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9 SMART AUTHENTICATION IP, LLC)
10 Plaintiff,) Civil Action No. 3:19-cv-1994
11 v.) **COMPLAINT FOR**
12 ELECTRONIC ARTS INC.) **PATENT INFRINGEMENT**
13 Defendant.) **JURY TRIAL DEMANDED**
14)

15 For its Complaint, Smart Authentication IP, LLC ("SAIP"), by and through the
16 undersigned counsel, alleges as follows:

17 **THE PARTIES**

18 1. SAIP is a Texas limited liability company with a place of business located at 1400
19 Preston Road, Suite 400 Plano, Texas 75093.

20 2. Defendant Electronic Arts Inc. is a Delaware company with, upon information
21 and belief, a place of business located at 209 Redwood Shores Parkway, Redwood City,
22 California 94065.

23 **JURISDICTION AND VENUE**

24 3. This action arises under the Patent Act, 35 U.S.C. § 1 *et seq.*

25 4. Subject matter jurisdiction is proper in this Court under 28 U.S.C.
26 §§ 1331 and 1338.

27 5. Upon information and belief, Defendant conducts substantial business in this

1 forum, directly or through intermediaries, including: (i) at least a portion of the infringements
2 alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses
3 of conduct and/or deriving substantial revenue from goods and services provided to individuals
4 in this district.

5 6. Venue is proper in this district pursuant to 28 U.S.C. § 1400(b).

6 **BACKGROUND**

7 7. On December 20, 2011, U.S. Patent No. 8,082,213 (the "'213 patent"), entitled
8 "Method and System for Personalized Online Security," was duly and lawfully issued by the
9 U.S. Patent and Trademark Office. A true and correct copy of the '213 patent is attached hereto
10 as Exhibit A.

11 8. SAIP is the assignee and owner of the right, title and interest in and to the '213
12 patent, including the right to assert all causes of action arising under said patent and the right to
13 any remedies for infringement of it.

14 9. The inventions of the '213 patent generally relate to methods and systems for
15 multi-factor authentication of users over multiple communications mediums.

16 10. The '213 patent discloses an Authentication Service Provider ("ASP"), which "is
17 generally implemented above a software and hardware platform or platforms . . . that include
18 operating systems, lower-level applications, and computer-server hardware." Ex. A at col. 4, ll.
19 13-16. "In many embodiments, the ASP . . . is a software implemented service that runs on one
20 or more computer systems interconnected by various communications media with both ASP
21 clients and users." *Id.* at col. 2, ll. 47-50. In certain embodiments, the "ASP may interact with
22 the user via two different communications media, such as a combination of the Internet and a cell
23 phone." *Id.* at col. 3, ll. 23-25.

24 11. In another example of disclosed embodiments, "[t]he [] third interface 208 allows
25 the ASP to interface with user devices through alternative communications media, such as a cell
26 phone, fax machine, telephone, or other communications devices. The third interface 208 allows
27 the ASP to interface with virtually any network enabled resource through an appropriate

1 medium, including both physical devices such as a cell phone, fax machine, telephone, or other
2 communications devices, and also soft devices, such as an instant messaging account, or an
3 email account." *Id.* at col. 3, ll. 37-46.

4 12. As one example of the asserted claim, the '213 patent recites a novel method of
5 providing a user-authentication policy that specifies constraints associated with user-
6 authentication processes carried out by the user authentication service. The constraints include
7 different user-authentication service actions, such as 1) halting authorization service after
8 detecting a specified event; 2) employing particular types of user-authentication procedures; or
9 3) providing alerts upon detecting specified events.

10 13. Defendant's products and services use two-factor authentication over multiple
11 communications mediums by first requiring the user to enter a username (e.g., e-mail address)
12 and password through the Internet via a browser, mobile, or desktop app, and then by requiring
13 the user to verify his or her identity by entering a one-time code received by means of text
14 message (SMS), voice call, or e-mail.

15 14. During the two-factor authentication process, Defendant also uses the
16 electronically- encoded information about the user to retrieve all authentication-related policies
17 for that user. For example, the user may set up several methods of receiving the one-time
18 verification code. Once the authentication-related policies are retrieved, Defendant conducts the
19 authentication procedure and returns the authentication results.

20 **COUNT I – INFRINGEMENT OF U.S. PATENT NO. 8,082,213**

21 15. SAIP repeats and realleges the allegations of paragraphs 1 through 14 as if fully
22 set forth herein.

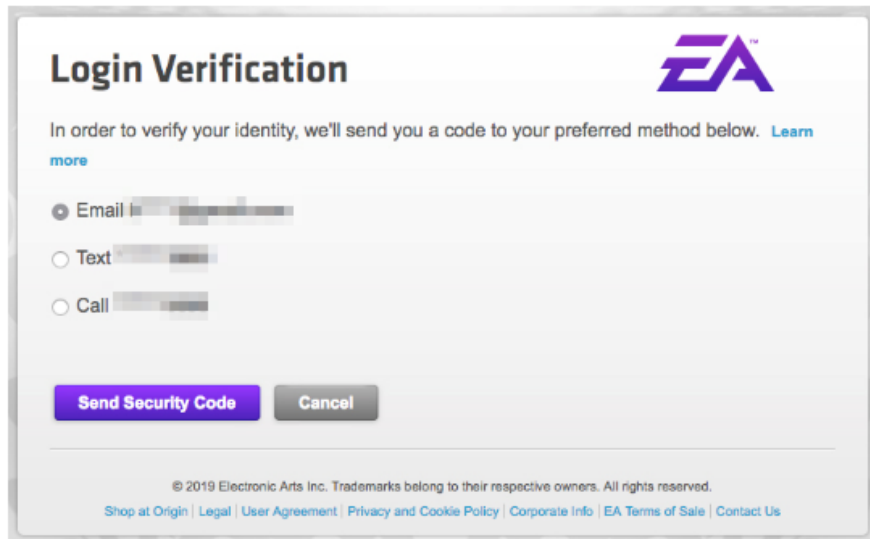
23 16. Without license or authorization and in violation of 35 U.S.C. § 271(a), Defendant
24 is liable for infringement of claim 11 of the '213 patent by making, using, importing, offering for
25 sale, selling and/or hosting a method for authenticating a user that requires two-factor
26 authentication, including, but not limited to Login Verification, because each and every element
27 is met either literally or equivalently.

1 17. More specifically and upon information and belief, Defendant provides a two-
2 factor authentication service for its users via email, phone call, or text message.

3 **HOW DOES LOGIN VERIFICATION WORK?**

4
5 We'll ask you for a verification code when you try to log in to some EA games and
6 services. We will also ask for one when you try to change your account info.

7 You can choose to have this code sent to you by email, text, call, or the app
8 authenticator. Set up more than one method of getting codes so you can have the
9 option of how to get them each time you log in.



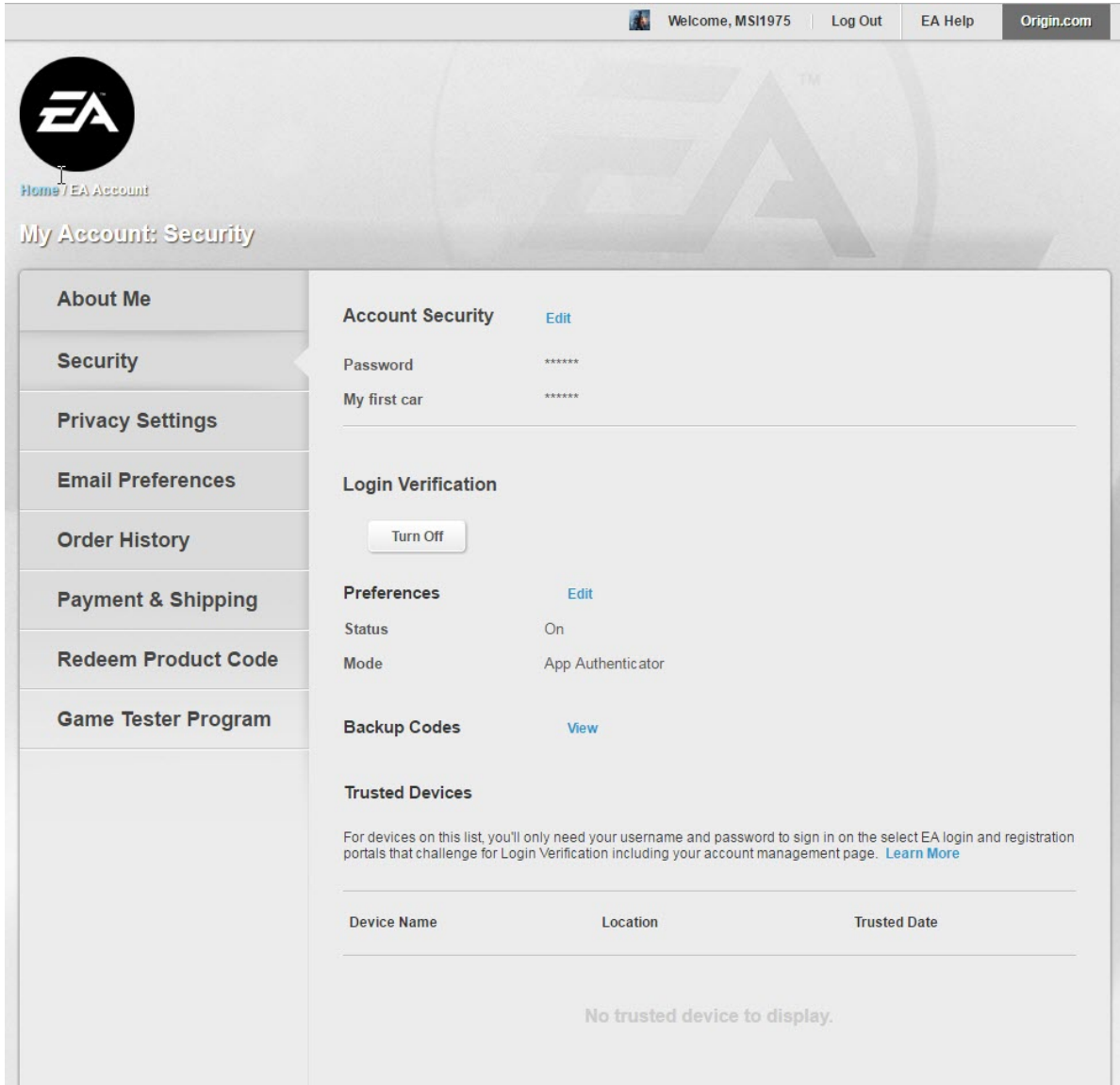
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18 We use this code, along with your password, to check that it's you when you try to
19 access your account from a new or unrecognized device. If you do not have both your
20 password and your code, you can't log in.

21 <https://help.ea.com/en-us/help/account/origin-login-verification-information/>.

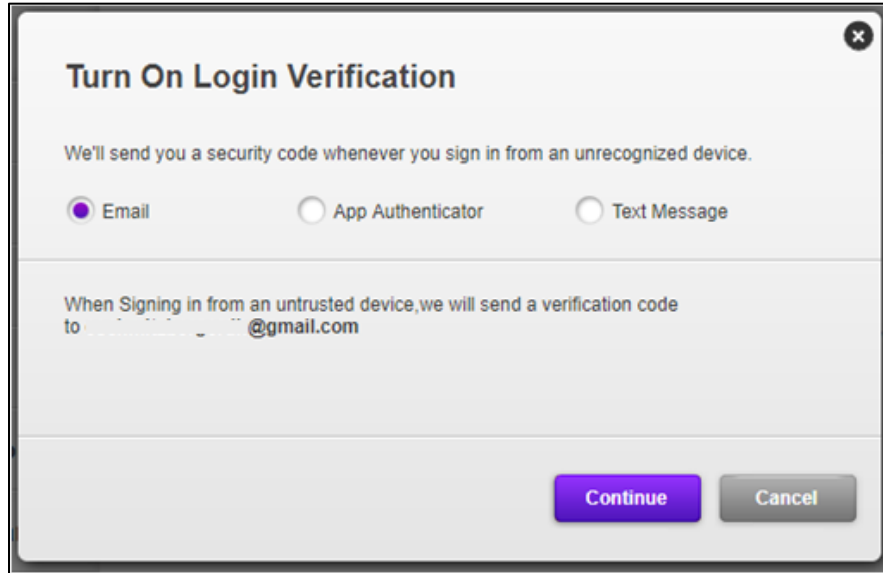
22 18. Defendant's two-factor authentication runs on one or more computer systems
23 (e.g., a server with authentication functionality).

1 verification is turned on or off, whether to use email or text for verification, applicable phone
2 number and email, etc.).

3 20.



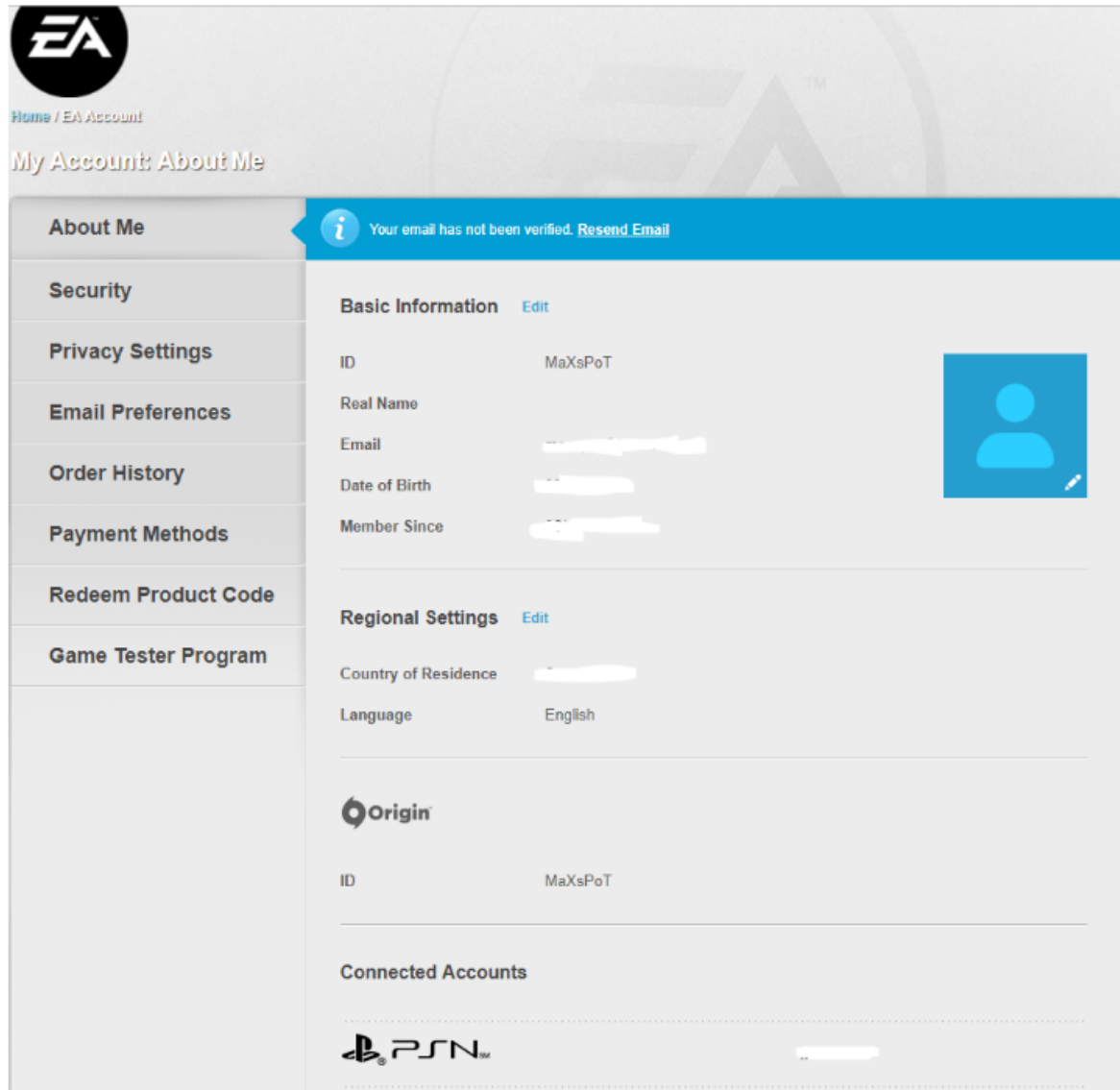
22 https://answers.ea.com/ea/attachments/ea/origin-access-en/2971/1/2017-05-12_13-07-30.jpg



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<https://help.ea.com/en-us/help/account/origin-login-verification-information/>.

21. Defendant stores user information (e.g., email, phone number, etc.).



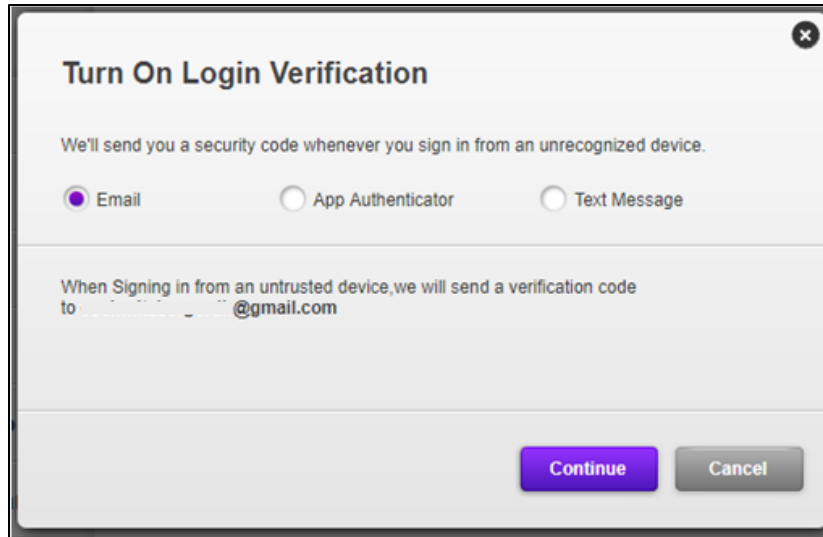
19 [https://www.neogaf.com/threads/locked-out-of-psn-permanently-because-i-used-a-fake-birthday-](https://www.neogaf.com/threads/locked-out-of-psn-permanently-because-i-used-a-fake-birthday-10-years-ago.1437690/)
20 [10-years-ago.1437690/](https://www.neogaf.com/threads/locked-out-of-psn-permanently-because-i-used-a-fake-birthday-10-years-ago.1437690/).

21 22. Defendant's two-factor authentication comprises account interface routines where
22 a user can specify, modify, add, and delete a user-authentication policy (e.g., specifying email or
23 text verification, modifying email address or phone number, and turning verification on and off).

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The screenshot shows the EA Origin account management interface. At the top, there is a navigation bar with a user profile icon, the text "Welcome, MSI1975", and links for "Log Out", "EA Help", and "Origin.com". Below this is the EA logo and a "Home / EA Account" link. The main heading is "My Account: Security". A left-hand sidebar contains menu items: "About Me", "Security" (which is highlighted), "Privacy Settings", "Email Preferences", "Order History", "Payment & Shipping", "Redeem Product Code", and "Game Tester Program". The main content area is titled "Account Security" with an "Edit" link. It contains several sections: "Password" and "My first car" (both masked with asterisks); "Login Verification" with a "Turn Off" button; "Preferences" with an "Edit" link, showing "Status" as "On" and "Mode" as "App Authenticator"; "Backup Codes" with a "View" link; and "Trusted Devices". The "Trusted Devices" section includes a descriptive paragraph and a table with columns for "Device Name", "Location", and "Trusted Date". The table is currently empty, with the text "No trusted device to display." centered below it.

https://answers.ea.com/ea/attachments/ea/origin-access-en/2971/1/2017-05-12_13-07-30.jpg



10 <https://help.ea.com/en-us/help/account/origin-login-verification-information/>.

11 23. Defendant implements an authentication interface (e.g., API, network-protocol
12 based interface, and/or function call interface) by which, following initiation of a transaction by
13 the user (e.g., a login attempt), the authentication-service client (e.g., Defendant's website)
14 submits an authentication request to Defendant's authentication service.

15 HOW DOES LOGIN VERIFICATION WORK?

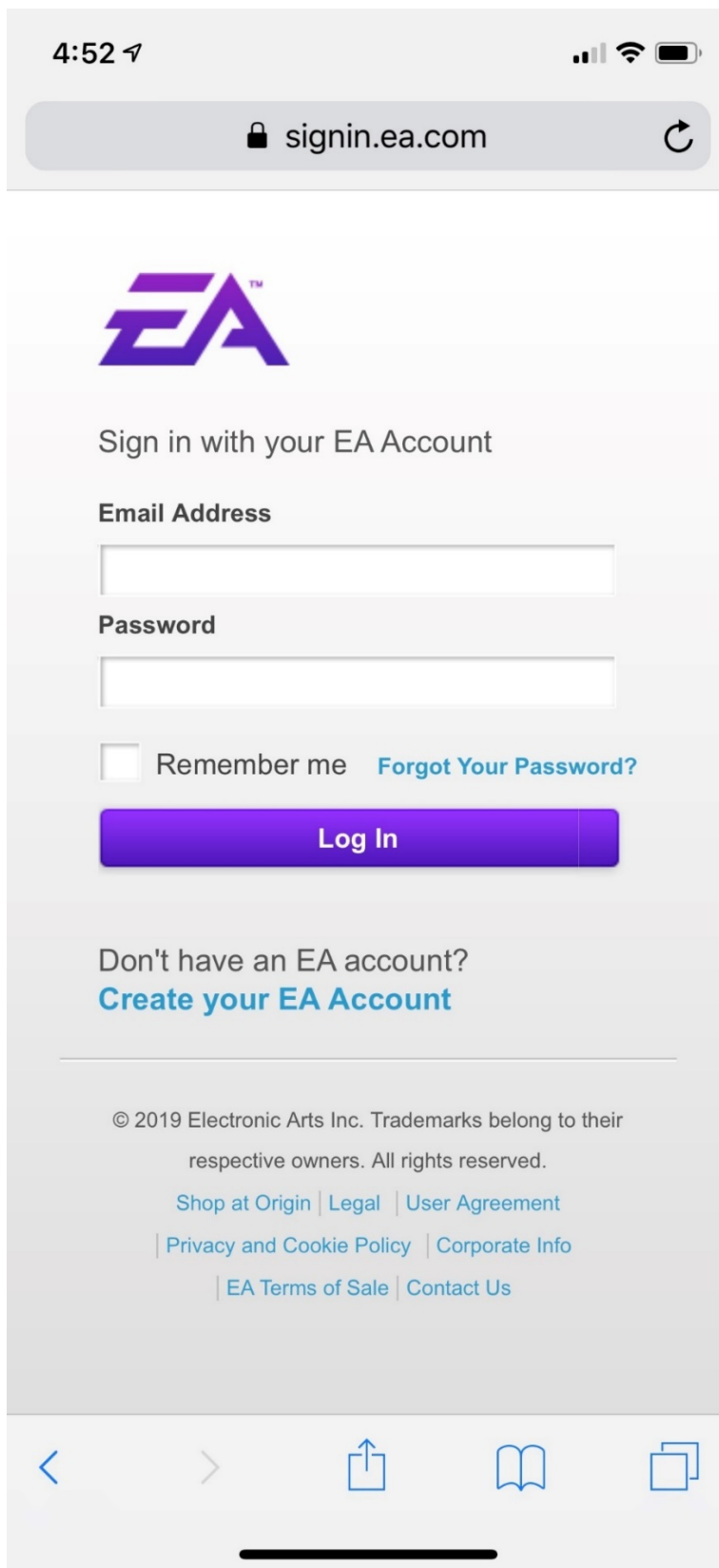
16
17 We'll ask you for a verification code when you try to log in to some EA games and
18 services. We will also ask for one when you try to change your account info.

19 You can choose to have this code sent to you by email, text, call, or the app
20 authenticator. Set up more than one method of getting codes so you can have the
21 option of how to get them each time you log in.

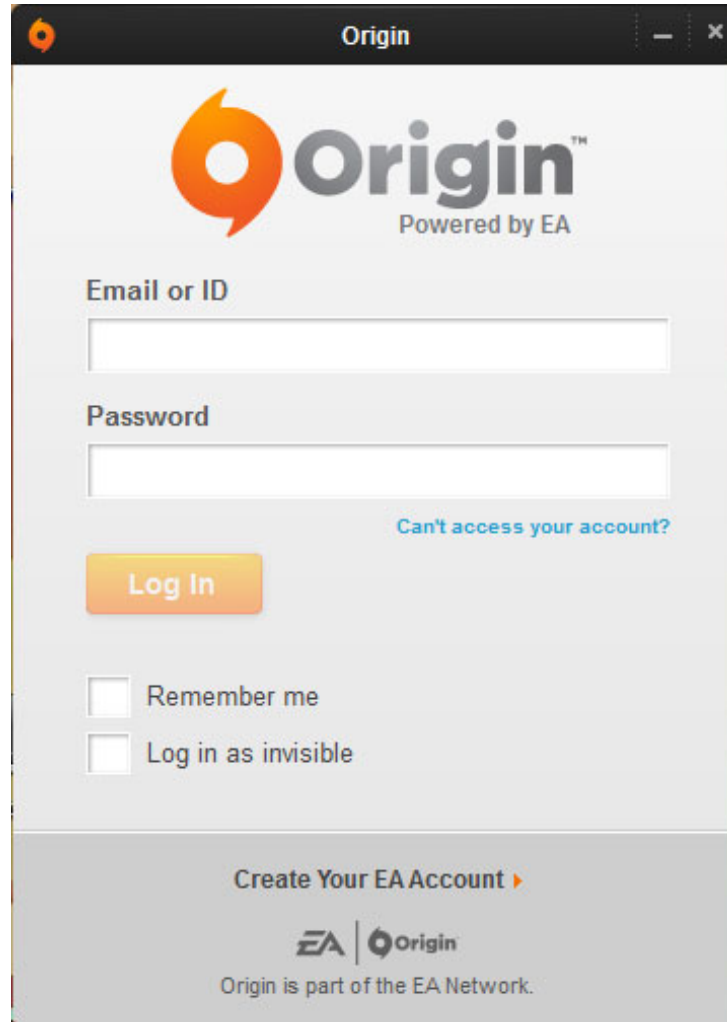
22 <https://help.ea.com/en-us/help/account/origin-login-verification-information/>.

23 24. In one implementation, a user can input the "Email" and "Password" into the
24 mobile Origin website and this information is submitted through a first communications medium
25 (e.g., mobile browser on a smart phone).
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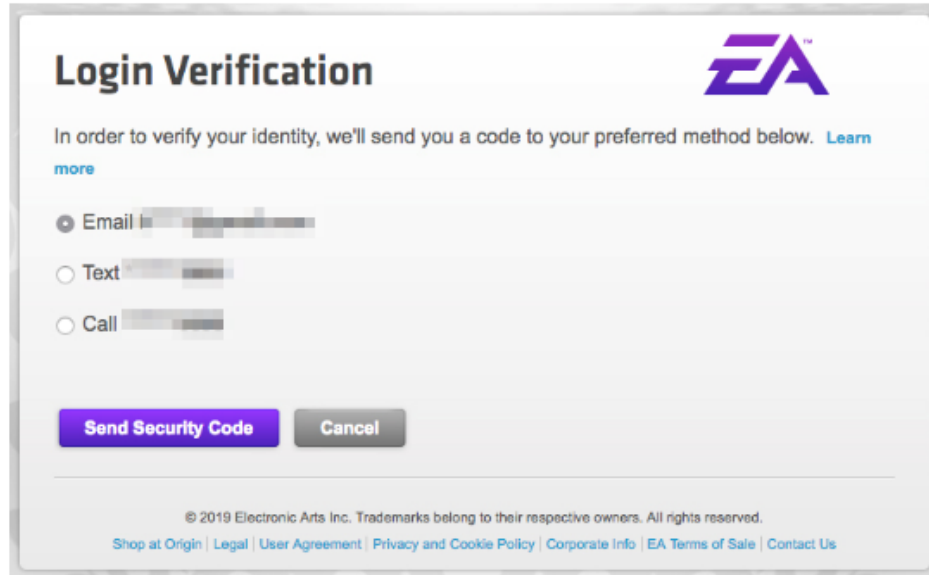


1 25. In another implementation, a user can input the "Email" and "Password" into the
2 Defendant Origin Client and this information is submitted through a second communications
3 medium (e.g., PC Application on computer).

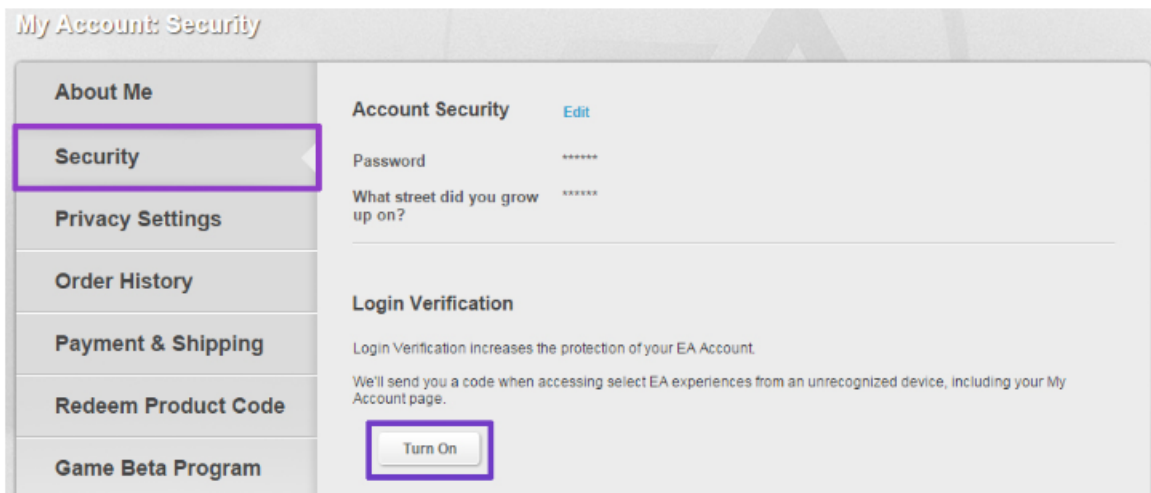


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20 <https://support.cdkeys.com/hc/en-gb/articles/211589025-How-To-Redeem-Origin-Keys>.

21 26. Defendant's authentication routines employ variable-factor authentication
22 whereby a user provides secret information (e.g., a username, password, or the one-time code
23 generated by Defendant's authentication service) and demonstrates control of a tangible object
24 (e.g., the user's smartphone) as specified by the stored user authentication policies.



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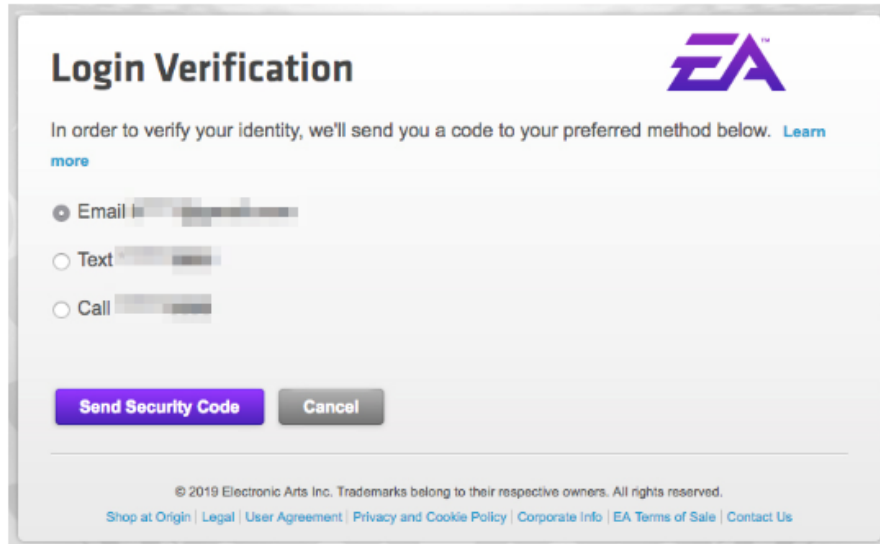
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19 <https://help.ea.com/en-nz/help/madden/madden-2016/login-verification-for-mut/>

20 27. A user communicates with Defendant's authentication service through email, text
21 message, or phone call.

HOW DOES LOGIN VERIFICATION WORK?

We'll ask you for a verification code when you try to log in to some EA games and services. We will also ask for one when you try to change your account info.

You can choose to have this code sent to you by email, text, call, or the app authenticator. Set up more than one method of getting codes so you can have the option of how to get them each time you log in.



We use this code, along with your password, to check that it's you when you try to access your account from a new or unrecognized device. If you do not have both your password and your code, you can't log in.

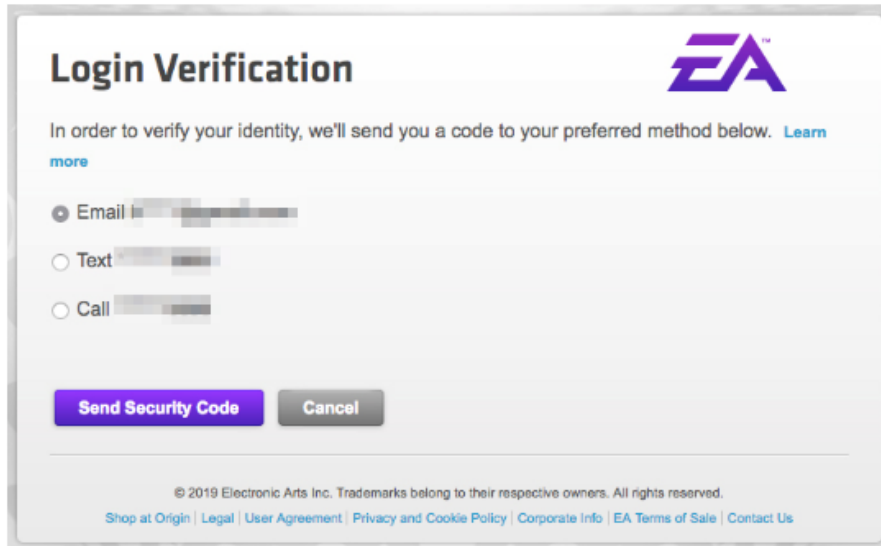
<https://help.ea.com/en-us/help/account/origin-login-verification-information/>.

28. A user can communicate with Defendant's authentication service through a different device than the one used to initiate the transaction with the authentication service client. For example, a user may first attempt to login to the Defendant website using a computer, but then receives a phone call or SMS message with a one-time code using a cell phone.

HOW DOES LOGIN VERIFICATION WORK?

We'll ask you for a verification code when you try to log in to some EA games and services. We will also ask for one when you try to change your account info.

You can choose to have this code sent to you by email, text, call, or the app authenticator. Set up more than one method of getting codes so you can have the option of how to get them each time you log in.



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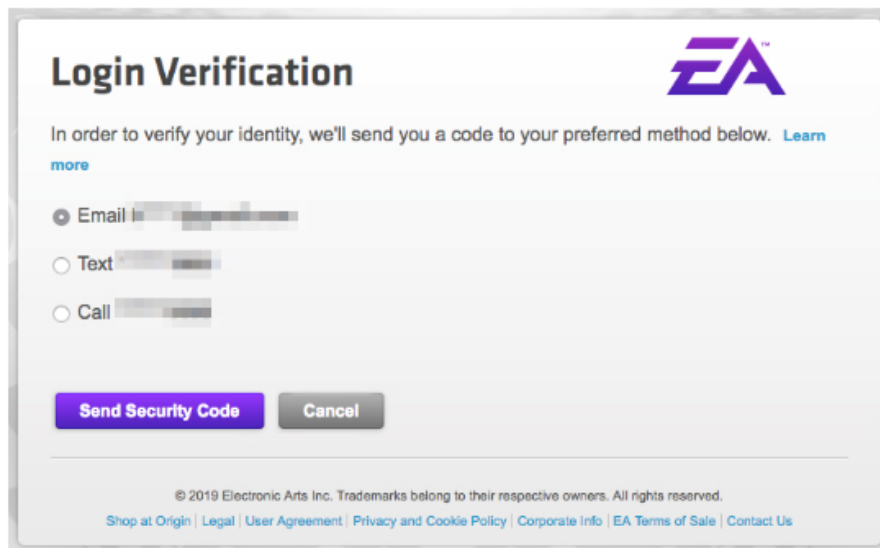
Id.

29. Defendant's user-authentication policy specifies constraints associated with the user-authentication processes carried out by the service. For example, halting service after too many login attempts or requiring verification when using a new device.

HOW DOES LOGIN VERIFICATION WORK?

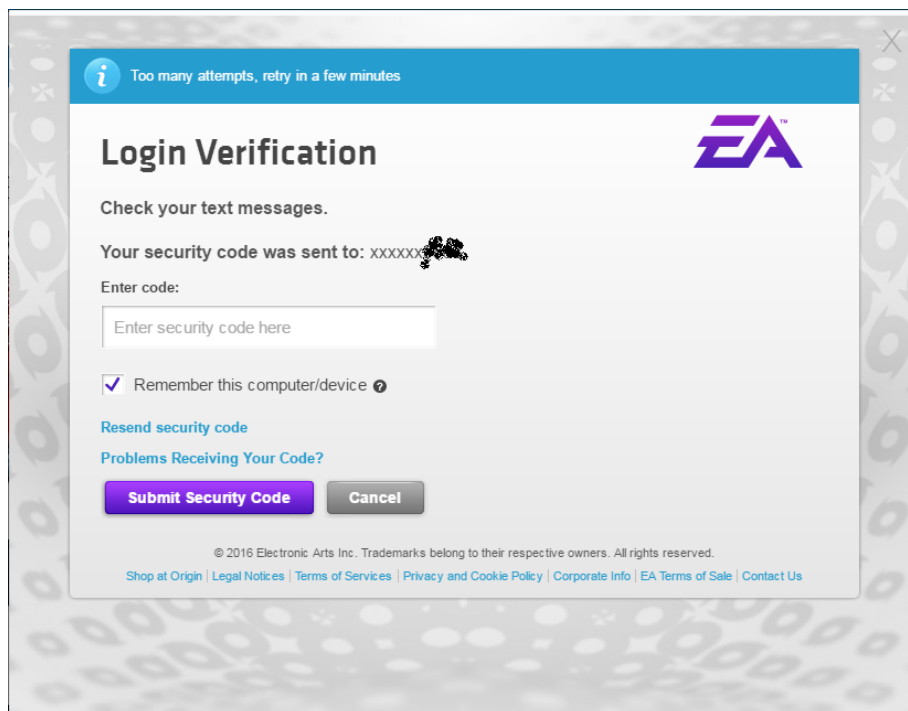
We'll ask you for a verification code when you try to log in to some EA games and services. We will also ask for one when you try to change your account info.

You can choose to have this code sent to you by email, text, call, or the app authenticator. Set up more than one method of getting codes so you can have the option of how to get them each time you log in.



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<https://help.ea.com/en-us/help/account/origin-login-verification-information/>.



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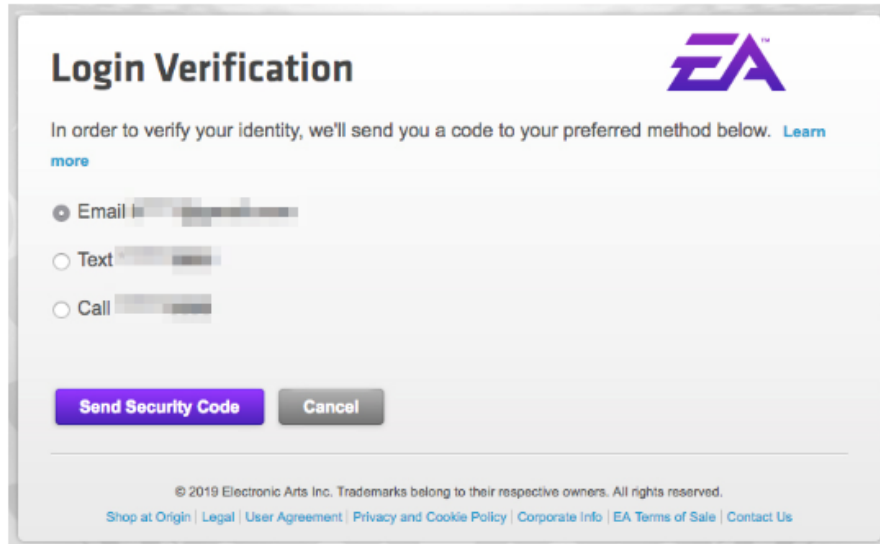
<https://answers.ea.com/t5/Battlefield-4/you-have-tried-too-many-login-attempts/td-p/5436464?attachment-id=96768>.

30. Defendant implements several constraints, including user-authentication service actions (e.g., halting authorization after too many login attempts).

HOW DOES LOGIN VERIFICATION WORK?

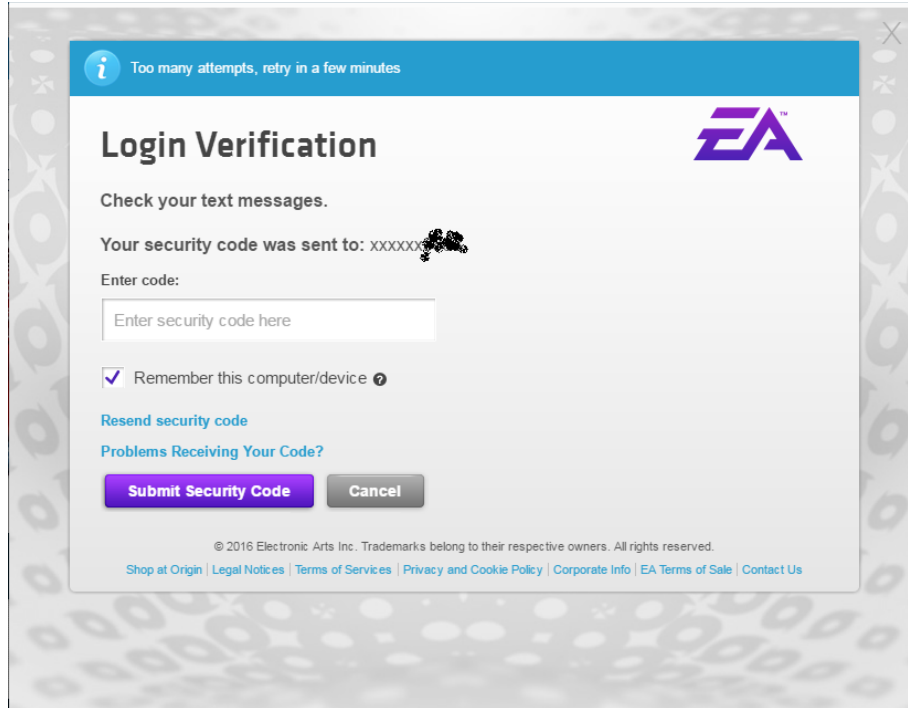
We'll ask you for a verification code when you try to log in to some EA games and services. We will also ask for one when you try to change your account info.

You can choose to have this code sent to you by email, text, call, or the app authenticator. Set up more than one method of getting codes so you can have the option of how to get them each time you log in.



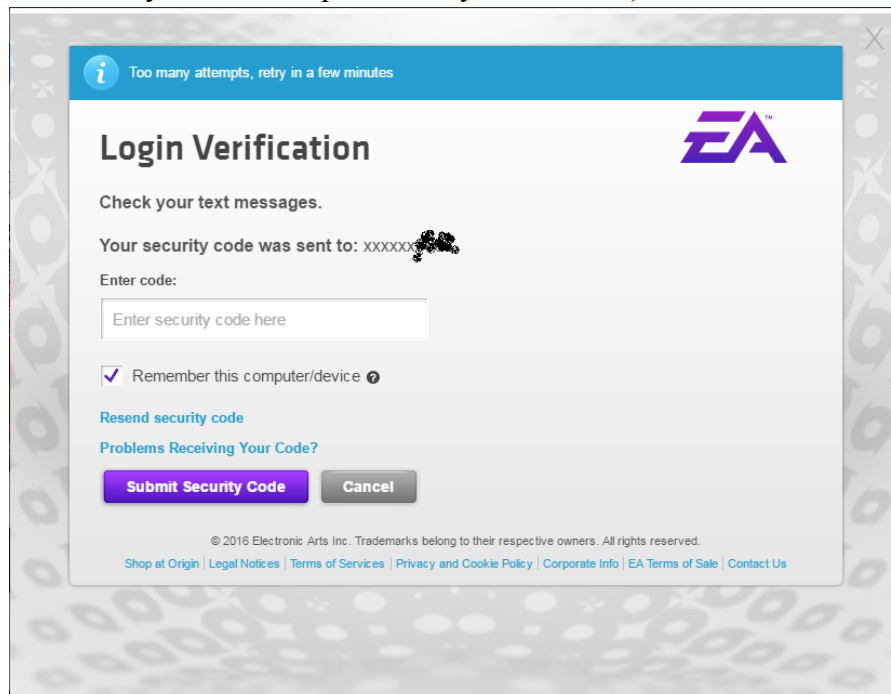
We use this code, along with your password, to check that it's you when you try to access your account from a new or unrecognized device. If you do not have both your password and your code, you can't log in.

<https://help.ea.com/en-us/help/account/origin-login-verification-information/>.



12 [https://answers.ea.com/t5/Battlefield-4/you-have-tried-too-many-login-attempts/td-](https://answers.ea.com/t5/Battlefield-4/you-have-tried-too-many-login-attempts/td-p/5436464?attachment-id=96768)
13 [p/5436464?attachment-id=96768.](https://answers.ea.com/t5/Battlefield-4/you-have-tried-too-many-login-attempts/td-p/5436464?attachment-id=96768)

14 31. Defendant employs multiple user-authentication service actions, including halting
15 authorization service after detecting a specified event (e.g., preventing the user from logging in if
16 there have been too many failed attempts to verify the account).



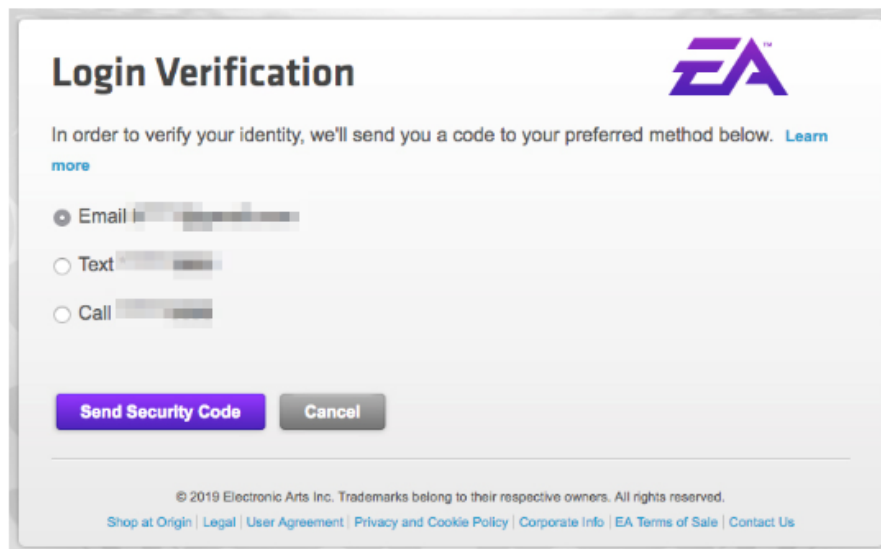
1 <https://answers.ea.com/t5/Battlefield-4/you-have-trying-too-many-login-attempts/td->
2 [p/5436464?attachment-id=96768](https://answers.ea.com/t5/Battlefield-4/you-have-trying-too-many-login-attempts/td-p/5436464?attachment-id=96768).


3 32. Defendant employs multiple user-authentication service actions, including
4 employing particular types of user-authentication procedures (e.g., employing the authentication
5 procedure of requiring a code whenever the user logs in from a new or unrecognized device).

6 HOW DOES LOGIN VERIFICATION WORK?

7
8 We'll ask you for a verification code when you try to log in to some EA games and
9 services. We will also ask for one when you try to change your account info.

10 You can choose to have this code sent to you by email, text, call, or the app
11 authenticator. Set up more than one method of getting codes so you can have the
12 option of how to get them each time you log in.



13 **Login Verification** 

14 In order to verify your identity, we'll send you a code to your preferred method below. [Learn more](#)

15 Email

16 Text

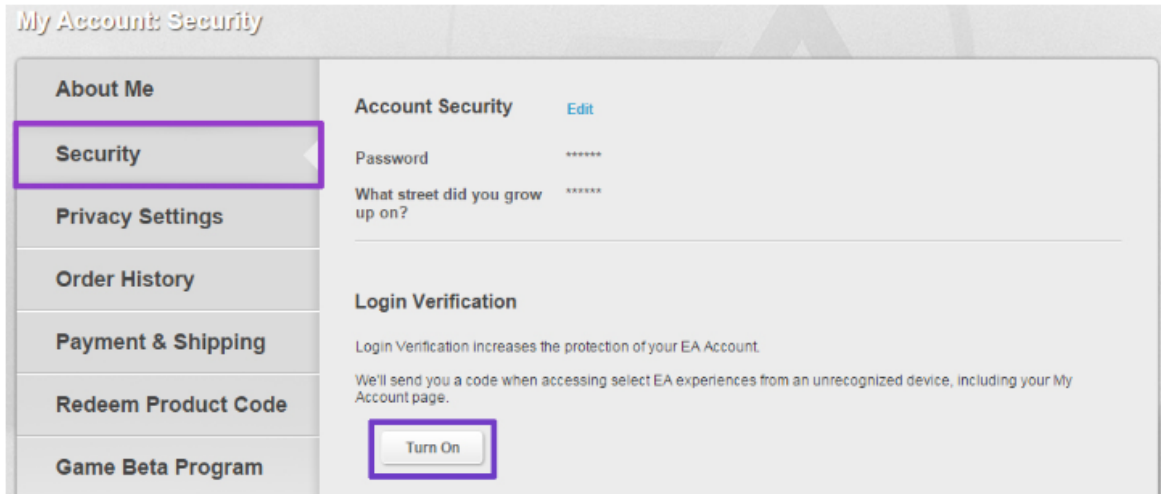
17 Call

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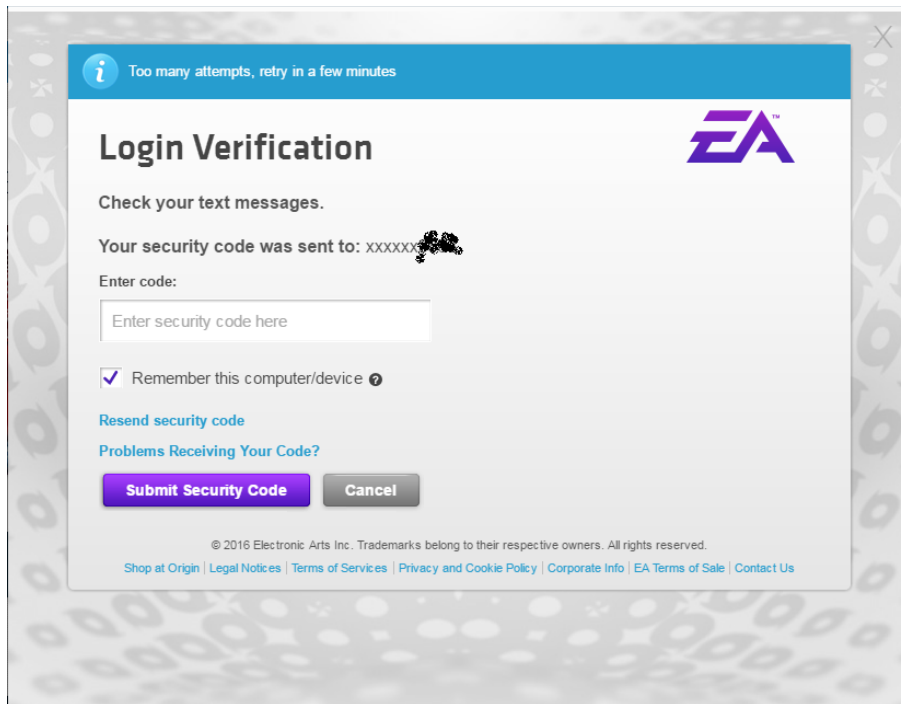
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22 We use this code, along with your password, to check that it's you when you try to
23 access your account from a new or unrecognized device. If you do not have both your
24 password and your code, you can't log in.

25 <https://help.ea.com/en-us/help/account/origin-login-verification-information/>.



9 <https://help.ea.com/en-nz/help/madden/madden-2016/login-verification-for-mut/>.

10 33. Defendant employs multiple user-authentication service actions, including
11 providing alerts upon detecting specified events (e.g., alerting the user upon detecting too many
12 login attempts).



24 [https://answers.ea.com/t5/Battlefield-4/you-have-tried-too-many-login-attempts/td-](https://answers.ea.com/t5/Battlefield-4/you-have-tried-too-many-login-attempts/td-p/5436464?attachment-id=96768)
25 [p/5436464?attachment-id=96768](https://answers.ea.com/t5/Battlefield-4/you-have-tried-too-many-login-attempts/td-p/5436464?attachment-id=96768).

26 34. SAIP is entitled to recover from Defendant the damages sustained by SAIP as a
27

1 result of Defendant's infringement of the '213 patent in an amount subject to proof at trial, which,
2 by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this
3 Court under 35 U.S.C. § 284.

4 **JURY DEMAND**

5 SAIP hereby demands a trial by jury on all issues so triable.

6 **PRAYER FOR RELIEF**

7 WHEREFORE, SAIP requests that this Court enter judgment against Defendant as
8 follows:

9 A. An adjudication that Defendant has infringed the '213 patent;

10 B. An award of damages to be paid by Defendant adequate to compensate SAIP for
11 Defendant's past infringement of the '213 patent and any continuing or future infringement
12 through the date such judgment is entered, including interest, costs, expenses and an accounting
13 of all infringing acts including, but not limited to, those acts not presented at trial;

14 C. A declaration that this case is exceptional under 35 U.S.C. § 285, and an award of
15 SAIPs reasonable attorneys' fees; and

16 D. An award to SAIP of such further relief at law or in equity as the Court deems just
17 and proper.

18
19 Dated: April 12, 2019

/s/ Shekhar Vyas
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