

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

COOLTVNETWORK.COM, INC.,

Plaintiff,

v.

LIMELIGHT NETWORKS, INC.,

Defendant.

CIVIL ACTION NO. 1:19-cv-00295-LPS

JURY TRIAL DEMANDED

PLAINTIFF'S FIRST AMENDED COMPLAINT

Plaintiff CoolTVNetwork.com, Inc. ("Plaintiff"), by and through its undersigned counsel, files this First Amended Complaint against Defendant Limelight Networks, Inc. ("Defendant") as follows:

NATURE OF THE ACTION

1. This is a patent infringement action to stop Defendant's infringement of United States Patent No. 7,162,696 ("the '696 patent") entitled "Method and System for Creating, Using and Modifying Multifunctional Website Hot Spots". A true and correct copy of the '696 patent is attached hereto as Exhibit A. Plaintiff is the owner by assignment of the '696 patent. Plaintiff seeks monetary damages and injunctive relief.

PARTIES

2. Plaintiff is a corporation having a principal place of business located at 17731 N.W. 14th CT., Miami, Florida 33169.

3. Upon information and belief, Defendant is a corporation organized and existing under the laws of the State of Delaware with a principal place of business located at 222 South Mill Avenue, 8th floor, Tempe, AZ 85281. Defendant can be served with process by serving

The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, DE 19801.

JURISDICTION AND VENUE

4. This action arises under the Patent Laws of the United States, 35 U.S.C. § 1 *et seq.*, including 35 U.S.C. §§ 271, 281, 283, 284, and 285.

5. This Court has subject matter jurisdiction over this case for patent infringement under 28 U.S.C. §§ 1331 and 1338(a).

6. The Court has personal jurisdiction over Defendant because Defendant is present within or has minimum contacts within the State of Delaware and the District of Delaware; Defendant has purposefully availed itself of the privileges of conducting business in the State of Delaware and in the District of Delaware; Defendant has sought protection and benefit from the laws of the State of Delaware; Defendant regularly conducts business within the State of Delaware and within the District of Delaware; and Plaintiff's cause of action arises directly from Defendant's business contacts and other activities in the State of Delaware and in the District of Delaware. Further, this Court has personal jurisdiction over Defendant because it is incorporated in Delaware and has purposely availed itself of the privileges and benefits of the laws of the State of Delaware.

7. More specifically, Defendant, directly and/or through intermediaries, ships, distributes, uses, offers for sale, sells, and/or advertises products and services in the United States, the State of Delaware, and the District of Delaware including but not limited to the Accused Instrumentalities as detailed below. Upon information and belief, Defendant has committed patent infringement in the State of Delaware and in the District of Delaware. Defendant solicits and has solicited customers in the State of Delaware and in the District of Delaware. Defendant has paying customers who are residents of the State of Delaware and the District of Delaware and who each

use and have used the Defendant's products and services in the State of Delaware and in the District of Delaware.

8. Venue is proper in the District of Delaware pursuant to 28 U.S.C. §§ 1400(b). On information and belief, Defendant is incorporated in this district and has directly and/or indirectly committed acts of patent infringement in this district.

COUNT I – PATENT INFRINGEMENT

9. Plaintiff refers to and incorporates herein the allegations of Paragraphs 1-8 above.

10. The '696 patent was duly and legally issued by the United States Patent and Trademark Office on January 9, 2007 after full and fair examination. Plaintiff is the owner by assignment of the '696 patent and possesses all rights of recovery under the '696 patent, including the exclusive right to sue for infringement and recover past damages and obtain injunctive relief.

11. Defendant owns, uses, operates, advertises, controls, sells, and otherwise provides methods and apparatus that infringe the '696 patent. The '696 patent provides, among other things, "a Multifunctional Hot Spot method comprising: defining at least one hot spot by a communication with instructions stored on a tangible retaining medium; accessing at least one of the hot spots from a globally accessible network; performing at least one of a plurality of predetermined functions executed with the selection of each particular hot spot; wherein said hot spots reside on and are accessible from a digital video or audio file; wherein said predetermined functions are selected from a mode control; wherein the mode control comprises a plurality of modes; wherein the plurality of modes comprise a shop mode, a bid mode, an interact mode, an entertainment mode, and a link mode; wherein a specific mode is selected by a user through an expandable graphical user interface bar; wherein said specific mode further toggles based on time stamps in said digital video or digital audio file; wherein said hot spots are visualized by outlines, shading,

or illumination or a combination of each, at a predetermined area on the display; wherein said Multifunctional Hot Spot apparatus is made to reside on and is executing on a computing system; selecting and activating at least one of said predetermined functions by clicking on each particular Multifunctional Hot Spot.”

12. Defendant has been and is now infringing the ‘696 patent in the State of Delaware, in this judicial district, and elsewhere in the United States, by, among other things, directly or through intermediaries, making, using, importing, testing, providing, supplying, distributing, selling, and/or offering for sale methods and apparatus (including, without limitation, the Defendant’s products including Limelight Realtime Streaming identified herein as the “Accused Instrumentality”) that provide a methods and apparatus for creating, using and modifying multifunctional website hotspots including software that identifies, programs and activates hot spots with a plurality of functions wherein the functions include a shopping mode for selecting and purchasing items on a website or in a video, a digital call mode for facilitating videoconferencing and telephone calls over a globally accessible network, a digital storage area for selecting, retrieving and playing selected digital media files, a bid mode that facilitates audio and video communication during multi-task communication interface for conducting an auction and/or accepting bids, an interact mode for communicating a user with a live streamed digital media file, a link mode for directly linking to pre-identified URL addresses and an entertain mode for retrieving and activating digital media files, wherein the functions are selected based on user inputs or predetermined parameters and are activated by clicking a predetermined hot spot, covered by at least claim 1, 15, and 17 of the ‘696 patent to the injury of CoolTVNetwork.com, Inc. Defendant is directly infringing, literally infringing, and/or infringing the ‘696 patent under the doctrine of equivalents. Defendant tested the Accused Instrumentality and in doing so completed every step

in the method claim embodied in claims 15, 17 and 18 of the '696 patent and satisfied every element to apparatus claim 1 of the '696 patent. Defendant is thus liable for infringement of the '696 patent pursuant to 35 U.S.C. § 271.

13. Defendant has induced and continues to induce infringement of the '696 patent by intending that others use, offer for sale, or sell in the United States, products and/or methods covered by one or more claims of the '696 patent, including, but not limited to, methods and apparatus for creating, using and modifying multifunctional website hot spots. Defendant provides these products to others, such as customers, resellers and end-use consumers who, in turn, use, offer for sale, or sell in the United States these methods and apparatus for creating, using and modifying multifunctional website hot spots that infringe one or more claims of the '696 patent.

14. Defendant indirectly infringes the '696 patent by inducing infringement by others, such as resellers, customers and end-use consumers, in accordance with 35 U.S.C. § 271(b) in this District and elsewhere in the United States. Direct infringement is a result of the activities performed by the resellers, customers and end-use consumers of the multifunctional hot spots, including methods and apparatus for creating, using and modifying multifunctional website hot spots.

15. Defendant received notice of the '696 patent at least as of the date this lawsuit was filed.

16. Defendant's intentional affirmative acts of providing and/or selling the methods and apparatus for creating, using and modifying multifunctional website hot spots, including manufacturing and distributing, and providing instructions for using the methods and apparatus for creating, using and modifying multifunctional website hot spots in their normal and customary way to infringe one or more claims of the '696 patent. Defendant performs the acts

that constitute induced infringement, and induce actual infringement, with the knowledge of the '696 patent and with the knowledge or willful blindness that the induced acts constitute infringement.

17. Defendant specifically intends for others, such as resellers, customers and end-use consumers, to directly infringe one or more claims of the '696 patent, or, alternatively, has been willfully blind to the possibility that its inducing acts would cause infringement. By way of example, and not as limitation, Defendant induces such infringement by its intentional affirmative action by, among other things: (a) providing advertising on the benefits of using the Accused Instrumentalities' functionality; (b) providing information regarding how to use the Accused Instrumentalities' functionality; (c) providing instruction on how to use the Accused Instrumentalities' functionality; and (d) providing hardware and/or software components required to infringe the claims of the '696 patent. *See* Limelight's YouTube Channel <https://www.youtube.com/watch?reload=9&v=zKbxxJLOnOA>, *see also*,

■ **Develop Your Own Interactive Applications**—Integrated data sharing allows you to create interactive applications that provide realtime video and data to viewers and lets them provide realtime feedback such as voting, chat, and more.

Source: <https://www.limelight.com/resources/tech-brief/realtime-streaming/>

18. Accordingly, a reasonable inference is that Defendant specifically intends for others, such as resellers, customers and end-use consumers, to directly infringe one or more claims of the '696 patent in the United States because Defendant has knowledge of the '696 patent at least as of the date this lawsuit was filed and Defendant actually induces others, such as resellers, customers and end-use consumers, to directly infringe the '696 patent by testing, using, selling, and/or distributing, within the United States, methods and apparatus for creating, using and modifying multifunctional website hot spots. Specifically, Defendant induces its each of its customers to complete each step of the method claims 15, 17, and 18 of the '696 patent and to

test, and use the apparatus claimed in the apparatus claim 1 in the '696 patent.

19. As a result of Defendant acts of infringement, Plaintiff has suffered and will continue to suffer damages in an amount to be proved at trial.

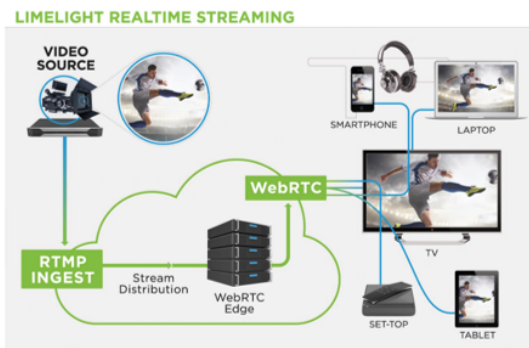
20. Defendant continues advising, encouraging, or otherwise inducing others to use the methods and apparatus claimed by the '696 patent to the injury of Plaintiff. Since at least the filing date of the Original Complaint, Defendant has had knowledge of the '696 patent, and by continuing the actions described above, has specific intent to induce infringement of the '696 patent pursuant to 35 U.S.C. § 271(b), and has further contributed to said infringement of the '696 patent by their customers by providing them with the Accused Instrumentalities so that their customers could directly infringe the '696 patent.

21. Claim 17 of the '696 patent, claims:
A Multifunctional Hot Spot method comprising:

Limelight Networks



SOURCE: <https://www.limelight.com/products/video-delivery/realtime-streaming/>



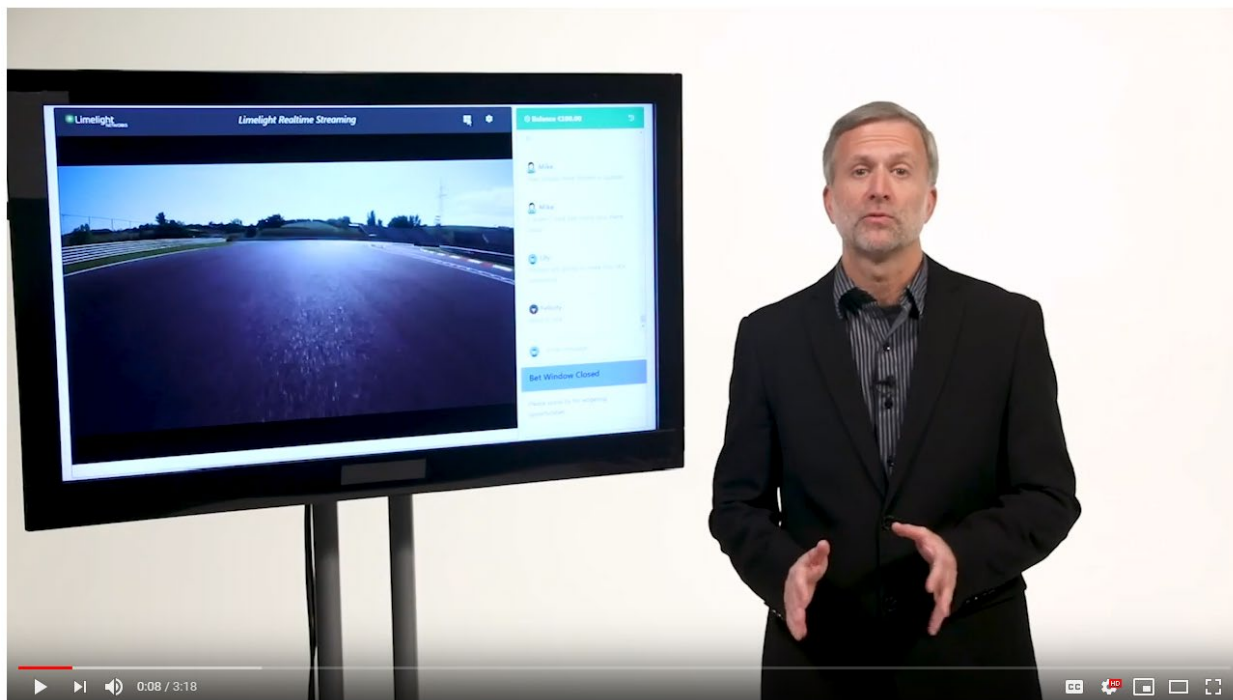
SOURCE: <https://www.limelight.com/resources/tech-brief/realtime-streaming/>

LIMELIGHT REALTIME STREAMING

It's not just more powerful.
It's more potential.

Realtime streaming unleashes new business opportunities by enabling your audience to join the action and dynamically control their experiences. For sports megafans, gamers, auction bidders and anyone else who relies on realtime information, this is the future of live streaming.

SOURCE: https://www.limelight.com/lp/realtime-streaming/?medium=tsa&utm_source=google&utm_medium=cp&utm_term=realtime%20streaming&utm_campaign=TSA-Limelight%7cGeneral%7cSearch%7cEN%7cIN&gclid=EAlaIqBChMik4b15-mj4AIVGR4rCh1ywwAFEAYASAAEgKjy_D_BwE&gclid=aw.ds



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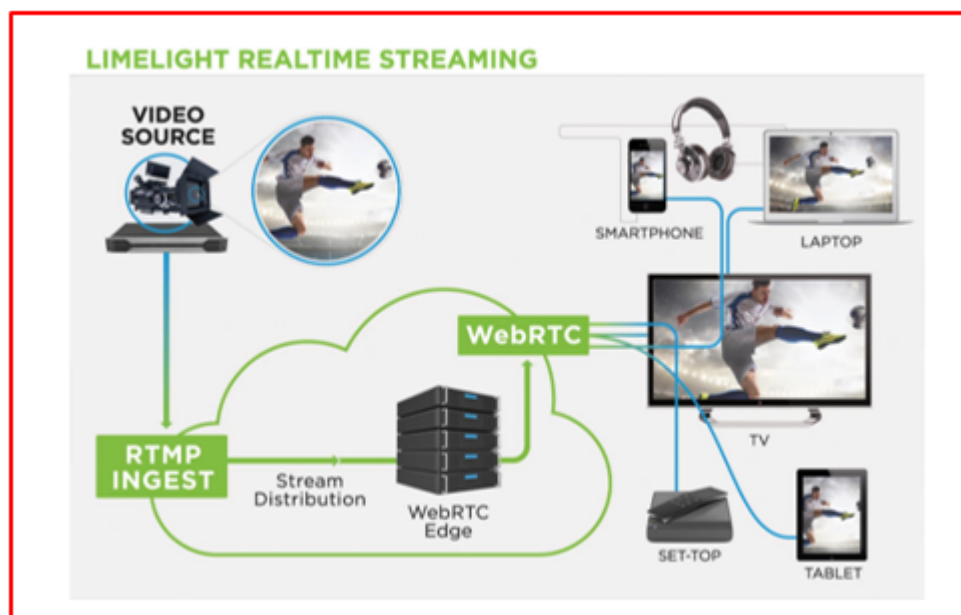
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Source: <https://www.youtube.com/watch?reload=9&v=zKbxxJLOnOA>

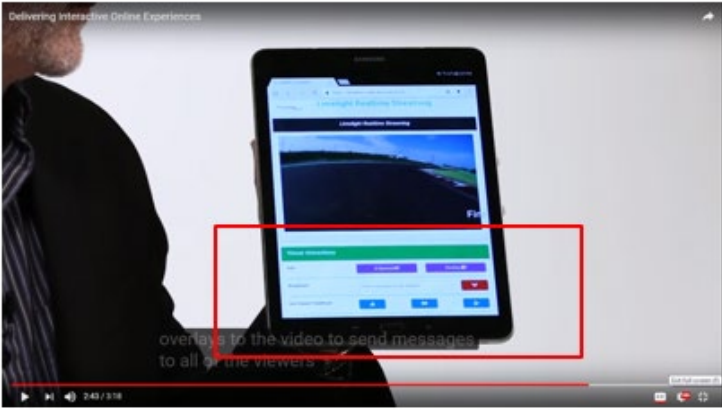
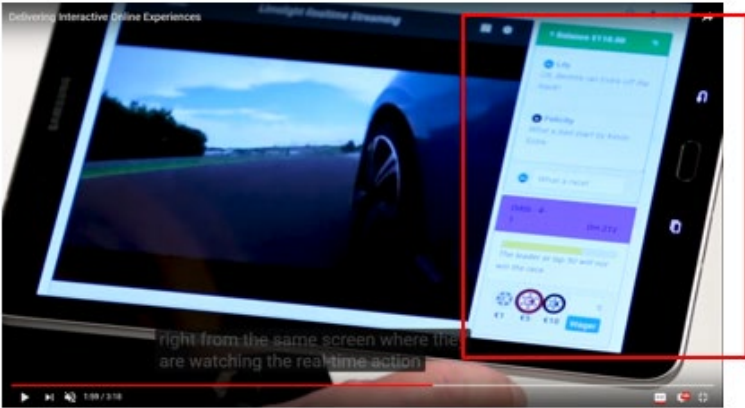
The audio from the video depicted above was transcribed verbatim below:

“Limelight real-time streaming streams video from anywhere to anywhere in the world in less than one second using standard web browsers without the need for special plugins. Now, you're online viewers can enjoy all the action in real time. For sports broadcasters, this means there is no chance your online viewers will run into spoilers on social media where they learn about a big play that has already happened from the people who are watching live television broadcast that is 30 to 40 seconds ahead of the online feed. For online gaming and gambling now all the players can watch the action at the exact same time no matter where they're located and for live events such as auctions, conferences and meetings everyone can participate in real time. Limelight real-time streaming lets you do much more than just deliver real-time video to viewers everywhere. For example, not only can I stream a video feed of a race that's being broadcast, I can also stream the individual cameras and allow the viewer at home to pick which camera angle I want to view or potentially even stream multiple matches that are happening at the same time and let the viewer decide which event they want to watch and your live viewers don't even have to be at home. The users can be on a mobile device such as a tablet watching the same great real-time experience you would give them on the big screen. In addition to real-time audio and video Limelight real-time streaming also allows you to integrate live data, for example, you could have a live chat session

going on while people are watching the event. So now no matter what device they're using viewers can enjoy the action in real time and even chat with friends to talk about the big plays or your viewers can place Wagers on what will happen during the live event right from the same screen where they are watching the real-time action, but its not just about the real-time experience you provide your viewers. Its also about what you can do as a broadcaster or content distributor, for example, if I wanted to add a commercial into the middle of the feed I can do something simple, like just hit a button. It would make sure that everybody gets to see this commercial. Or if I wanted to insert an overlay advertisement into the video, I could just click a button and it would come up on every screen and I can even do simple things like adding text overlays to the video to send messages to all of the viewers. Limelight real-time streaming delivers true real-time video and audio using standard web browsers without special plugins and by integrating real time data you can make live viewing an interactive experience that increases viewer engagement and offers new opportunities to monetize live content. Contact Limelight to learn more about how we can help you deliver the best live online experiences.”



SOURCE: <https://www.limelight.com/resources/tech-brief/realtime-streaming/>



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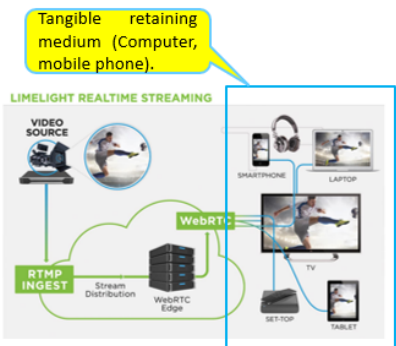
defining at least one hot spot by a communication with instructions stored on a tangible retaining medium;

Defendant provides at least one hot spot by a communication with instructions stored on a tangible retaining medium i.e. Limelight's servers and the user's computing device.

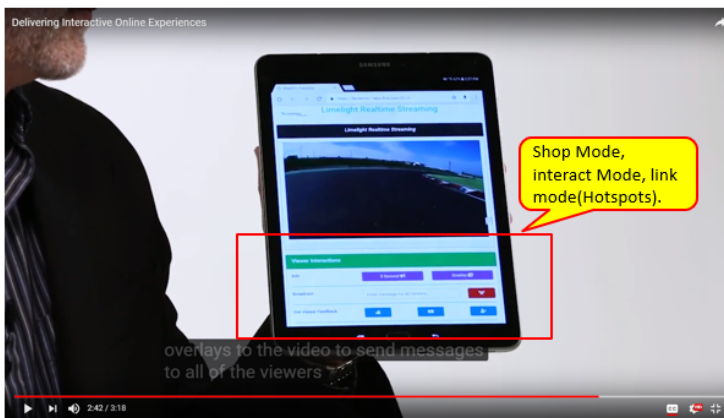
CREATING INTERACTIVE ONLINE VIEWING EXPERIENCES

Limelight Realtime Streaming also offers the ability to create interactive live online experiences by integrating live data with video. Sports fans can now receive realtime statistics about the match or their favorite players and even vote for the player of the match, wager on who will score the next goal, or choose which camera angle they would like to view, right from their computer or mobile device. Gamers can have an integrated chat channel with their video. Fans of eSports can participate in event commentary along with the live in-arena audience. Limelight Realtime Streaming opens up new business opportunities in sports, gaming, auctions, and more by making live viewing a more interactive social experience.

Instructions are accessed or stored by a device memory(RAM).



SOURCE: <https://www.limelight.com/resources/tech-brief/realtime-streaming/>

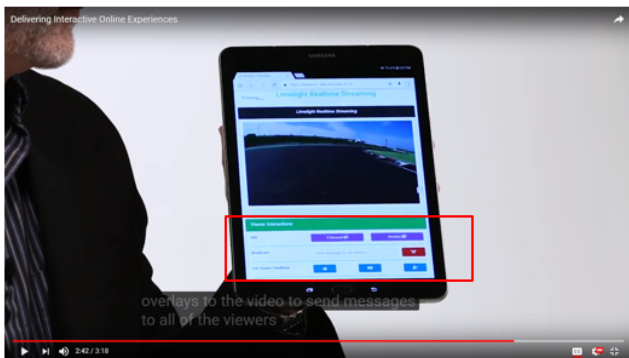


SOURCE: <https://www.youtube.com/watch?v=zKbxuL0n0A>

accessing at least one of the hot spots from a globally accessible network;

Defendant provides at least one of the hot spots from a globally accessible network i.e. internet.

■ Video Can Be Viewed Using Standard Web Browsers— Live streams can be viewed in standard web browsers including Chrome, Firefox, Safari and Opera (Microsoft Edge coming soon)—without the need for special plug-ins.



SOURCE: <https://www.youtube.com/watch?v=KbxxJL0nOA>

SOURCE: <https://www.limelight.com/resources/tech-brief/realtime-streaming/>

Everything It Takes to UNLEASH NOW

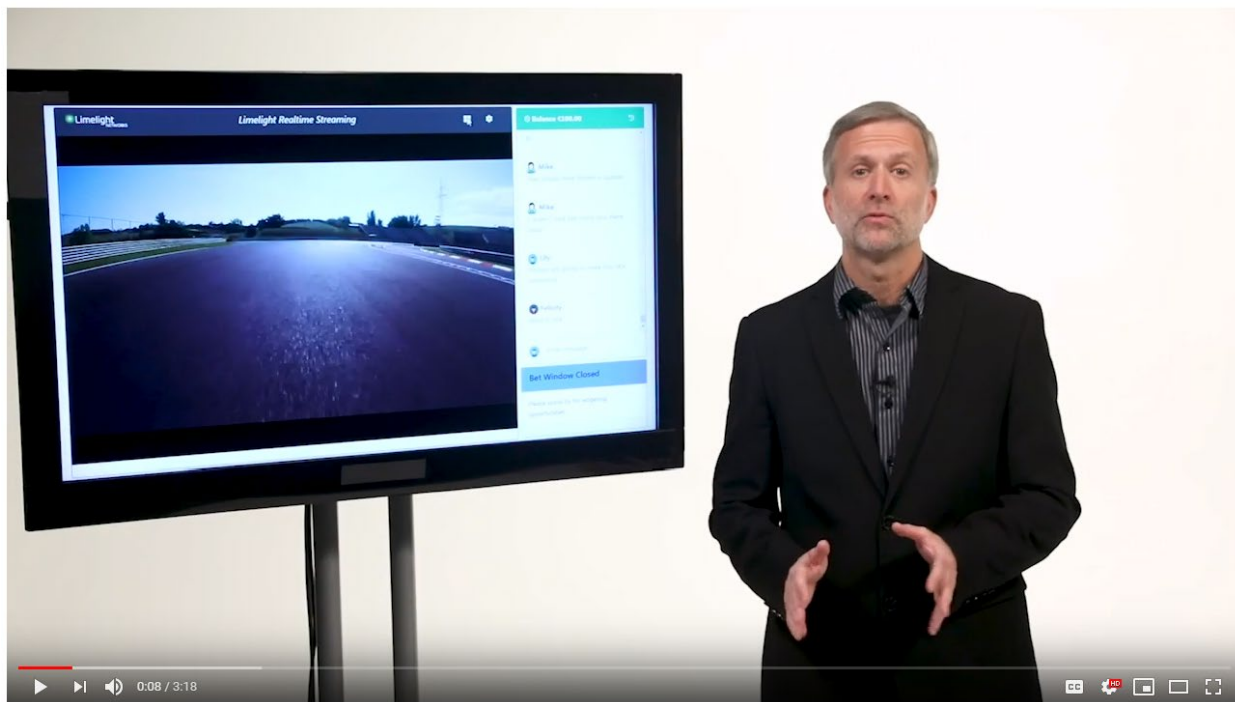
Speed Meets Scale

Deliver your most important live streams with sub-second latency to viewers everywhere using standard web browsers.

Convert Viewers to Participants

Unleash opportunities for business growth by providing live interactive experiences that engage viewers and make them part of the action.

SOURCE: https://www.limelight.com/ip/realtime-streaming/?medium=tsa&utm_source=google&utm_medium=cpc&utm_term=realtime%20streaming&utm_campaign=TSA-Limelight%7CGeneral%7Csearch%7CEN%7CIN&gclid=EA1aIQobCHMk4b15-mj4AivGR4rCh1yywAPEAYASAAEgkijy_D_BwE&gclid=awds



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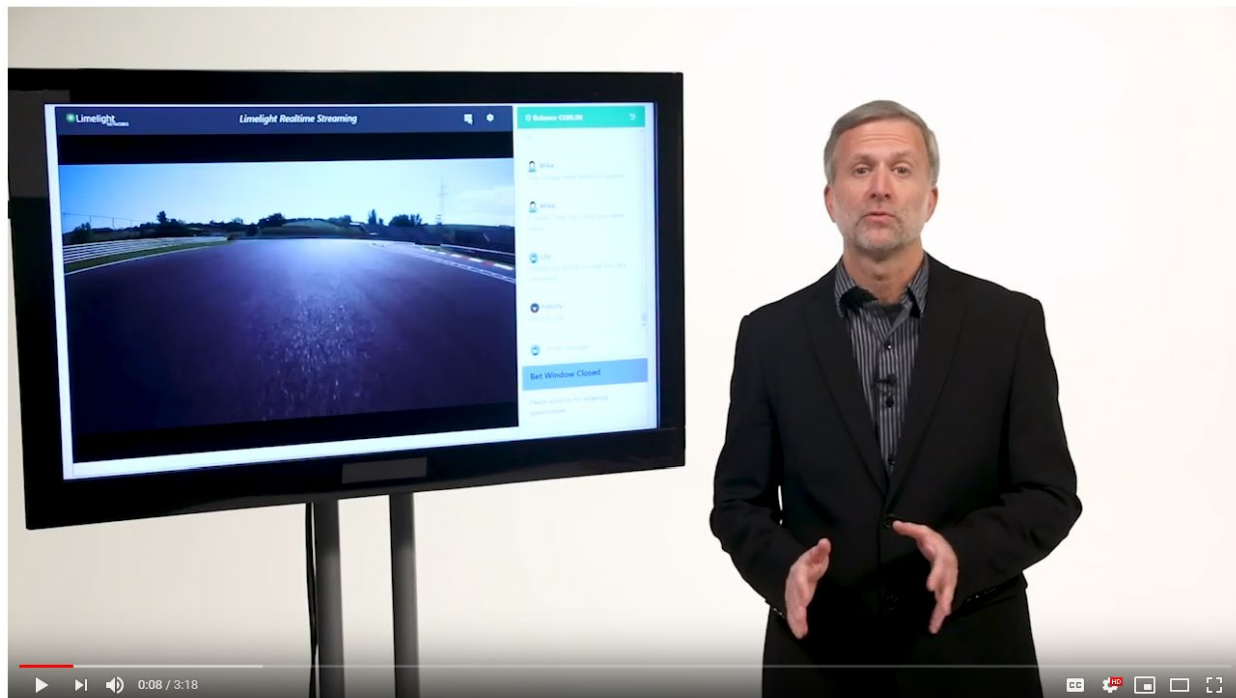
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The statements made in the video depicted above are representations by Limelight's representative and are therefore admissions by a party opponent.

performing at least one of a plurality of predetermined functions executed with the selection of each particular hot spot;

Defendant provides at least one of a plurality of predetermined functions that are executed with the selection of each particular hot spot.



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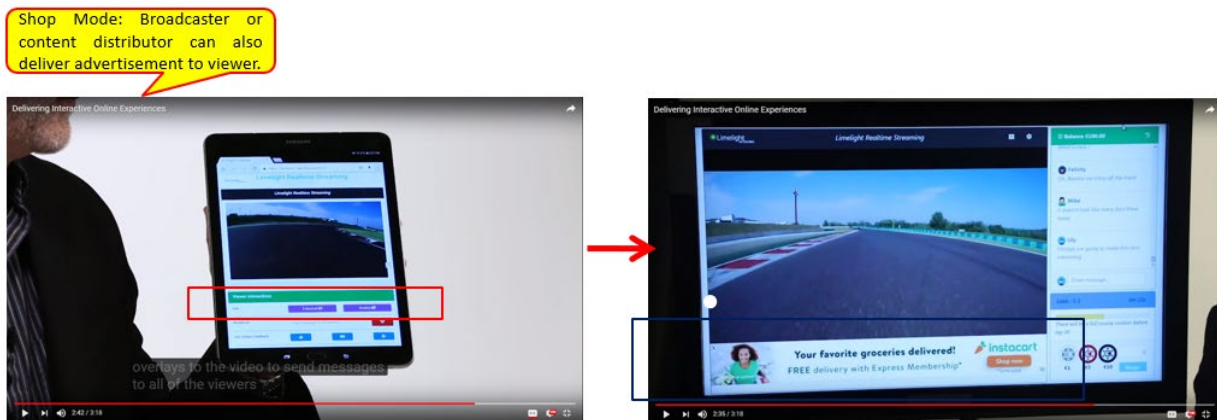
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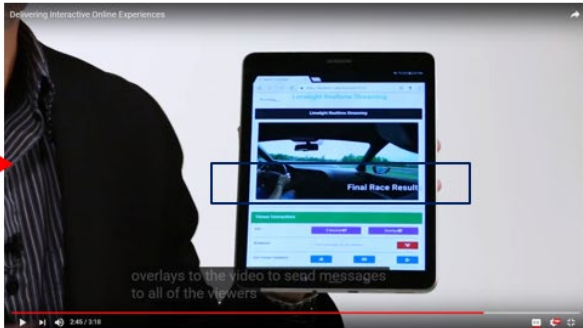
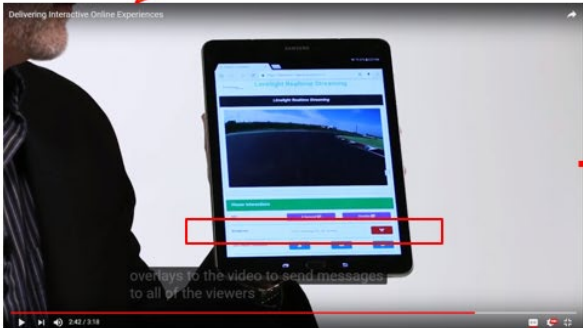
and allow the viewer at home to pick which camera angle I want to view or potentially even stream multiple matches that are happening at the same time and let the viewer decide which event they want to watch and your live viewers don't even have to be at home. The users can be on a mobile device such as a tablet watching the same great real-time experience you would give them on the big screen. **In addition to real-time audio and video Limelight real-time streaming also allows you to integrate live data, for example, you could have a live chat session going on while people are watching the event. So now no matter what device they're using viewers can enjoy the action in real time and even chat with friends to talk about the big plays or your viewers can place Wagers on what will happen during the live event right from the same screen where they are watching the real-time action, but its not just about the real-time experience you provide your viewers. Its also about what you can do as a broadcaster or content distributor, for example, if I wanted to add a commercial into the middle of the feed I can do something simple, like just hit a button. It would make sure that everybody gets to see this commercial. Or if I wanted to insert an overlay advertisement into the video, I could just click a button and it would come up on every screen and I can even do simple things like adding text overlays to the video to send messages to all of the viewers.** Limelight real-time streaming delivers true real-time video and audio using standard web browsers without special plugins and by integrating real time data you can make live viewing an interactive experience that increases viewer engagement and offers new opportunities to monetize live content. Contact Limelight to learn more about how we can help you deliver the best live online experiences.”

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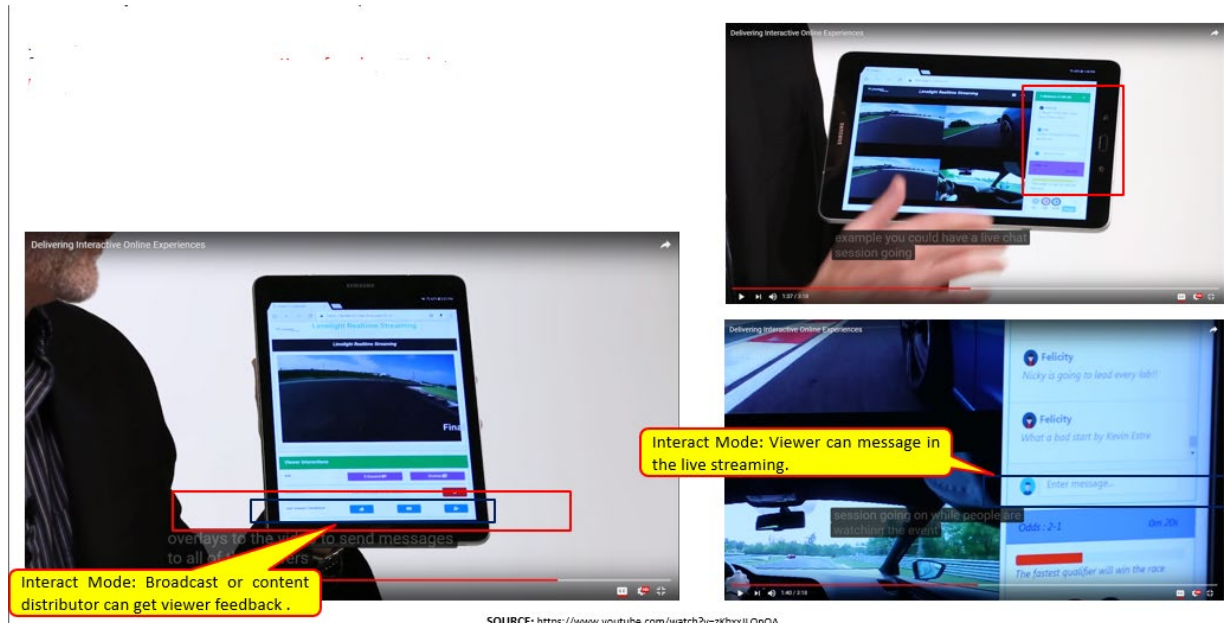


SOURCE: <https://www.youtube.com/watch?v=zkboxJL0nQA>

Link Mode: Broadcaster or content distributor can also send messages to viewers in the live streaming.



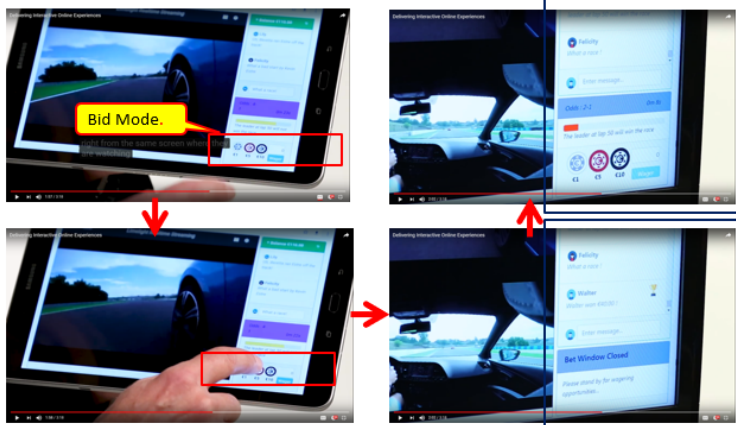
SOURCE: <https://www.youtube.com/watch?v=zKbxJLONoA>



SOURCE: <https://www.youtube.com/watch?v=zkbxuL0nOA>

ENABLE NEW BUSINESS MODELS WITH INTERACTIVITY

LimeLight Realtime Streaming also features the ability to share bidirectional data. The sharing of integrated data along with video allows you to develop your own creative ways to use data as part of your video workflows. Viewers watching live sporting events can receive statistics about their favorite players and even vote on their favorite plays, or choose which camera angle they would like to view. Gamers can have an integrated chat channel with their videos, and online auctions can be streamed along with the ability for viewers to bid on items in real-time by hitting a button. These interactive capabilities open many new business opportunities.

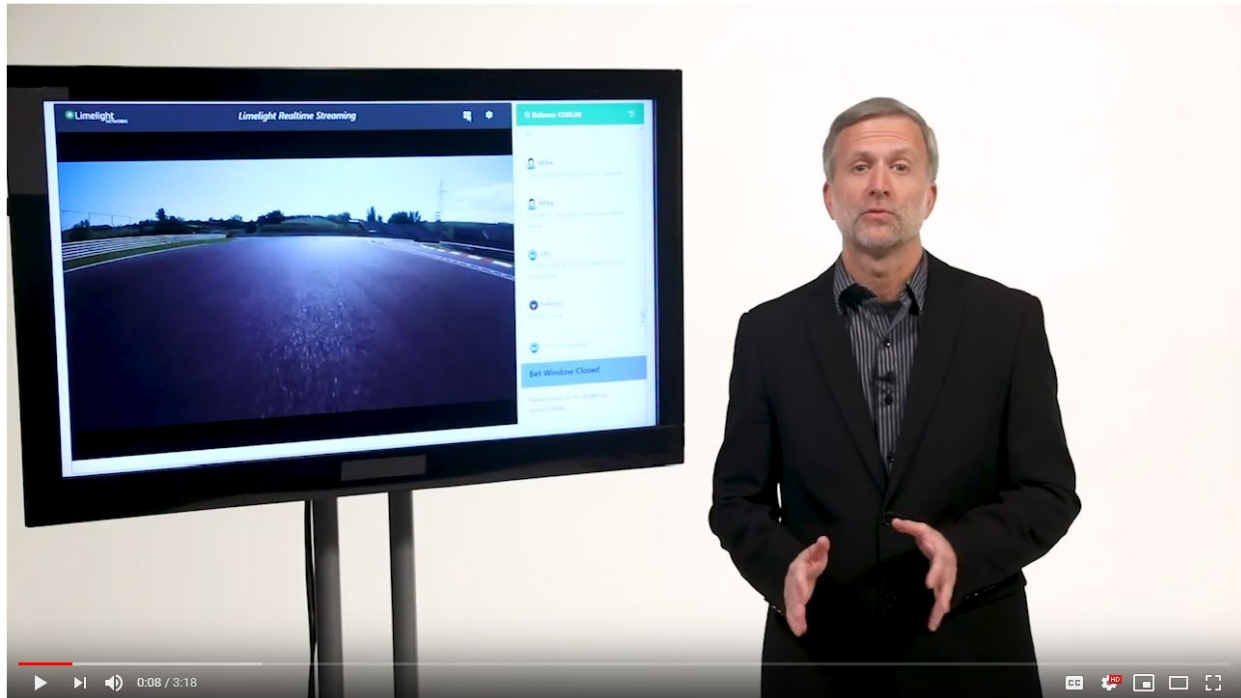


SOURCE: <https://www.limeight.com/resources/tech-brief/realtime-streaming/>

SOURCE: <https://www.youtube.com/watch?v=zkbxuL0nOA>

wherein said hot spots reside on and are accessible from a digital video or audio file;

Defendant provides hot spots that reside on and are accessible from a digital video or audio file.



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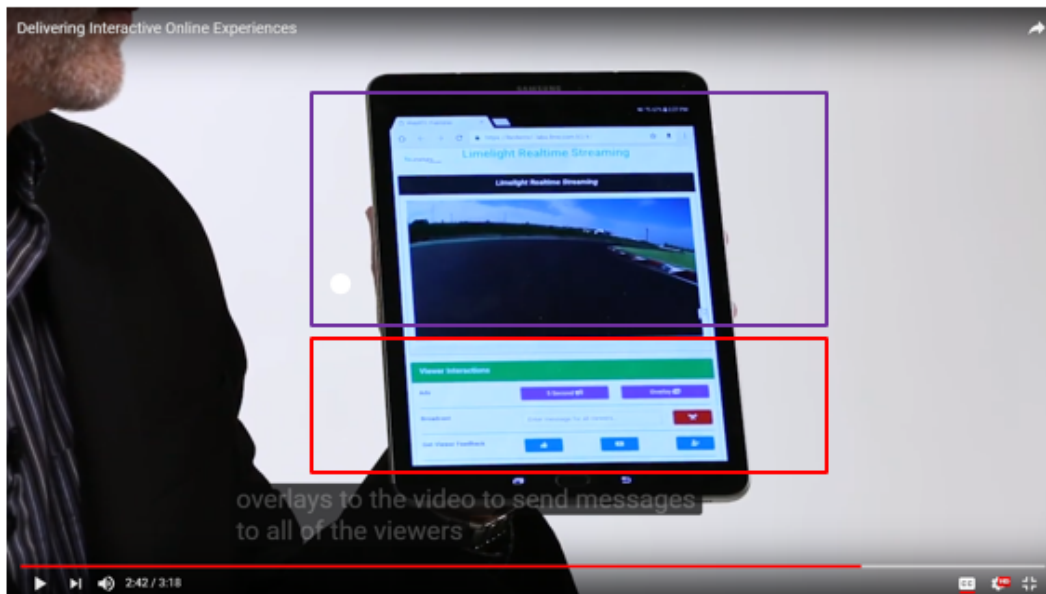
want to watch and your live viewers don't even have to be at home. The users can be on a mobile device such as a tablet watching the same great real-time experience you would give them on the big screen. In addition to real-time audio and video Limelight real-time streaming also allows you to integrate live data, for example, you could have a live chat session going on while people are watching the event. So now no matter what device they're using viewers can enjoy the action in real time and even chat with friends to talk about the big plays or your viewers can place Wagers on what will happen during the live event right from the same screen where they are watching the real-time action, but its not just about the real-time experience you provide your viewers. Its also about what you can do as a broadcaster or content distributor, for example, if I wanted to add a commercial into the middle of the feed I can do something simple, like just hit a button. It would make sure that everybody gets to see this commercial. Or if I wanted to insert an overlay advertisement into the video, I could just click a button and it would come up on every screen and I can even do simple things like adding text overlays to the video to send messages to all of the viewers. Limelight real-time streaming delivers true real-time video and audio using standard web browsers without special plugins and by integrating real time data you can make live viewing an interactive experience that increases viewer engagement and offers new opportunities to monetize live content. Contact Limelight to learn more about how we can help you deliver the best live online experiences.”

The statements made in the video depicted above are representations by Limelight’s representative and are therefore admissions by a party opponent.

CREATING INTERACTIVE ONLINE VIEWING EXPERIENCES

Limelight Realtime Streaming also offers the ability to create interactive live online experiences by integrating live data with video. Sports fans can now receive realtime statistics about the match or their favorite players and even vote for the player of the match, wager on who will score the next goal, or choose which camera angle they would like to view, right from their computer or mobile device. Gamers can have an integrated chat channel with their video. Fans of eSports can participate in event commentary along with the live in-arena audience. Limelight Realtime Streaming opens up new business opportunities in sports, gaming, auctions, and more by making live viewing a more interactive social experience.

SOURCE: <https://www.limelight.com/resources/data-sheet/realtime-streaming/>

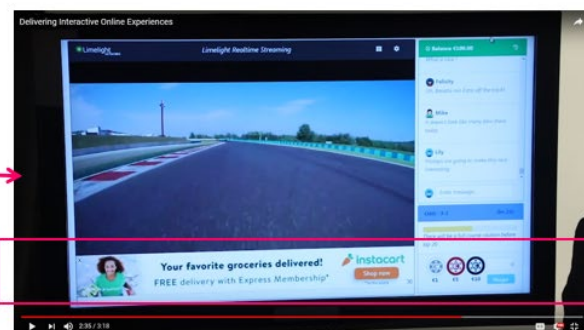
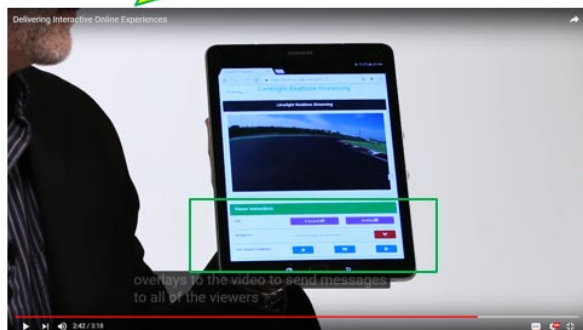


SOURCE: <https://www.youtube.com/watch?v=zKbxxJLONOA>

wherein said predetermined functions are selected from a mode control;

Defendant provides a mode control wherein said predetermined functions are selected.

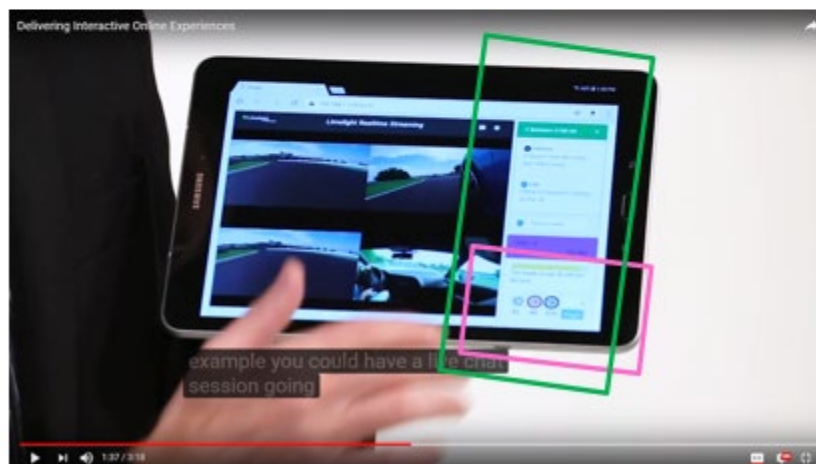
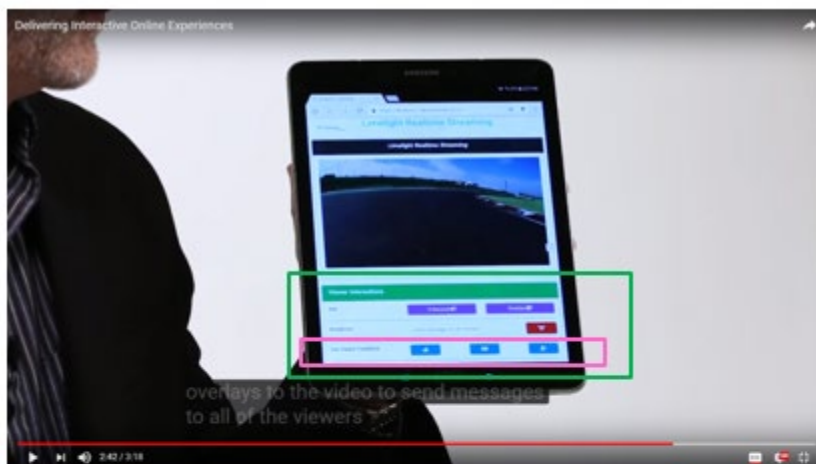
Shop Mode: Broadcaster or content distributor can also deliver advertisement to viewer.



SOURCE: <https://www.youtube.com/watch?v=zKbxxJLONOA>

wherein the mode control comprises a plurality of modes;

Defendant provides a mode control that comprises a plurality of modes.



SOURCE: <https://www.youtube.com/watch?v=zKbxxJLOnOA>

wherein the plurality of modes comprise a shop mode, a bid mode, an interact mode, an entertainment mode, and a link mode;

Defendant provides a plurality of modes that comprise a shop mode, a bid mode, an interact mode, an entertainment mode, and a link mode.

The '696 specification describes the plurality of modes as follows: "the **bid mode** facilitates audio and/or video communication between multiple users/clients in a multicast communication interface for conducting an auction and/or receiving bids for obtaining products or product information. The **interact mode** facilitates interaction between users and live-streamed Internet programs. The **link mode** hyperlinks to related or targeted web pages and/or web sites in an auxiliary browser. The **entertain mode** accesses related or targeted web sites, information and/or digital media files. Clicking an option in the menu bar determines the action to be taken when a user clicks on a multifunctional

hot spot.” *See*, ‘696 patent Col. 3 *l.* 20-32. The **shopping mode** allows a user to fill a shopping cart with digital media files, the object or merchandise that was highlighted by the hot spot and other items for purchase. *See*, ‘696 patent Col. 3 *l.* 12-16.

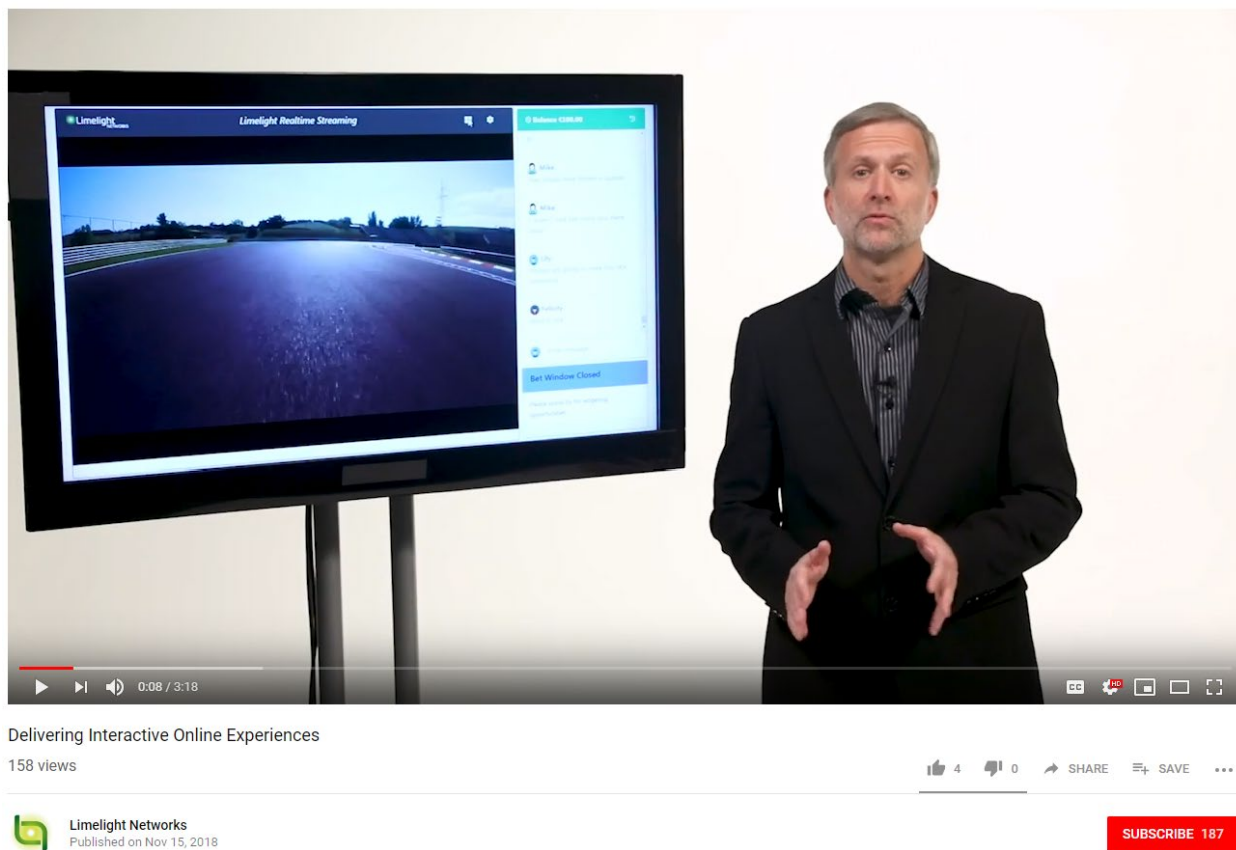
The hotspots may be programmed with hyperlinks, JAVA applications and/or other types of applications based code for performing various functions while a user is residing in a video file, audio file or other location within a webpage or website, such as making a bid in a **bidding or auction system mode**, linking to another web page or URL address in a **link mode**, linking to other videos or audio files in an **entertainment mode**... *See*, ‘696 patent Col. 4 *l.* 58-66.

The **bid mode** may provide a multi-cast communication interface by providing a shared white board, chat rooms, instant messaging, auctions for exchanging product and production information that is disseminated via video or text, e-mail notification of selected highlights and a view of the user's digitallocker™, with the ability to add audio and video from the multi-cast session. The **interact mode** facilitates interaction between the user and live-streamed internet programs. The user is able to communicate and/or interact with network designated queues by clicking on hot spots in a live audio and/or video streamed file being broadcasted over the internet. In the **interactive mode**, the user can also interact or communicate by using multi-task communication windows and the teleconference functions of the software, such as that provided by the digital call mode. In these modes, the user can activate a voice recognition function to activate certain Software functions and initiate the multi functional hot spots in the live streamed audio and/or video file. In the **link mode**, hot spots in the main audio and video file are initiated and open web pages, websites or other URL addresses in an adjacent browser or window or in a main playback browser/window. In the **entertainment mode**, the activation of hot spots causes the opening of related or targeted audio and video and/or video files related to the designated hot spot and an auxiliary browser/window. *See*, ‘696 patent Col. 5 *l.* 26-50.

If in the **shop mode**, then the software will add products referenced by the hot spot to the user's shopping cart. If in the **link mode**, then software opens with information relevant to the item referenced by the hot spot object and presents this information as a web page, jpeg, mpeg or other multi-media format. If the user has selected the **entertainment mode**, then the software opens a movie/video/audio file whose content is related to the item referenced by the hot spot object as it correlates to the time stamped period in the video or movie. If the user has selected the cool **interact™ mode** then the software plays a live audio/video stream that contains hot spots and a multicast communication window is open and the user is able to control certain software functions via voice recognition. *See*, ‘696 patent Col. 7 *l.* 49-59.

If in the **shop mode**, the applet adds the items specified by the custom defined object to the user's shopping cart. If the applet is in the **entertain mode**, then it opens another browser window, playing the video or audio file located at the URL address obtained from the custom defined object in the corresponding hot spot. If the applet is in the **bid mode**, then it activates the bidding routine of the software and enters bids correlating to electronic signatures as they are made into the bidding system for the item specified by the custom defined object. If the applet is in the **link mode**, and the hot spot is activated then it the program opens a browser window and links to the URL obtained from the custom defined object in the hot spot. *See*, ‘696 patent Col. 8 *l.* 46-59.

It should be understood that the invention is not limited to the disclosed embodiment, but on the contrary is intended to cover various modifications and equivalent arrangements included within the spirit and scope of the claims. The instant invention has been shown and described herein in what is considered to be the most practical and preferred embodiment. It is recognized, however, that departures may be made there from within the scope of the invention and that obvious structural and/or functional modifications will occur to a person skilled in the art. *See*, '696 patent Col. 9 l. 25-36.



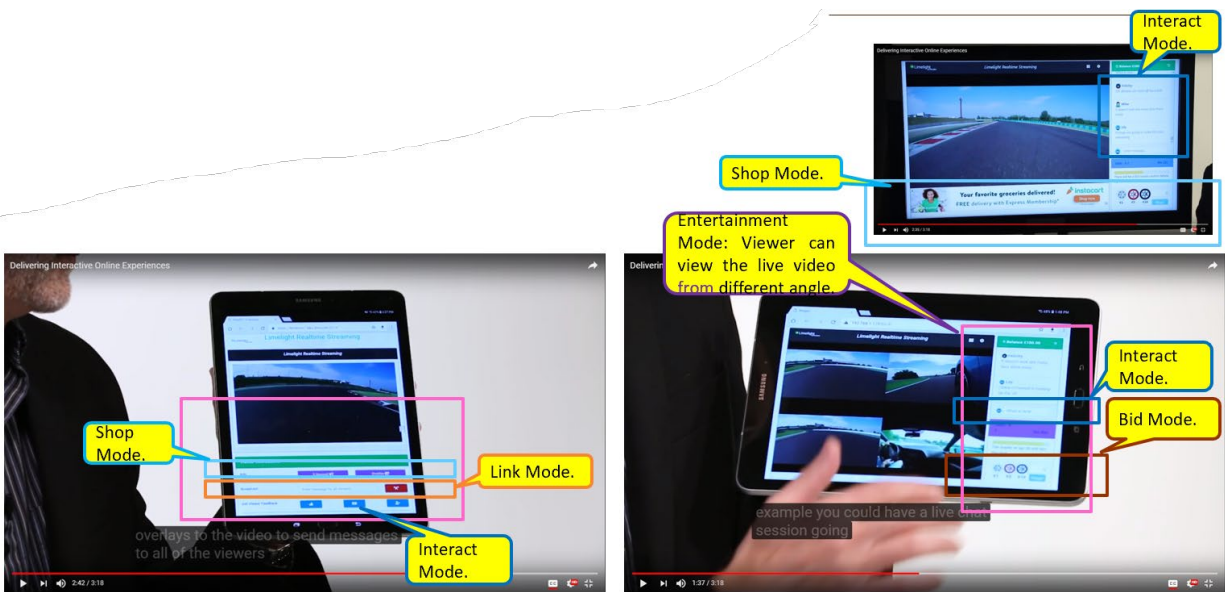
Source: <https://www.youtube.com/watch?reload=9&v=zKbxxJLOnOA>

The audio from the video depicted above was transcribed verbatim below:

“Limelight real-time streaming streams video from anywhere to anywhere in the world in less than one second using standard web browsers without the need for special plugins. Now, you're online viewers can enjoy all the action in real time. For sports broadcasters, this means there is no chance your online viewers will run into spoilers on social media where they learn about a big play that has already happened from the people who are watching live television broadcast that is 30 to 40 seconds ahead of the online feed. For online gaming and gambling now all the players can watch the action at the exact same time no matter where they're located and for live events such as auctions, conferences and meetings everyone can participate in real time. Limelight real-time streaming lets

you do much more than just deliver real-time video to viewers everywhere. For example, not only can I stream a video feed of a race that's being broadcast, I can also stream the individual cameras and allow the viewer at home to pick which camera angle I want to view or potentially even stream multiple matches that are happening at the same time and let the viewer decide which event they want to watch and your live viewers don't even have to be at home. The users can be on a mobile device such as a tablet watching the same great real-time experience you would give them on the big screen. In addition to real-time audio and video Limelight real-time streaming also allows you to integrate live data, for example, you could have a live chat session going on while people are watching the event. So now no matter what device they're using viewers can enjoy the action in real time and even chat with friends to talk about the big plays or your viewers can place Wagers on what will happen during the live event right from the same screen where they are watching the real-time action, but its not just about the real-time experience you provide your viewers. Its also about what you can do as a broadcaster or content distributor, for example, if I wanted to add a commercial into the middle of the feed I can do something simple, like just hit a button. It would make sure that everybody gets to see this commercial. Or if I wanted to insert an overlay advertisement into the video, I could just click a button and it would come up on every screen and I can even do simple things like adding text overlays to the video to send messages to all of the viewers. Limelight real-time streaming delivers true real-time video and audio using standard web browsers without special plugins and by integrating real time data you can make live viewing an interactive experience that increases viewer engagement and offers new opportunities to monetize live content. Contact Limelight to learn more about how we can help you deliver the best live online experiences.”

The statements made in the video depicted above are representations by Limelight’s representative and are therefore admissions by a party opponent.



SOURCE: <https://www.youtube.com/watch?v=zKbxxJL0nOA>

Defendant provides a link mode which a button is activated or clicked the user is directed to additional content and the software opens with information relevant to the item referenced by the hot spot object and presents this information as a web page, jpeg, mpeg or other multi-media format.

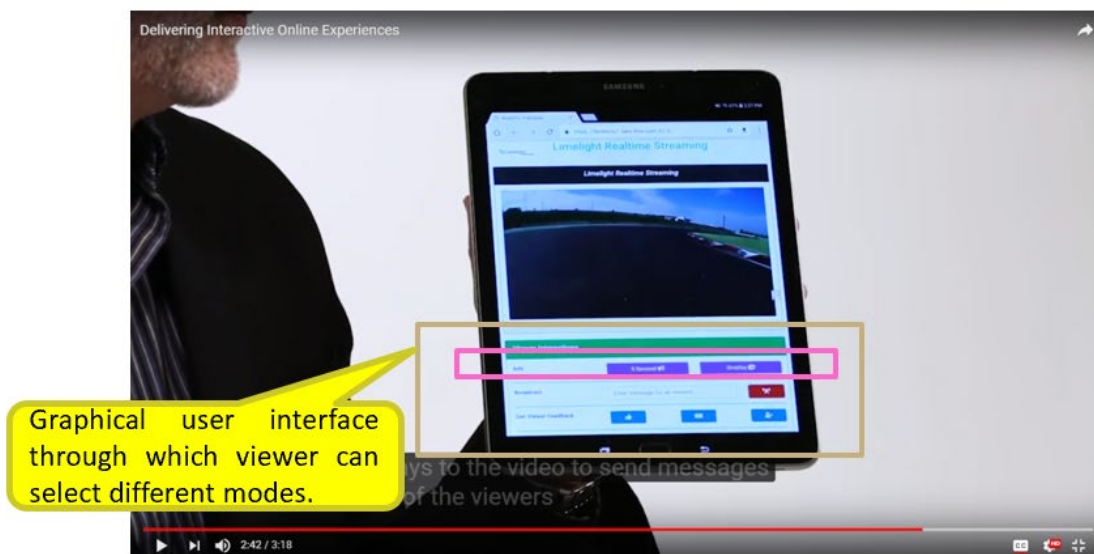
Live online eSports

Sub-second latency allows online play and commentary along with live in-arena audience. Adding live chat, polling and surveys makes the viewer experience more exciting and increases the total audience.

Source: <https://www.limelight.com/resources/tech-brief/realtime-streaming/>

wherein a specific mode is selected by a user through an expandable graphical user interface bar;

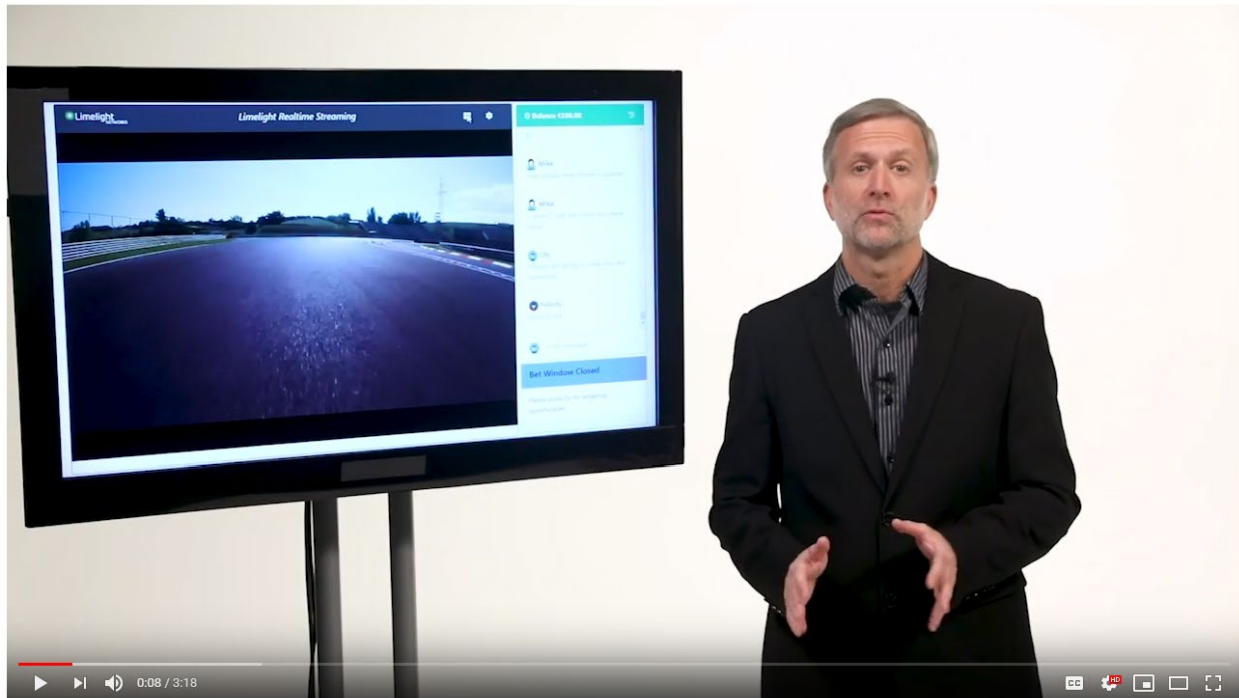
Defendant provides a specific mode that is selected by a user through an expandable graphical user interface bar.



SOURCE: <https://www.youtube.com/watch?v=zKbxJLOnOA>

wherein said specific mode further toggles based on time stamps in said digital video or digital audio file;

Defendant provides a specific mode that further toggles based on time stamps in said digital video or digital audio file.



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158 views

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Limelight Networks
Published on Nov 15, 2018

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Limelight Realtime Streaming lets you deliver live interactive online experiences that increase viewer engagement and offer new opportunities to monetize live content.

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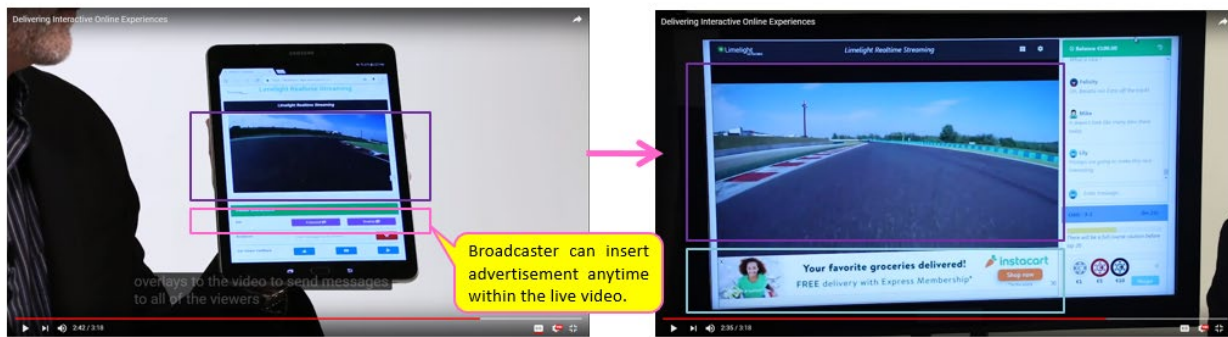
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and allow the viewer at home to pick which camera angle I want to view or potentially even stream multiple matches that are happening at the same time and let the viewer decide which event they want to watch and your live viewers don't even have to be at home. The users can be on a mobile device such as a tablet watching the same great real-time experience you would give them on the big screen. In addition to real-time audio and video Limelight real-time streaming also allows you to integrate live data, for example, you could have a live chat session going on while people are watching the event. So now no matter what device they're using viewers can enjoy the action in real time and even chat with friends to talk about the big plays or your viewers can place Wagers on what will happen during the live event right from the same screen where they are watching the real-time action, but its not just about the real-time experience you provide your viewers. Its also about what you can do as a broadcaster or content distributor, for example, **if I wanted to add a commercial into the middle of the feed I can do something simple, like just hit a button. It would make sure that everybody gets to see this commercial. Or if I wanted to insert an overlay advertisement into the video, I could just click a button and it would come up on every screen** and I can even do simple things like adding text overlays to the video to send messages to all of the viewers. Limelight real-time streaming delivers true real-time video and audio using standard web browsers without special plugins and by integrating real time data you can make live viewing an interactive experience that increases viewer engagement and offers new opportunities to monetize live content. Contact Limelight to learn more about how we can help you deliver the best live online experiences.”

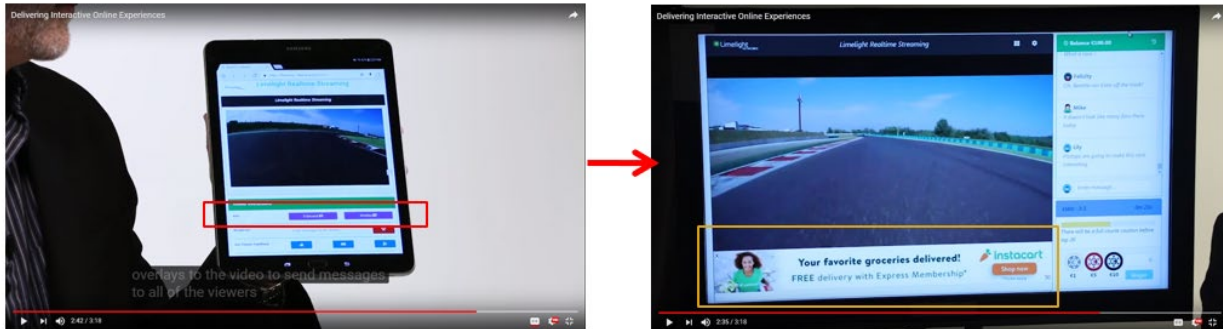
The statements made in the video depicted above are representations by Limelight’s representative and are therefore admissions by a party opponent.



SOURCE: <https://www.youtube.com/watch?v=zKbxuL0n0A>

wherein said hot spots are visualized by outlines, shading, or illumination or a combination of each, at a predetermined area on the display;

Defendant provides hot spots that are visualized by outlines, shading, or illumination or a combination of each, at a predetermined area on the display.



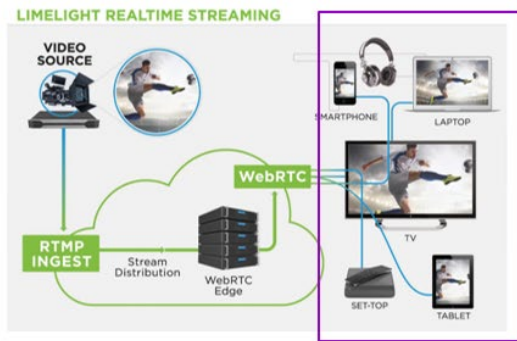
SOURCE: <https://www.youtube.com/watch?v=zKbxjLONoA>

wherein said Multifunctional Hot Spot apparatus is made to reside on and is executing on a computing system;

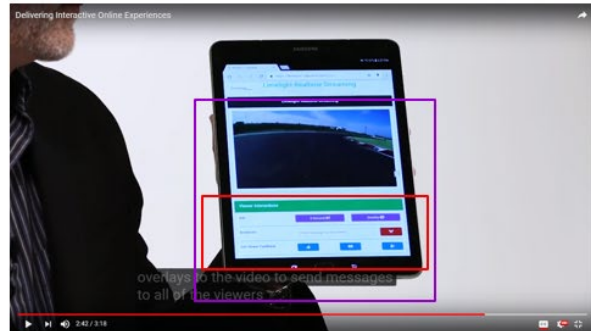
Defendant provides a Multifunctional Hot Spot apparatus that is made to reside on and is executing on a computing system.

◦ A computer or laptop is the primary device used to watch online video, but smartphones have become the leading device in some countries and with younger viewers

SOURCE: <https://www.limelight.com/resources/white-paper/state-of-online-video-2017/#primarydevices>



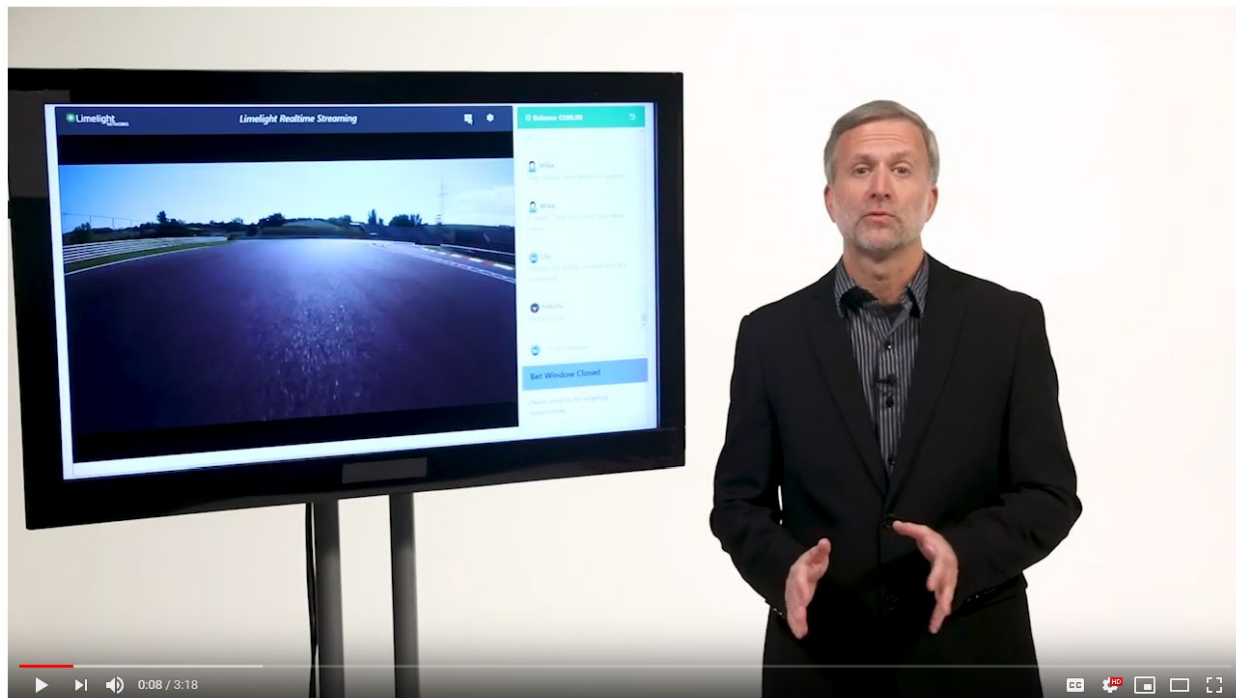
SOURCE: <https://www.limelight.com/resources/tech-brief/realtime-streaming/>



SOURCE: <https://www.youtube.com/watch?v=zKbxjLONoA>

selecting and activating at least one of said predetermined functions by clicking on each particular Multifunctional Hot Spot.

Defendant provides at least one of said predetermined functions that are selected and activated by clicking on each particular Multifunctional Hot Spot.



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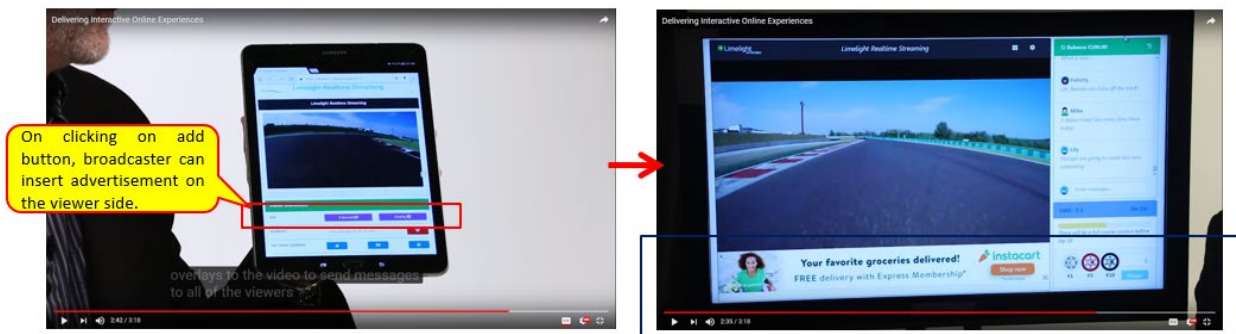
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and allow the viewer at home to pick which camera angle I want to view or potentially even stream multiple matches that are happening at the same time and let the viewer decide which event they want to watch and your live viewers don't even have to be at home. The users can be on a mobile device such as a tablet watching the same great real-time experience you would give them on the big screen. In addition to real-time audio and video Limelight real-time streaming also allows you to integrate live data, for example, you could have a live chat session going on while people are watching the event. So now no matter what device they're using viewers can enjoy the action in real time and even chat with friends to talk about the big plays or your viewers can place Wagers on what will happen during the live event right from the same screen where they are watching the real-time action, but its not just about the real-time experience you provide your viewers. Its also about what you can do as a broadcaster or content distributor, for example, **if I wanted to add a commercial into the middle of the feed I can do something simple, like just hit a button. It would make sure that everybody gets to see this commercial. Or if I wanted to insert an overlay advertisement into the video, I could just click a button and it would come up on every screen** and I can even do simple things like adding text overlays to the video to send messages to all of the viewers. Limelight real-time streaming delivers true real-time video and audio using standard web browsers without special plugins and by integrating real time data you can make live viewing an interactive experience that increases viewer engagement and offers new opportunities to monetize live content. Contact Limelight to learn more about how we can help you deliver the best live online experiences.”

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SOURCE: <https://www.youtube.com/watch?v=zKbxuJOnQA>

22. Defendant’s aforesaid activities have been without authority and/or license from Plaintiff.

23. To the extent any marking was required by 35 U.S.C. § 287, Plaintiff and all predecessors in interest to the ‘696 patent complied with all marking requirements under 35 U.S.C. § 287.

24. Plaintiff is entitled to recover from Defendant the damages sustained by Plaintiff as a result of the Defendant's wrongful acts in an amount subject to proof at trial, 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. § 284.

JURY DEMAND

Plaintiff hereby requests a trial by jury pursuant to Rule 38 of the Federal Rules of Civil Procedure.

PRAYER FOR RELIEF

Plaintiff respectfully requests that the Court find in its favor and against the Defendant, and that the Court grant Plaintiff the following relief:

- A. a judgment that Defendant directly and/or indirectly infringes one or more claims of the '696 patent;
- B. award Plaintiff damages in an amount adequate to compensate Plaintiff for Defendant's infringing products' infringement of the claims of the '696 patent, but in no event less than a reasonable royalty, and supplemental damages for any continuing post-verdict infringement until entry of the final judgment with an accounting as needed, under 35 U.S.C. § 284;
- C. award Plaintiff pre-judgment interest and post-judgment interest on the damages awarded, including pre-judgment interest, pursuant to 35 U.S.C. § 284, from the date of each act of infringement of the '696 patent by Defendant to the day a damages judgment is entered, and an award of post-judgment interest, pursuant to 28 U.S.C. § 1961, continuing until such judgment is paid, at the maximum rate allowed by law; and an accounting of all damages not presented at trial;
- D. a judgment and order finding this to be an exceptional case and requiring defendant to pay the costs of this action (including all disbursements) and attorneys' fees, pursuant to 35 U.S.C. § 285;
- E. award a compulsory future royalty for the '696 patent; and award such further relief as the Courts deems just and proper.

Dated: April 18, 2019

Respectfully submitted,

DEVLIN LAW FIRM LLC

/s/ Timothy Devlin

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