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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

CODING TECHNOLOGIES, LLC,
Plaintiff,
vs.
BLUE DIAMOND ALMOND GROWERS,
Defendant.

Case No.: 2:19-cv-00187-TLN-DB
AMENDED COMPLAINT FOR
PATENT INFRINGEMENT
JURY TRIAL DEMANDED

Plaintiff, CODING TECHNOLOGIES, LLC, sues Defendant, BLUE DIAMOND ALMOND GROWERS, and alleges as follows:

NATURE OF THE ACTION

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

PARTIES

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

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1 3. Defendant, BLUE DIAMOND ALMOND GROWERS, is a domestic corporation
2 with its headquarters located in Sacramento, California. Defendant uses, sells, and/or offers to
3 sell products and services in interstate commerce that infringe the '159 Patent.

4 **SUBJECT MATTER JURISDICTION**

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

8 **PERSONAL JURISDICTION**

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

11 **VENUE**

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

14 **COUNT I**

15 **PATENT INFRINGEMENT**

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

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

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

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

1 information.

2 11. The '159 Patent claims, among other things, a method of providing content with
3 the use of code pattern by a user terminal; a user terminal for providing content with the use of
4 code pattern; a non-transitory machine-readable storage medium having encoded thereon
5 program code; and, a method of providing content with the use of an image captured by a user
6 terminal.

7 12. Collectively, the claimed embodiments in the '159 Patent provide new solutions
8 to problems related to transmitting information from a mobile service provider to a mobile
9 device.

10 13. The '159 Patent solves a problem with the art that is rooted in computer
11 technology that uses mobile service providers. The '159 Patent does not merely recite the
12 performance of some business practice known from the pre-Internet world along with the
13 requirement to perform it on the Internet.

14 14. The invention claimed by the '159 Patent consists of a system of units that
15 correspond to produce an inventive concept. The system of units includes a code distribution
16 unit, barcode image analyzing unit, code information analyzing unit, transmitting/receiving unit,
17 code information database managing unit, control unit, photographing unit, and user interface
18 unit. In laymen's terms, each unit, which collectively interact as a whole to produce a result,
19 functions as follows:

- 20 a. Code distribution unit – unit that analyzes the service identifier recognizes that a
21 service type is the content providing service, and transmits a received barcode
22 image or code information to the barcode image transmitting unit or the code
23 information analyzing unit according to embodiments;
- 24 b. Barcode image analyzing unit – unit that receives a barcode image photographed
25 by a photographing unit to extract code information from the barcode image and
26 transmit the code information to the code information analyzing unit in a case
27 where a decoder for decoding the barcode is not provided in the user terminal;
- 28 c. Code information analyzing unit – unit that functions to analyze code information

1 received from the code distribution unit or the barcode image analyzing unit and
2 extract the information of a Web page, including content information, from the
3 analyzed code information corresponding to the code information with reference
4 to the code information database storing therein user contact information
5 corresponding to the code information;

6 d. Transmitting/receiving unit – unit that functions to receive the content
7 information request message from the user terminal and transmit extracted content
8 information or Web page information to the user terminal;

9 e. Code information database managing unit – unit that functions to manage the
10 code information database storing therein the Web page information of a Web
11 server corresponding to the code information;

12 f. Control unit – unit that controls the respective components, generates control
13 signals required to control the barcode image analyzing unit and the code
14 information analyzing unit, extracts content corresponding to the received content
15 request message, and transmits the content to the transmitting/receiving unit;

16 g. Photographing unit – unit that is a means for recognizing or photographing an
17 image that functions to recognize (or photograph) the barcode, convert recognized
18 (photographed) analog image data into digital image data, and transmit the digital
19 image data to the decoder;

20 h. User interface unit – unit that functions to provide a user interface so that the user
21 can access the service provider server to be provided with Internet content and
22 provides user interface so that the user can access a corresponding Web server
23 when Web page information is received from the service provider server.

24 15. Plaintiff is the assignee of the entire right, title, and interest in the ‘159 Patent at
25 the USPTO, including the right to assert causes of action arising under the ‘159 Patent.

26 16. Upon information and belief, Defendant has and continues to directly infringe the
27 ‘159 Patent by making, using (including by at least internally testing the Accused Products as
28 defined herein), selling, offering for sale, importing in the United States, including this judicial

1 district, a user terminal designed to capture certain code pattern information and convert same
2 into embedded content, which embodies or uses the invention claimed in the ‘159 Patent (the
3 “Accused Products”), all in violation of 35 U.S.C. § 271.

4 17. The Accused Products infringe at least claims 1, 2, 3, 8, 9, 10, 15, and 16 of the
5 ‘159 Patent.

6 *Claim 1*

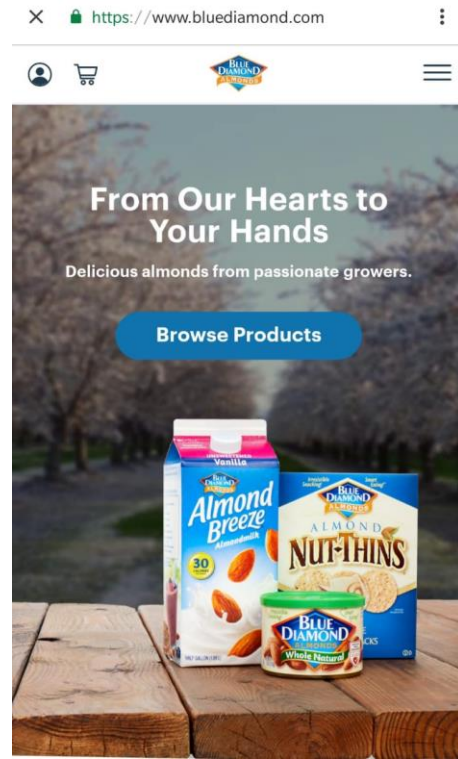
7 18. Through claim 1, the ‘159 Patent claims a method of providing content with the
8 use of a code pattern by a user terminal, the method comprising: obtaining a photographic image
9 of a code pattern by a camera of the user terminal; processing, by a processor of the user
10 terminal, the photographic image of the code pattern to extract the code pattern from the
11 photographic image; decoding the extracted code pattern by the processor of the user terminal
12 into code information; transmitting a content information request message to a server based on
13 the code information; and receiving content information from the server in response to the
14 content information request message.

15 19. Defendant infringes claim 1.

16 20. Defendant, at least in internal use and testing, practices a method of providing
17 content (*e.g.*, a web page associated with the defendant) with the use of a code pattern (*e.g.*, a
18 QR code) by a user terminal (*e.g.*, a smartphone), as demonstrated in the following images:
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21. Defendant, at least in internal use and testing, obtains a photographic image of a code pattern (e.g., QR code) by a camera of the user terminal (e.g., smartphone).

22. Defendant, at least in internal use and testing, processes by a processor of the user terminal (e.g., smartphone), the photographic image of the code pattern (e.g., QR code) to view and extract the code pattern from the photographic image.

23. Defendant, at least in internal use and testing, decodes the extracted code pattern by the processor of the user terminal from the QR code into code information (e.g., URL of web page associated with the defendant), as shown below:



1 24. Defendant, at least in internal use and testing, transmits a content information
2 request message (*e.g.*, http request message for accessing the webpage associated with
3 Defendant) to a server (*e.g.*, Defendant's server) based on the code information (*e.g.*, URL of the
4 webpage associated with Defendant). Once the URL is decoded from the extracted QR code, a
5 request for accessing a webpage associated with Defendant is sent to Defendant's server.

6 25. Defendant, at least in internal use and testing, receives content information (*e.g.*, a
7 web page associated with Defendant) from the server (*e.g.*, Defendant's server) in response to
8 the content information request message (*e.g.*, http request message for accessing the webpage
9 associate with Defendant). The terminal (*e.g.*, smartphone) receives content information (*e.g.*,
10 webpage associated with Defendant).

11 ***Claim 2***

12 26. Through claim 2, the '159 Patent claims the method of claim 1, wherein the
13 content information comprises at least one of the following: image, sound, moving picture, and
14 text data.

15 27. Defendant infringes claim 2.

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

18 ***Claim 3***

19 29. Through claim 3, the '159 Patent claims the method of claim 1, wherein the
20 transmitting a content information request message includes: extracting a uniform resource
21 locator (URL) of the server from the code information; and transmitting the content information
22 request message to the server based on the extracted URL.

23 30. Defendant infringes claim 3.

24 31. Defendant transmits a content information request message (*e.g.*, http request
25 message for accessing the webpage associate with Defendant) which includes extracting URL of
26 the server and transmitting the content information request message (*e.g.*, http request message
27 for accessing the webpage associate with Defendant) to the server (*e.g.*, Defendant's server)
28 based on the extracted URL.

Claim 8

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

10 33. Defendant infringes claim 8.

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

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

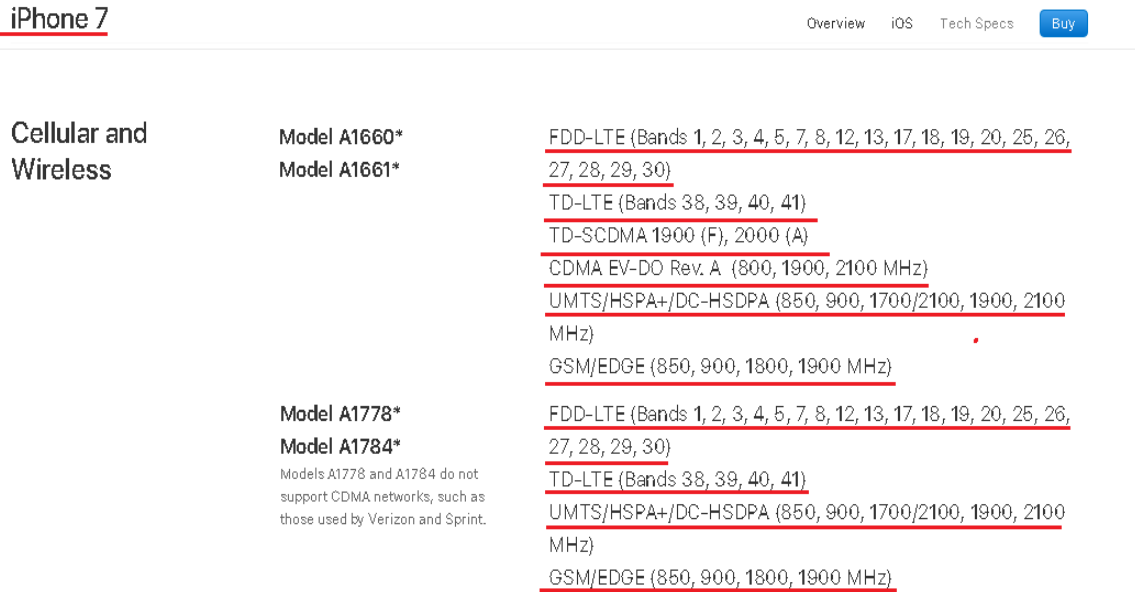
16 36. Defendant uses a user terminal comprising a processor which in turn comprises an
17 image processor configured to process the photographic image of the code pattern (*e.g.*, QR
18 code) to extract the code pattern (*e.g.*, QR code) from the photographic image. Once the
19 photographic image of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

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

25 38. Defendant uses a user terminal comprising a transceiver (*e.g.*, FDD- LTE/TDD -
26 LTE/CDMA//EDGE transceiver) which is configured to transmit or receive a content
27 information request message (*e.g.*, http request message for accessing the webpage associated
28 with Defendant) to a server (*e.g.*, Defendant's server) based on the code information (*e.g.*, URL

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of the webpage associated with Defendant). As shown below, once the URL is decoded from the extracted QR code, a request or response for accessing a webpage associated with Defendant is sent to Defendant’s server by means of transceiver of the smartphone:



Claim 9

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

40. Defendant infringes claim 9.

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

Claim 10

42. Through claim 10, the ‘159 Patent claims the user terminal of claim 8, wherein: the processor is further configured to extract a uniform resource locator (URL) of the server from the code information; and the transceiver is further configured to transmit the content information request message to the server based on the extracted URL.

43. Defendant infringes claim 10.

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

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

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

6 ***Claim 15***

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

17 47. Defendant infringes claim 15.

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

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

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

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

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I filed the foregoing document, pursuant to Fed. R. Civ. P. 5, using this court's CM/ECF system on April 15, 2019, which will send a notice of electronic filing to the following counsel of record:

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