

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

SENTIUS INTERNATIONAL, LLC,

Plaintiff,

v.

ZOHO CORPORATION, PVT, LTD,

Defendant.

Civil Action No.

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

This is an action for patent infringement arising under the Patent Laws of the United States of America, 35 U.S.C. § 1 *et seq.* in which Plaintiff Sentius International, LLC (“Sentius” or “Plaintiff”) brings this patent infringement action against Defendant Zoho Corporation, Pvt, Ltd. (“Zoho India”) and alleges as follows:

NATURE OF THE ACTION

1. This is an action for patent infringement which arises under the Patent Laws of the United States, Title 35 United States Code (“U.S.C.”) 35 U.S.C. §§ 1 *et seq.*, including 35 U.S.C. §§ 271, 281, 283, 284, and 285, to prevent Defendant from infringing and profiting without authorization and consent from Sentius by its use of the technology covered by U.S. Patent No. RE43,633 (the “‘633 Patent”, attached hereto as Exhibit “A”) and U.S. Patent No. 7,672,985 (the “‘985 Patent”, attached hereto as Exhibit B”) and to recover damages, attorney’s fees, and costs pursuant thereto.

THE PARTIES

1. Plaintiff Sentius is a limited liability company duly organized and existing under the laws of Virginia with its principal place of business at 8300 Greensboro Drive, Suite 800,

McLean, VA, 22102.

2. On information and belief, Zoho India is an Indian registered limited liability company with its principal place of business located in Estancia IT Park, Vallancherry Village, Chengalpattu Taluk, Kanchipuram District, 603 202 India.

JURISDICTION AND VENUE

3. The Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§1331 and 1338(a) because the action arises under the Patent Laws of the United States, 35 U.S.C. §§ 271 et seq.

4. Court has personal jurisdiction over Defendant because, among other reasons, Defendant has established minimum contacts with the forum state of Delaware.

5. Venue is proper in this District under 28 U.S.C. § 1400(b). Zoho India is a foreign corporation. A substantial part of the infringement alleged in this Complaint has occurred and is occurring in this district, including the marketing, selling, and offering for sale of infringing products.

DEFENDANT'S PRODUCTS

2. The Accused Products include Zoho Docs, Zoho Mail, Zoho Recruit and applications such as Zoho Writer which are made, used, sold or offered for sale within the United States or imported into the United States. The Accused Products infringe at least claims 17, 18, 62, 101 and 146 of the '633 patent and claims 1 and 11 of the '985 patent.

3. The Accused Products include a "red squiggly" spell check feature that determines the beginning position address of text in a document, parses the document text into properly spelled words and misspelled words, determines the starting and ending point address of each misspelled word relative to the beginning position address, records the starting and ending point

addresses of each misspelled word in a look-up table along with a link to at least one suggested spelling for the misspelled word contained in a spell check dictionary, displays an image of the document text, allows a user to select a portion of the displayed document text [corresponding to a misspelled word], determines the display address for the selected portion, converts that display address to an offset value from the beginning position address of the document text, compares the offset value to the starting and ending point addresses recorded in the look-up table to identify the corresponding text string, selects a suggested spelling from the spell check dictionary for that text string, retrieves the suggested spelling from the spell check dictionary, and displays the suggested spelling in a pop-up window near the misspelled word.

4. Upon information and belief, the Accused Products operate on Zoho servers, using spell check dictionaries that represent the latest content of a master term database and are transmitted to the Zoho servers for local use in supplying the suggested spelling corrections.

COUNT ONE

INFRINGEMENT OF THE '633 PATENT

5. On September 4, 2012, the United States Patent and Trademark Office (“USPTO”) duly and legally reissued the ‘633 patent, entitled “System and Method for Linking Streams of Multimedia Data to Reference Material for Display” (the “‘633 Patent.”). A true and correct copy of the ‘633 patent is attached hereto as Exhibit A.

6. Sentius is the owner of the ‘633 patent, having received all right, title and interest in and to the ‘633 patent from the previous assignee of record. Sentius possesses all substantive rights in and to the patent, including the sole and exclusive right to prosecute this action and enforce the ‘633 patent against infringers, and to collect damages for all relevant times.

7. Defendant has infringed at least claims 17, 18, 62, 101 and 146 of the ‘633 patent

by its manufacture, use, sale, importation, and/or offer for sale of Zoho Docs, Zoho Mail and Zoho Recruit web-based software and related applications such as Zoho Writer in the manner described herein and by encouraging others to use, offer for sale or sell such products in the United States or from within the United States. Defendant Zoho India is liable for its infringement of the '633 patent pursuant to 35 U.S.C. § 271.

8. For example, claim 17 covers “A system for linking textual source material to external reference material for display.” On information and belief, Defendant’s Zoho Docs, Zoho Mail and Zoho Recruit software includes Zoho Writer spell-check and other proofreading features automatic correction features which link textual source material to external reference material and has performed it using a method of storing pointers in look-up table entries for the starting and ending position addresses for misspelled words or grammatically incorrect words. For example, the pointers link the misspelled words to the spell check dictionary which is an external reference material having correctly spelled replacements for the misspelled words. For example, the misspelled words are identified by highlighting with a red squiggly underline.

9. Claim 17 then recites “means for determining a beginning position address of textual source material stored in an electronic database.” On information and belief, Zoho Docs, Zoho Mail and Zoho Recruit offer a document editor which assigns a zero position address to the first character of the document text. For example, the document editor is equipped with a parser which identifies the text as discrete character strings.

10. Claim 17 then recites “means for cutting the textual source material into a plurality of discrete pieces.” On information and belief, when the document editor such as provided by the aforementioned application is opened, the parser parses the document to cut the text into individual words and phrases. These words or phrases are identified as discrete character strings.

11. Claim 17 then recites “means for determining starting point addresses and an ending point addresses of the plurality of discrete pieces based upon the beginning position address.” On information and belief, when the document editor such as provided by the Zoho Writer application is opened, the parser, for example, identifies the beginning and ending character position offsets for the misspelled words relative to the beginning position address of the potential misspelled word.

12. Claim 17 then recites “means for recording in a look-up table the starting and ending point addresses.” On information and belief, Zoho Docs, Zoho Mail and Zoho Recruit software maintain a look-up table storing the beginning and ending character offsets relative to the beginning position address of the potential misspelled word. The misspelled word is highlighted by a red squiggly underline.

13. Claim 17 then recites “means for linking the plurality of discrete pieces to external reference materials by recording in the look-up table, along with the starting and ending point addresses of the plurality of discrete pieces, links to the external reference materials, the external reference materials comprising any of textual, audio, video, and picture information”. On information and belief, Zoho Docs, Zoho Mail and Zoho Recruit software maintain a look-up table storing the beginning and ending character offsets relative to the beginning position address of the potential misspelled word. The misspelled word is highlighted by a red squiggly underline. On information and belief, the , Zoho Docs, Zoho Mail and Zoho Recruit software systems maintain a spell check dictionary having lexicon of recognized words and phrases. When the document editor such as provided by the Zoho Writer application is opened, the text is parsed and cut into discrete character strings including the misspelled words as explained above. The look up table also stores a link to the correctly spelled replacement word in the spell check

dictionary. Therefore, the systems use the link to the spell check dictionary to access, retrieve and display content therefrom for any given misspelled word. The spell check feature thereby links a misspelled word in a document file to the suggested spellings for that word from the corresponding language spell check dictionary.

14. Claim 17 then recites “means for selecting a discrete portion of an image of the source material”. On information and belief, Zoho Docs, Zoho Mail and Zoho Recruit software through a touch interface offer the user the option to click on the highlighted red squiggled misspelled word on the opened document editor such as provided by the Zoho Writer application. On information and belief, the identified input location is then converted by the software to the character position address.

15. Claim 17 then recites “means for determining a display address of the selected discrete portion”. On information and belief, the touch interface offers the user the option to click on the highlighted red squiggled word on the opened document editor such as provided by the Zoho Writer application. On information and belief, software instructions identify the horizontal and vertical coordinates of the display location where the user’s touch input was received so that it can determine the corresponding document position of the user’s input. On information and belief, these instructions include the use of a user interface and pointing device programmed to perform this function.

16. Claim 17 then recites “means for converting the display address of the selected discrete portion to an offset value from the beginning position address.” On information and belief, software instructions identify the character position offset value from the beginning position address corresponding to the horizontal and vertical coordinates of the display location where the user’s touch input was received.

17. Claim 17 then recites “means for comparing the offset value with the starting and ending point addresses recorded in the look-up table to identify one of the plurality of discrete pieces.” On information and belief, as explained above, Zoho Docs, Zoho Mail and Zoho Recruit software instructions can identify the character position offset value from the beginning position address corresponding to the horizontal and vertical coordinates of the display location where the user’s touch input was received. The software determines if the identified character position is present in the look-up table and if present, identifying the corresponding entry.

18. Claim 17 then recites “means for selecting one of the external reference materials corresponding to the identified one of the plurality of discrete pieces.” On information and belief, Zoho Docs, Zoho Mail and Zoho Recruit software through, among other applications and features such as the Zoho Writer application offer a document editor which is programmed to resolve the pointer for the corresponding entry to identify one or more corresponding character strings from a spell check dictionary for that entry’s character string. On information and belief, for example, Zoho Docs include a set of software instructions that retrieves and temporarily stores in a buffer the identified lexicon words from the spell check dictionary for that character string.

19. Claim 17 then recites “means for displaying on a computer the selected one of the one of the external reference materials.” On information and belief, as explained above, software instructions identify the character position offset value from the beginning position address corresponding to the horizontal and vertical coordinates of the display location where the user’s touch input was received. The identified correctly spelled lexicon words present in the look-up table is retrieved and temporarily stored in a buffer from the spell check dictionary for that character string. The character string is passed from the buffer to the document editor to display them on a display as suggested corrections for that character string.

20. Claim 18 depends from independent claim 17, and covers “The system of claim 17, wherein the means for linking links the plurality of discrete pieces to external reference materials on a word-by-word or phrase-by-phrase basis.” On information and belief, Zoho Docs, Zoho Mail and Zoho Recruit software maintain an entry in the look-up table having a corresponding pointer which links that entry to the specific suggested correct spellings for that entry’s corresponding character string. In other words, each misspelled word whose position is recorded in the look-up table is linked to spelling suggestions for that particular word.

21. The Accused Products infringe at least claims 17, 18, 62, 101 and 146 of the ‘633 patent.

22. In violation of 35 U.S.C. § 271, Defendant is now, and has been directly infringing the ‘633 patent.

23. Defendant has had knowledge of infringement of the ‘633 patent by at least on or about October 6, 2015.

24. Defendant has infringed at least claims 17, 18, 62, 101 and 146 of the ‘633 patent by making, using, importing, offering for sale, and/or selling the Accused Products without authority in the United States, and will continue to do so unless enjoined by this Court. As a direct and proximate result of Defendant’s direct and indirect infringement of the ‘633 patent, Plaintiff has been and continues to be damaged.

25. By engaging in the conduct described herein, Defendant has injured Sentius and is thus liable for infringement of the ‘633 patent, pursuant to 35 U.S.C. § 271.

26. Defendant is also responsible for any infringing acts of its users, because it directs and/or controls the user’s performance of those actions. On information and belief, Defendant makes the benefits of its spell check functionality conditioned on the user’s performance of any

steps that involve the user and establish the manner or timing of that performance through its design of the accused product's operation.

27. Defendant has committed these acts of infringement without license or authorization.

28. As a result of Defendant's infringement of the '633 patent, Sentius has suffered monetary damages and is entitled to a monetary judgment in an amount adequate to compensate for their past infringement, together with interests and costs.

29. Sentius and/or its predecessors-in-interest have satisfied all statutory obligations required to collect pre-filing damages for the full period allowed by law, including, but not limited to, 35 U.S.C. have.

COUNT TWO

INFRINGEMENT OF THE '985 PATENT

30. On March 2, 2010, the United States Patent and Trademark Office duly and legally issued the '985 Patent, entitled "Automated Creation and Delivery of Database Content" (the "'985 Patent"). A true and correct copy of the '985 Patent is attached hereto as Exhibit B.

31. Sentius is the owner of the '985 patent, having received all right, title and interest in and to the '985 Patent from the previous assignee of record. Sentius possesses all substantive rights in and to the patent, including the sole and exclusive right to prosecute this action and enforce the '985 Patent against infringers, and to collect damages for all relevant times.

32. Defendant has infringed at least Claims 1 and 11 of the '985 Patent by its manufacture, use, sale, importation, and/or offer for sale of a system that comprises Zoho servers, a Zoho master dictionary database, syndicated versions of that master dictionary database in the form of spell check dictionaries, and Zoho Docs, Zoho Mail and Zoho Recruit software and

applications such as Zoho Writer in the manner described herein. Defendant Zoho India is liable for its infringement of the '985 Patent pursuant to 35 U.S.C. § 271.

33. For example, Claim 1 recites “syndicating one or more data objects associated with a term database to one or more remote computers, wherein the one or more data objects contain data associated with one or more terms.” On information and belief, the Zoho system includes a master spell check database and Zoho Docs, Zoho Mail, and Zoho Recruit programs contain a spell check feature that uses spell check dictionary files containing data objects that include lexicon words and logic that associates the lexicon words with character strings that are not in the lexicon. The spell check dictionary is syndicated as a data object reflecting the latest content of term database for “hot” use by these programs. More particularly, whenever any of these programs is running, the programs have locally available a spell check dictionary that was transmitted to the computer on which they are running for the programs’ immediate use.

34. Claim 1 also recites “parsing one or more documents to identify at least one term based on at least one rule.” On information and belief, the programs contain a spell check feature that includes a set of software instructions (“a parsing engine”) that parse a document using one or more grammar/parsing rules to identify the character strings and the starting and ending offset positions of the words contained therein. The parsing engine passes each of the parsed character strings to the spell check engine, which compares each received character string with the lexicon of known words in the spell check dictionary for that word or document’s language. If the spell check engine determines that the character string does not match the character string of any lexicon word, the spell check functionality identifies it as a potentially misspelled word and renders a red-squiggly underline beneath the misspelled word.

35. Claim 1 recites “identifying content for the at least one term.” On information

and belief, the spell check dictionary in the Zoho programs include suggested spellings (i.e., character strings in the lexicon) that have been identified for various input character strings (e.g., “the” for “th”). Moreover, when a user indicates that he or she desires to see the suggested spellings for a given misspelled word, such as by right clicking on the word, the accused spell check functionality determines the character string of the user indicated word and passes that character string to identify character strings in the lexicon of the spell check dictionary as suggested replacements for the character string of the user indicated word.

36. Claim 1 recites “associating the at least one term with the identified content.” On information and belief, the Zoho programs associate the character string of a word identified as misspelled to the character string(s) of one or more suggested spellings in at least two ways. First, the character string is linked to the suggested spellings (alternative character strings) for that particular character string from the spell check dictionary. Second, the accused spell check system accesses, retrieves and displays the suggested spellings in a pop-up window next to the misspelled word, thereby associating the identified spellings for the word with the misspelled word.

37. Claim 1 then recites “wherein the one or more data objects associated with the term database provide a representation of at least a portion of the term database at the one or more remote computers and are used to link the identified content with the at least one term.” On information and belief, the spell check dictionary used by the Zoho programs is a data representation of the lexicon maintained in the term database for the given dictionary’s language and is used to link misspelled words in a document to their suggested spellings.

38. With regard to claim 11, the accused Zoho system includes a system of servers that run the accused Products using distributed data objects in the form of spell check dictionaries that represent the content of master spell check databases.

39. Also with regard to claim 11, on information and belief, the accused Zoho system incorporates a parser that identifies words in a document based upon rules (such as whether there is white space ahead of and behind the character string or whether it matches a character string in the lexicon of the spell check dictionary) and a spell check module that identifies misspelled words in the document based upon other rules (such as whether the character string of the word does not match a word in the lexicon of the spell check dictionary) thereby constituting a system that includes “a term module for parsing one or more documents to identify at least one term based on at least one rule.”

40. Also with regard to claim 11, on information and belief, the accused Zoho system incorporates logic having one or more words that may be identified as suggested corrections for a given character string (if any) and thereby includes “a processing module for identifying content for the at least one term.”

41. Also with regard to claim 11, on information and belief, the accused Zoho system incorporates a master spell check database that stores the identified spelling suggests associated with given character strings which constitutes i“a term database for storing the identified content in association with the at least one term.”

42. Also with regard to claim 11, on information and belief, the accused Zoho system includes one more spell check dictionaries that are transmitted to computers running the Accused Products and used by such Accused Product to link misspelled words in a document to the suggested spelling corrections (substitute character strings) associated therewith identified in the spell check dictionary so they may be displayed thereby meeting the requirement of “wherein one or more data objects associated with the term database are syndicated to one or more remote computers for providing a representation of at least a portion of the term database at the one or

more remote computers and for linking the identified content with the at least one term, wherein the one or more data objects contain data associated with one or more terms.”

43. On information and belief, the aforementioned accused Zoho system infringes at least Claims 1 and 11 the ‘985 Patent.

44. In violation of 35 U.S.C. § 271, Defendant is now, and has been directly infringing the ‘985 Patent.

45. Defendant has had knowledge of infringement of the ‘985 Patent by at last on or about August 20, 2018.

46. Defendant has infringed at least claims 1 and 11 of the ‘985 patent by making, using, importing, offering for sale, and/or selling the Accused Products without authority in the United States, and will continue to do so unless enjoined by this Court. As a direct and proximate result of Defendant’s direct and indirect infringement of the ‘985 patent, Plaintiff has been and continues to be damaged.

47. By engaging in the conduct described herein, Defendant has injured Sentius and is thus liable for infringement of the ‘985 patent, pursuant to 35 U.S.C. § 271.

48. Defendant is also responsible for any infringing acts of its users, because it directs and/or controls the user’s performance of those actions. On information and belief, Defendant makes the benefits of its spell check functionality conditioned on the user’s performance of any steps that involve the user and establishes the manner or timing of that performance through its design of the accused product’s operation.

49. Defendant has committed these acts of infringement without license or authorization.

50. As a result of Defendant’s infringement of the ‘985 patent, Sentius has suffered

monetary damages and is entitled to a monetary judgment in an amount adequate to compensate for their past infringement, together with interests and costs.

51. Sentius and/or its predecessors-in-interest have satisfied all statutory obligations required to collect pre-filing damages for the full period allowed by law, including, but not limited to, 35 U.S.C. § 287.

DEMAND FOR JURY TRIAL

Sentius requests a trial by jury of any and all causes of action.

PRAYER FOR RELIEF

WHEREFORE, Sentius prays for the following relief:

- a. That Defendant be adjudged to have directly infringed the '633 Patent and the '985 Patent either literally or under the doctrine of equivalents;
- b. That Defendant, its officers, directors, agents, servants, employees, attorneys, affiliates, divisions, branches, parents, and those persons in active concert or participation with any of them, be permanently restrained and enjoined from infringing the '985 patent;
- c. An award of damages pursuant to 35 U.S.C. §284 sufficient to compensate Sentius for the Defendant's past infringement of the patents-in-suit including compensatory damages;
- d. An assessment of pre-judgment and post-judgment interest and costs against Defendant, together with an award of such interest and costs, in accordance with 35 U.S.C. §284; and
- e. That Sentius have such other and further relief as this Court may deem just and proper.

Dated: February 26, 2019

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Respectfully submitted,

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