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3 ADDRESS
4 TELEPHONE:

5 Attorneys for Plaintiff
6 ROTHSCHILD BROADCAST DISTRIBUTION SYSTEMS, LLC, a Texas limited liability
7 corporation

8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**

10 **ROTHSCHILD BROADCAST**
11 **DISTRIBUTION SYSTEMS, LLC,**

12 Plaintiff,

13 v.

14 **D-LINK SYSTEMS, INC.,**

15 Defendant.

PATENT

Case No. _____

ORIGINAL COMPLAINT FOR
PATENT INFRINGEMENT
AGAINST D-LINK SYSTEMS, INC.

DEMAND FOR JURY TRIAL

16 Plaintiff Rothschild Broadcast Distribution Systems, LLC (“Plaintiff” or “RBDS”)
17 files this Original Complaint for Patent Infringement against D-Link Systems, Inc. (“Defendant”
18 or “D-Link”) for infringement of United States Patent No. 8,856,221 (hereinafter “the ‘221
19 Patent”) and would respectfully show the Court as follows:

20 **PARTIES AND JURISDICTION**

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

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

26 3. Plaintiff is a Texas limited liability company with an office at 1400 Preston Road,
27 Suite 400, Plano, Texas 75093.
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1 4. On information and belief, Defendant is a California Corporation with its
2 principal place of business at 17595 Mt. Hermann Street, Fountain Valley, California 92708. On
3 information and belief, D-Link can be served with process by serving its registered agent for
4 service of process in California, Brett Adair, 17595 Mt. Herrmann Street, Fountain Valley,
5 California 92708.

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7 5. On information and belief, this Court has personal jurisdiction over Defendant
8 because Defendant has committed, and continues to commit, acts of infringement in this District,
9 has conducted business in this District, and/or has engaged in continuous and systematic
10 activities in this District.

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

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14 **VENUE**

15 7. Venue is proper in this District pursuant to 28 U.S.C. § 1400(b) because
16 Defendant is deemed to be a resident of this District. Alternatively, acts of infringement are
17 occurring in this District and Defendant has a regular and established place of business in this
18 District.

19 **COUNT I**
20 **(INFRINGEMENT OF UNITED STATES PATENT NO 8,856,221)**

21 8. Plaintiff incorporates paragraphs 1-7 herein by reference.

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

24 10. Plaintiff is the owner by assignment of the '221 Patent with sole rights to enforce
25 the '221 Patent and sue infringers.

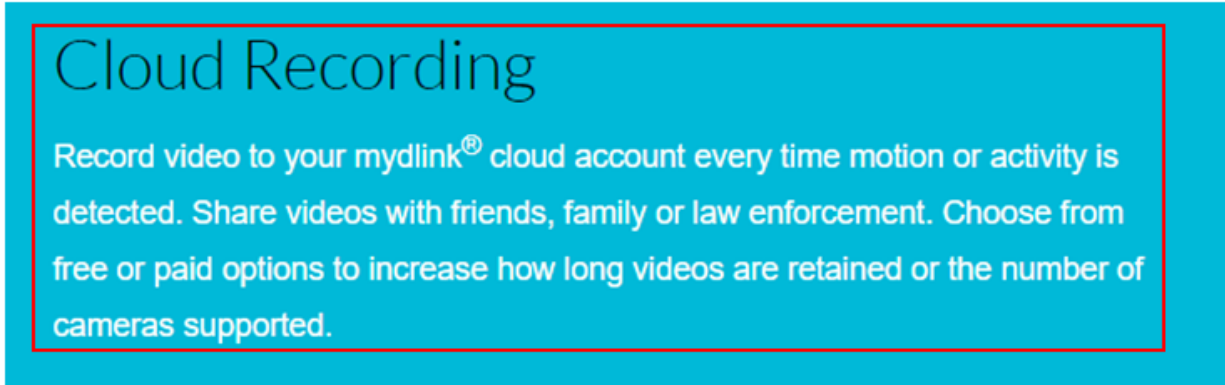
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27 11. A copy of the '221 Patent, titled "System and Method for Storing Broadcast
28 Content in a Cloud-based Computing Environment," is attached hereto as Exhibit A.

1 12. The ‘221 Patent is valid, enforceable, and was duly issued in full compliance with
2 Title 35 of the United States Code.

3 13. Upon information and belief, Defendant has infringed and continues to infringe
4 one or more claims, including at least Claim 1, of the ‘221 Patent by making, using, importing,
5 selling, and/or offering for media content storage and delivery systems and services covered by
6 one or more claims of the ‘221 Patent.
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8 14. Defendant sells, offers to sell, and/or uses media content storage and delivery
9 systems and services, including, without limitation, D-Link cameras together with the mydlink
10 system and app, and any similar products (“Product”), which infringes at least Claim 1 of the
11 ‘221 Patent.

12 15. The Product practices a method of storing (e.g. cloud storage) media content (e.g.
13 live and recorded video) and delivering requested media content (e.g. view live footage and
14 recorded clips) to a consumer device. Certain aspects of these elements are illustrated in the
15 screen shots below and/or in screen shots provided in connection with other allegations herein.
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24 <http://us.dlink.com/mydlink-app/>

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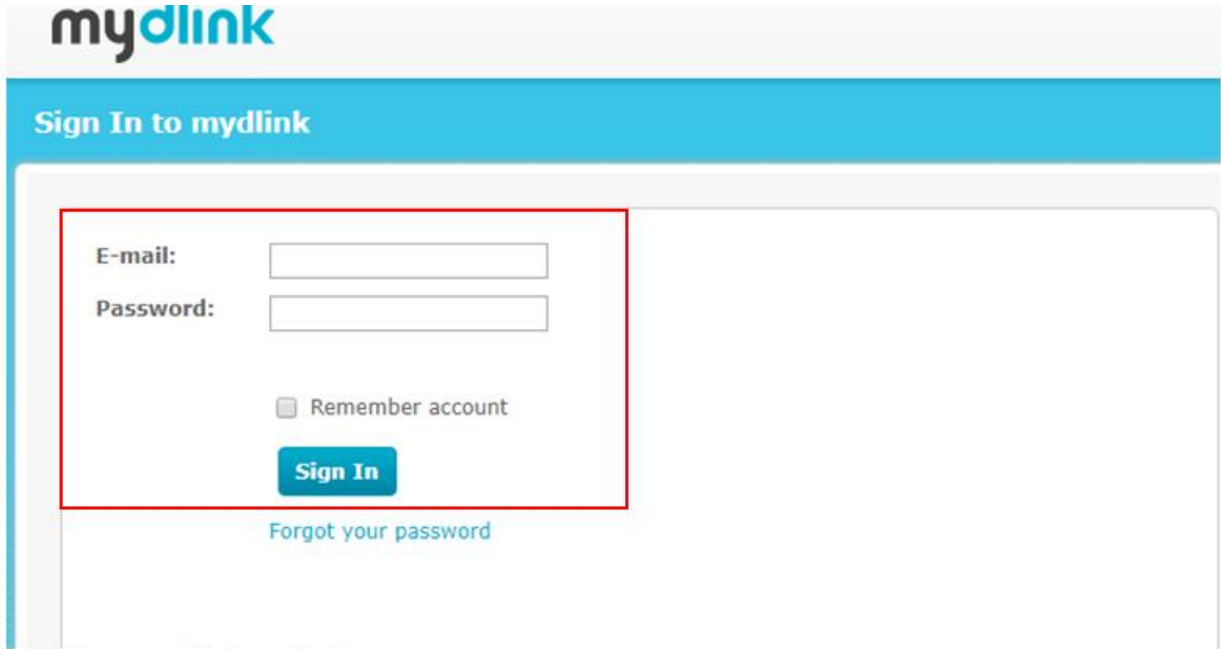
1 Staying in touch with what matters most at home, has never been simpler. With the new mydlink app,
2 smart home control is now Smarter, Simpler, and More Compatible. You can view your home in real-
3 time, be alerted and record video when motion or sound is detected, turn appliances on/off, as well as
4 set schedules and automations to make your life easier. All from the convenience of your smartphone
or tablet.

5 <https://play.google.com/store/apps/details?id=com.dlink.mydlinkunified>

6 16. The Product necessarily includes at least one server for hosting and storing media
7 content for customers. For example, the Product necessarily includes at least one server (e.g.
8 cloud server) to store recorded security videos.

9 17. The at least one server necessarily includes a first receiver configured to receive
10 a request message including data indicating requested media content (e.g., the server must have
11 infrastructure to receive a request to store recorded security videos or to stream recorded video
12 on a smartphone; additionally, the request message must contain data that identifies the video to
13 be stored or streamed) and a consumer device identifier corresponding to a consumer device
14 (e.g., the user credentials are used to tie a smartphone and user account to particular cameras and
15 the videos they produce). The cloud services (including camera view from cloud) can be
16 accessed from web/mobile application (e.g. mydlink) by signing in with correct credentials.
17 Certain aspects of these elements are illustrated in the screen shots below and/or in screen shots
18 provided in connection with other allegations herein.
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<https://www.mydlink.com/login>

Access Control, View and Share

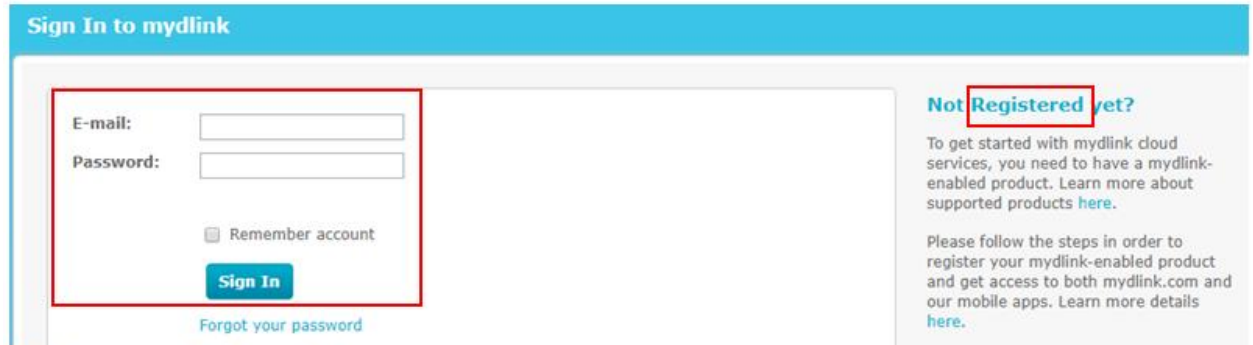
At D-Link we wanted to give our users a simple-to-use and easy-to-understand set of cloud services. So we built mydlink to simply your life. Now the cloud is no longer a confusing and often meaningless word, it lets you view your Cloud Cameras from anywhere, access your Cloud Storage files from mobile devices, and control your network on-the-go with Cloud Router. You can even set up the new mydlink-enabled device effortlessly with easy setup wizard or Zero Configuration. With mydlink, you are finally in charge of your digital life, keeping the things you love connected and keeping them safe.



<https://www.mydlink.com/content/productfamily>

18. The Product necessarily includes a processor to determine whether the consumer device identifier corresponds to the registered consumer device (e.g., the server must authenticate a user’s credentials to ensure that the credentials match those registered with a security camera which the user would like to access). A user must be a registered user to access mydlink cloud services. Certain aspects of these elements are illustrated in the screen shot below and/or in screen shots provided in connection with other allegations herein.

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<https://www.mydlink.com/login>

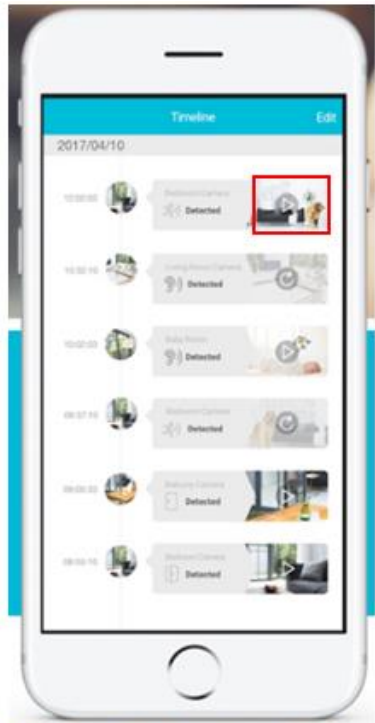
Access Control, View and Share

At D-Link we wanted to give our users a simple-to-use and easy-to-understand set of cloud services. So we built mydlink to simply your life. Now the cloud is no longer a confusing and often meaningless word, it lets you view your Cloud Cameras from anywhere, access your Cloud Storage files from mobile devices, and control your network on-the-go with Cloud Router. You can even set up the new mydlink-enabled device effortlessly with easy setup wizard or Zero Configuration. With mydlink, you are finally in charge of your digital life, keeping the things you love connected and keeping them safe.

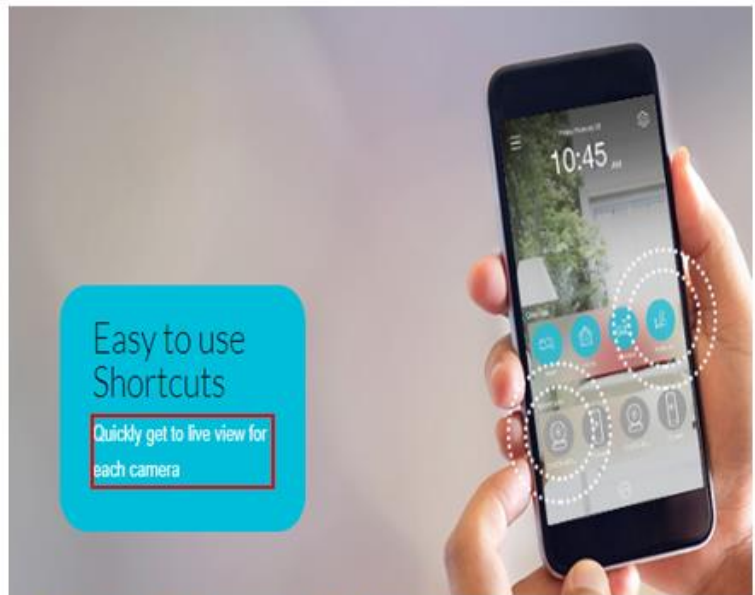


<https://www.mydlink.com/content/productfamily>

19. The Product provides for both media downloads and/or storage, and media streaming. After successful login, a processor within the Product necessarily determines whether the request received from a customer is a request for storage (e.g., recording or storing content) or content (e.g., streaming of media content, live view). Certain aspects of these elements are illustrated in the screen shot below and/or in screen shots provided in connection with other allegations herein.



<http://us.dlink.com/mydlink-app/>



<http://us.dlink.com/mydlink-app/>

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20. The server must verify that the media content (e.g. specific recording from a specific camera) identified in the media data of the storage request message is available for storage in order to prevent data errors that would result from attempting to store content that is not available for storage (e.g. the server must verify that a particular security camera is adequately connected to the internet as to allow for video recording and storage on the cloud; additionally, a user's ability to store video is limited to a certain amount of memory usage based upon their subscription, thus media content may not be available for storage if a user is already above their memory limit or if he hasn't subscribed to any service.). Also, the number of cameras supported is based on the activated subscription pack. A minimum of one camera and maximum of 10 cameras are allowed as per the currently available plans. If you have subscribed to a 3-camera plan then the video recording from the 4th camera will not be saved in the cloud (i.e. unavailable for storage.). A user can also schedule the recording as desired. Only the events happening during the scheduled time will be eligible to be recorded on the clouds storage.

1 Certain aspects of these elements are illustrated in the screen shots below and/or in screen shots
 2 provided in connection with other allegations herein.

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4 **Cloud Recording**

5 Record video to your mydlink® cloud account every time motion or activity is
 6 detected. Share videos with friends, family or law enforcement. Choose from
 7 free or paid options to increase **how long videos are retained or the number of**
 8 **cameras supported.**

9 <http://us.dlink.com/mydlink-app/>

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Cloud Recording Plan	Free	Basic	Premium	Pro
Storage**	1 Day	7 Days	14 Days	30 Days
Number of Cameras	3 Camera	3 Cameras	5 Cameras	10 Cameras
Monthly Fee	Free	\$2.49	\$4.99	\$9.99
Yearly Fee	Free	\$24.99	\$49.99	\$99.99

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16 <http://us.dlink.com/mydlink-app/>

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18 **Schedule and Automate**

19 Schedule times and dates to record to maximize privacy. Create automations
 20 that record and notify based on sound and motion.

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22 <http://us.dlink.com/mydlink-app/>

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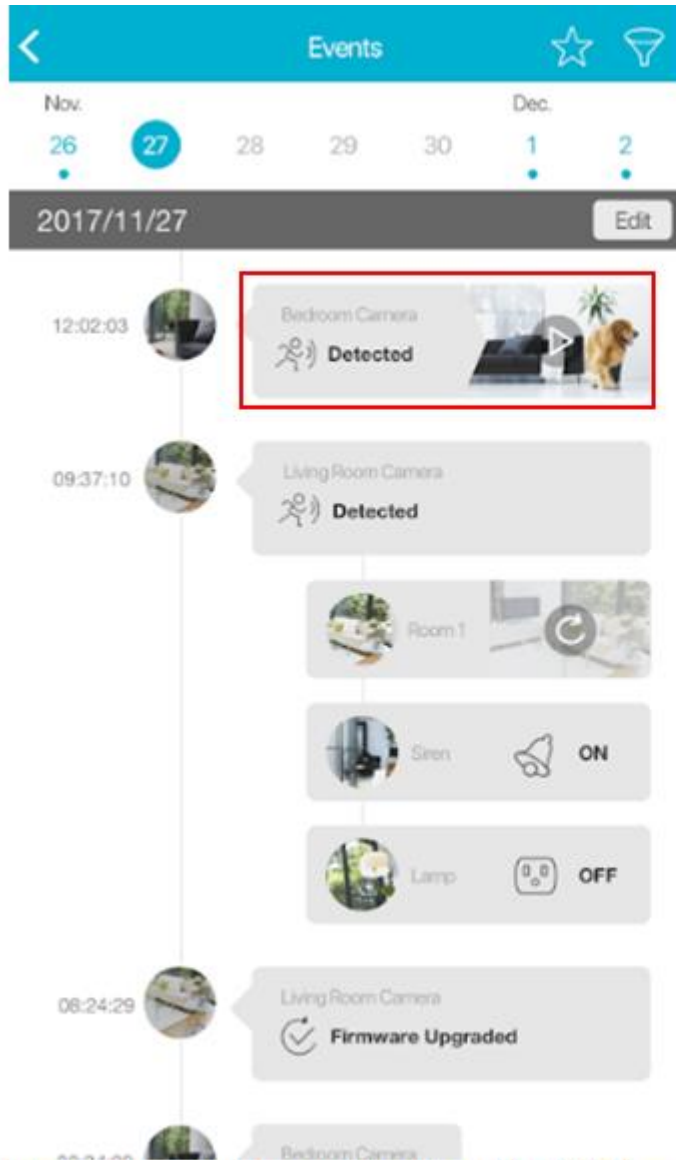
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<https://play.google.com/store/apps/details?id=com.dlink.mydlinkunified>

21. If a customer content (e.g., live streaming of media content), then a processor within the Product necessarily initiates delivery of the content to the customer's device. The server will initiate delivery of the requested media content to the consumer device (e.g. stream live camera feed to a smartphone or tablet or desktop computer) if the request message is a content request message (e.g. request for live streaming).

22. The media data includes time data that indicates a length of time to store the requested media content (e.g. a user is allowed to store videos for maximum of 30 days as based

1 upon their subscription level). Certain aspects of these elements are illustrated in the screen
2 shots provided in connection with other allegations herein.

3 23. The server must first determine whether the requested media content exists prior
4 to initiating delivery in order to prevent data errors that would result from attempting to transmit
5 media content that does not exist (e.g. the server must verify that a particular security camera is
6 adequately connected to the internet as to allow for video recording and streaming). Certain
7 aspects of these elements are illustrated in the screen shots below and/or in screen shots provided
8 in connection with other allegations herein.
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23 https://www.ifixit.com/Wiki/D-Link_HD_Wi-Fi_Camera_Troubleshooting

24 24. After the processor determines whether the requested media content is available,
25 it determines whether there are restrictions associated with the requested media content (e.g.,
26 subscription level etc.).

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

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

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

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7 **JURY DEMAND**

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

10 **PRAYER FOR RELIEF**

11 WHEREFORE, Plaintiff asks the Court to:

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

14 (b) Enter an Order enjoining Defendant, its agents, officers, servants, employees,
15 attorneys, and all persons in active concert or participation with Defendant who receives notice
16 of the order from further infringement of United States Patent No. 8,856,221 (or, in the
17 alternative, awarding Plaintiff a running royalty from the time of judgment going forward);

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

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

21 (e) Award Plaintiff such further relief to which the Court finds Plaintiff entitled under
22 law or equity.
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February 1, 2019

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