devices. At its peak, DoDots, Inc. was a hot Internet startup valued at $275 million. The company listed dozens of customers that had used the technology to distribute their own Dots, including ABC, Edmunds, CNET and Merriam-Webster. A copy of the company's customer listing from its website in 2000 is attached as Exhibit D. The company evangelized the concept of Dots and demonstrated the technology to all who would listen, including at conferences attended by many leading technology companies of today.

18.   With the industry-wide dot com bubble burst, investors withdrew support at a critical stage of its growth, leaving DoDots, Inc. with limited options. DoDots, Inc. was forced to sell its assets, including its valuable patent portfolio, and the portfolio is now owned by the new DoDots entity. The patent portfolio now includes the most-recently issued patent-in-suit, i.e., the '545 Patent, which was issued June 14, 2016. This is the most recent of the 16 issued patents in the portfolio, and claims priority back to 1999. The patented technology paved the way for connected widgets and app ecosystems and is in wide use today. DoDots is in the business of licensing and/or selling its intellectual property to current and potential adopters in the industry.

19.   Defendant Lenovo makes, has made, uses, sells, offers for sale, and/or imports in the United States products and/or systems that infringe the patents-in-suit. For example, without limitation, Lenovo ThinkPad, Yoga, ThinkCentre, IdeaCentre, ideapad, ThinkStation, Legion and Flex computers, including the Lenovo ThinkPad, and Lenovo YogaBook, YogaTab, Tab, Tab 3, Tab 4, ThinkPad Tablet, MIIX, Phab 2 and Phab 2 Pro mobile devices each make extensive use of apps and/or widgets, and infringe the patents-in-suit (collectively, the "Lenovo Accused Devices").

20.   Defendant Motorola makes, has made, uses, sells, offers for sale, and/or imports in the United States products and/or systems that infringe the patents-in-suit. For example, without limitation, Motorola Z, X, G, E and Droid family mobile phones, including the Motorola moto z smartphone each make extensive use of apps and/or widgets, and infringe the patents-in-suit (collectively, the "Motorola Accused Devices").

21.   Defendant Lenovo provides a link to the Motorola Accused Devices from one or more Lenovo-controlled websites. Plaintiff refers to the Lenovo Accused Devices and the Motorola Accused Devices collectively herein as the "Accused Devices."

22.   By way of example, Lenovo's YogaBook infringes Claim 1 of the '545 patent,

which recites the following limitations:

> A computer-implemented method of obtaining content over a network and displaying the
> content to a user, the method being implemented in a client computing device in
> operative communication with a server over a network, the client computing device
> including electronic storage, a display, and one or more processors configured to execute
> one or more computer program modules, the method comprising:
>> transmitting a request to the server over the network, the request requesting
> networked information monitor template;
>> receiving the requested networked information monitor template from the server
> over the internet, the requested networked information monitor template having been
> transmitted from the server over the network responsive to the transmitted request,
> the networked information monitor template comprising:
>> a definition of a viewer graphical user interface within which content in a web
> browser-readable language may be presented on the display of the client computing
> device; and
>> a definition of a first content element for the networked information monitor
> template, the definition of the first content element referencing a first network location
> from which the first content element for the networked information monitor template is
> served over the network;
>> responsive to instructions included in the requested networked information
> monitor template, presenting the viewer graphical user interface defined by the
> networked information monitor on the display of the client computing device separate
> from and outside of any other graphical user interface that includes user controls for
> specifying the first network location from which the first content element for the
> networked information monitor is served over the network;
>> receiving, over the network, the first content element transmitted responsive to the
> first content request;
>> presenting the received the first content element in the viewer graphical user
> interface defined by the networked information monitor template, wherein the definition
> of the viewer graphical user interface and/or the first content element define all controls
> for enabling a user to interact with the first content element through the viewer graphical
> user interface.

23.   Lenovo Yogabook includes various apps including, for example, a stocks

(finance) app, MSN weather app, sports team app, a podcast app and numerous other apps

(collectively, the "Yogabook Apps").

24.   Yogabook, in connection with the use of the Yogabook Apps, performs each step

of the method taught in Claim 1 of the '545 patent:

Yogabook provides a computer-implemented method of obtaining content over a network (such as the internet) and displaying the content to a user, the method being implemented in a client computing device (i.e., the Yogabook) in operative communication with a server over a network (such as the internet), the client computing device (i.e., Yogabook) including electronic storage (such as a hard drive), a display (such as the Yogabook's monitor), and one or more processors (such as the Yogabook's processors) configured to execute one or more computer program modules, the method comprising:

transmitting a request to the server over the network, the request requesting networked information monitor template (such as, for example, the MSN Weather app/widget);

receiving the requested networked information monitor template (such as, for example, the MSN Weather app/widget) from the server over the internet, the requested networked information monitor template having been transmitted from the server over the network responsive to the transmitted request,

the networked information monitor template comprising:

a definition of a viewer graphical user interface within which content (such as weather data) in a web browser-readable language (such as XAML and/or WinJS using a web control plugin, for example, x-ms-webview) may be presented on the display (monitor) of the client computing device (i.e., the Yogabook); and

a definition of a first content element (such as temperature) for the networked information monitor template, the definition of the first content element (such as temperature) referencing a first network location (such as using uniform resource locators)

from which the first content element (such as temperature) for the networked information

monitor template is served over the network;

responsive to instructions included in the requested networked information

monitor template (such as the weather app/widget), presenting the viewer graphical user

interface defined by the networked information monitor on the display (monitor) of the

client computing device (i.e., the Yogabook) separate from and outside of any other

graphical user interface that includes user controls for specifying the first network

location from which the first content element (such as temperature) for the networked

information monitor is served over the network;

receiving, over the network, the first content element (such as temperature)

transmitted responsive to the first content request;

presenting the received the first content element (such as temperature) in the

viewer graphical user interface defined by the networked information monitor template

(such as the weather app/widget), wherein the definition of the viewer graphical user

interface and/or the first content element (such as temperature) define all controls for

enabling a user to interact with the first content element (such as temperature) through the

viewer graphical user interface (such as allowing the user to select location based on GPS

detection or manually).

25.   By way of example, Lenovo's YogaBook also infringes Claim 1 of the '083

patent, which recites the following limitations:

A client device, the client device comprising:
electronic storage having stored thereon a plurality of networked information monitor
templates defining a plurality of networked information monitors, the plurality of networked
information monitor templates comprising a first networked information monitor template
defining a first networked information monitor, wherein the first networked information monitor
template comprises:

(1)   a content reference that comprises a network location at which content for the first networked information is accessible via a TCP/IP protocol;

(2)   a definition of a graphical user interface of the first networked information monitor that lacks controls for manually navigating a network, and that includes a frame within which content received from the network location can be displayed, and frame characteristics defining one or more color, a size, or a position on the electronic display of the frame; and

(3)   instructions configured (i) to cause the first networked information monitor to request content from the network location in the content reference via the TCP/IP protocol, and (ii) to cause the first networked information monitor to generate the graphical user interface of the first networked information monitor with the content received from the network location via the TCP/IP protocol within the frame;

an electronic display; and

one or more processors configured to access the first networked information monitor template such that the graphical user interface of the first networked information monitor is presented to a user on the electronic display having content received from the content reference therein.

26.   For example, Yogabook, in connection with the weather app, satisfies each

limitation of Claim 1 of the '083 patent, as the Yogabook is:

A client device, the client device (i.e., the Yogabook) comprising:

electronic storage (such as a hard drive) having stored thereon a plurality of networked

information monitor templates defining a plurality of networked information monitors,

the plurality of networked information monitor templates comprising a first networked

information monitor template defining a first networked information monitor, wherein

the first networked information monitor template comprises:

a content reference (such as a url) that comprises a network location at which content for

the first networked information (such as temperature data) is accessible via a TCP/IP

protocol;

a definition of a graphical user interface of the first networked information monitor (such

as the graphical user interface of the weather app) that lacks controls for manually

navigating a network, and that includes a frame within which content (such as

temperature data) received from the network location can be displayed, and frame

characteristics defining one or more color, a size, or a position on the electronic display

of the frame; and

instructions configured (i) to cause the first networked information monitor to request

content (such as temperature data) from the network location in the content reference via

the TCP/IP protocol, and (ii) to cause the first networked information monitor to generate

the graphical user interface of the first networked information monitor with the content

(such as temperature data) received from the network location via the TCP/IP protocol

within the frame;

an electronic display (such as the Yogabook's monitor); and

one or more processors configured to access the first networked information monitor

template such that the graphical user interface of the first networked information monitor

is presented to a user on the electronic display having content (such as temperature data)

received from the content reference therein.

27.   By way of additional example, Lenovo's YogaBook also infringes Claim 1 of the

'407 patent, which recites the following limitations:

A client computing device configured to access content over a network, the client
computing device comprising:
electronic storage configured to store networked information monitor template associated
with a networked information monitor, the networked information monitor template having
therein a definition of a viewer graphical interface having a frame within which time-varying
content in a web browser-readable language may be presented on a display associated with the
client computing device, wherein the frame of the viewer graphical user interface lacks controls
for enabling a user to specify a network location at which content for the networked information
monitor is available; and
one or more processors configured to execute one or more computer program modules,
the one or more computer program modules being configured to access the networked
information monitor defined by the networked information monitor template, wherein accessing
the networked information monitor defined by the networked information monitor template
results in:

transmission, over a network to a web server at a network location, of a content request for content to be displayed within the frame of the viewer graphical user interface defined by the networked information monitor template;

reception, over the network from the web server at the network location, of content transmitted from the web server in response to the content request, the content being time-varying;

presentation, on the display, of the viewer graphical user interface defined by the networked information monitor template outside of and separate from any graphical user interface of any other application; and

presentation, on the display within the frame of the viewer graphical user interface defined by the networked information monitor, of the time-varying content received from the web server.

28.   For example, Yogabook, in connection with the weather app, satisfies each

limitation of Claim 1 of the '407 patent, as the Yogabook is:

A client computing device configured to access content over a network (such as the

internet), the client computing device (i.e., the Yogabook) comprising:

electronic storage (such as a hard drive) configured to store networked information

monitor template associated with a networked information monitor, the networked information

monitor template having therein a definition of a viewer graphical interface having a frame

within which time-varying content (such as temperature, which varies over time) in a web

browser-readable language may be presented on a display (monitor) associated with the client

computing device (i.e., the Yogabook), wherein the frame of the viewer graphical user interface

lacks controls for enabling a user to specify a network location (such as a url) at which content

(such as temperature data) for the networked information monitor is available; and

one or more processors configured to execute one or more computer program modules,

the one or more computer program modules being configured to access the networked

information monitor defined by the networked information monitor template, wherein accessing

the networked information monitor defined by the networked information monitor template

results in:

transmission, over a network (such as the internet) to a web server at a network location, of a content request (such as a request for temperature data) for content (such as the temperature data) to be displayed within the frame of the viewer graphical user interface defined by the networked information monitor template;

reception, over the network (such as the internet) from the web server at the network location, of content (such as temperature data) transmitted from the web server in response to the content request (such as the request for temperature data), the content being time-varying (such as temperature, which varies over time);

presentation, on the display (monitor), of the viewer graphical user interface defined by the networked information monitor template outside of and separate from any graphical user interface of any other application (i.e., the viewer graphical user interface of the weather app); and

presentation, on the display (monitor) within the frame of the viewer graphical user interface defined by the networked information monitor (i.e., the viewer graphical user interface of the weather app), of the time-varying content (such as temperature) received from the web server.

29.   As alleged below, Defendants induce infringement of the Patents-in-Suit by their customers, and intend to do so, through their marketing materials, brochures, product manuals, and other materials such as their website, https://www.lenovoappexplorer.com/en_us/, with knowledge of the Patents-in-Suit and their customers' infringement of them. Lenovo actively markets its "Lenovo App Explorer," which it touts at the Lenovo App Explorer website as a "one stop shop to discover, evaluate, choose and install apps." Lenovo also states at that website that Lenovo gives users a selection of the "most popular" apps, which shows that Lenovo not only

knows its customers are using the apps but Lenovo encourages the use by providing the selection of popular apps directly to the customers. For the same reasons that Lenovo knows its own use infringes the patents-in-suit, Lenovo also knows that its customers' use likewise infringes the patents-in-suit. Lenovo has been aware of all three patents-in-suit since at least the filing of the First Amended Complaint in this action, yet continues its own infringing activity as well as its inducement of infringement by its customers. On information and belief, Lenovo in fact has been aware of all three patents-in-suit even before the filing the First Amended Complaint, at least from shortly after the filing of the original Complaint.

COUNT I

INFRINGEMENT OF THE '545 PATENT

30.   Plaintiff realleges and incorporates by reference each of the allegations set forth in Paragraphs 1-29.

31.   DoDots owns by assignment the entire right, title, and interest in the '545 patent and is entitled to sue for past, current and future infringement. A true and correct copy of the '545 patent is attached hereto as Exhibit A. The '545 patent duly and legally issued on June 14, 2016, and is titled "Accessing and Displaying Network Content."

32.   Defendants directly and indirectly infringed one or more claims of the '545 patent in violation of 35 U.S.C. § 271 by, at least, using in the United States Accused Devices that practice and/or are covered by one or more claims of the '545 patent. For example, Defendants' products and/or systems infringe, either directly, indirectly or under the doctrine of equivalents, at least claims 1-2, 9-10, 12 and 13 of the '545 patent.

33.   As a result of Defendants' infringement of the '545 patent, DoDots has suffered damages and will continue to suffer damages.

34.   Defendants' are on notice of the '545 patent and are continuing to infringe.

35.   DoDots has been damaged as a result of Defendants' infringing conduct.

Defedants are therefore liable to DoDots in an amount that adequately compensates DoDots for

Defendants' infringement, which, by law, cannot be less than a reasonable royalty, together with

interest and costs as fixed by this Court under 35 U.S.C. sections 284-285.

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COUNT II

INFRINGEMENT OF THE '083 PATENT

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36.   Plaintiff realleges and incorporates by reference each of the allegations set forth in

Paragraphs 1-35.

37.   DoDots owns by assignment the entire right, title, and interest in the '083 patent

and is entitled to sue for past, current and future infringement. A true and correct copy of the

'083 patent is attached hereto as Exhibit B. The '083 patent duly and legally issued on

September 13, 2011, and is titled "System and Methods for Creating and Authoring Internet

Content Using Application Media Packages."

38.   Defendants directly and indirectly infringed one or more claims of the '083 patent

in violation of 35 U.S.C. § 271 by, at least, making, using, supplying, distributing, importing,

exporting, selling and/or offering for sale in the United States Accused Devices that practice

and/or are covered by one or more claims of the '083 patent. For example, Defendants' products

and/or systems infringe, either directly, indirectly or under the doctrine of equivalents, at least

claim 1 of the '083 patent.

39.   As a result of Defendants' infringement of the '083 patent, DoDots has suffered

damages and will continue to suffer damages.

40.   Defendants' are on notice of the '083 patent and are continuing to infringe.

41.   DoDots has been damaged as a result of Defendants' infringing conduct. Defedants are therefore liable to DoDots in an amount that adequately compensates DoDots for Defendants' infringement, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. sections 284-285.

COUNT III

INFRINGEMENT OF THE '407 PATENT

42.   Plaintiff realleges and incorporates by reference each of the allegations set forth in Paragraphs 1-41.

43.   DoDots owns by assignment the entire right, title, and interest in the '407 patent and is entitled to sue for past, current and future infringement. A true and correct copy of the '407 patent is attached hereto as Exhibit C. The '407 patent duly and legally issued on August 13, 2013, and is titled "Displaying Time-Varying Internet Based Data Using Application Media Packages."

44.   Defendants directly and indirectly infringed one or more claims of the '407 patent in violation of 35 U.S.C. § 271 by, at least, making, using, supplying, distributing, importing, exporting, selling and/or offering for sale in the United States Accused Devices that practice and/or are covered by one or more claims of the '407 patent. For example, Defendants' products and/or systems infringe, either directly, indirectly or under the doctrine of equivalents, at least claim 1 of the '407 patent.

45.   As a result of Defendants' infringement of the '407 patent, DoDots has suffered damages and will continue to suffer damages.

46.   Defendants' are on notice of the '407 patent and are continuing to infringe.

47.   DoDots has been damaged as a result of Defendants' infringing conduct. Defedants are therefore liable to DoDots in an amount that adequately compensates DoDots for

Defendants' infringement, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. sections 284-285.

REQUEST FOR RELIEF

WHEREFORE, DoDots respectfully requests the following relief:

a. A judgment that Defendants have infringed each the patents-in-suit i.e., the '545 Patent, the '083 Patent, and the '407 Patent;

b. An accounting and an award of damages pursuant to 35 U.S.C. section 284 adequate to compensate for Defendants' infringement of DoDots' patents-in-suit, and in no event less than a reasonable royalty for Defendants' acts of infringement, including all pre-judgment and post-judgment interest at the maximum rate permitted by law;

c. That Defendants, its officers, agents, and employees, and those persons acting in active concert or participation with Defendants, and its successors and assigns, be enjoined from further patent infringement;

d. A finding that this is an exceptional case under 35 U.S.C. section 285 entitling DoDots to enhanced damages up to a trebling and an an award of attorneys' fees;

e. That Defendants be ordered to pay all of DoDots' costs associated with this action; and

f. Any other remedy to which DoDots may be entitled.

JURY DEMAND

DoDots hereby respectfully requests a trial by jury of all issues so triable, pursuant to Rule 38, Fed. R. Civ. P.

Dated: January 9, 2019

Respectfully submitted,

FARNAN LLP

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