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12 Attorneys for Express Mobile, Inc.

13  
14 UNITED STATES DISTRICT COURT  
15 CENTRAL DISTRICT OF CALIFORNIA  
16 \_\_\_\_\_ DIVISION  
17

18 EXPRESS MOBILE, INC.,

19 Plaintiff,

20 vs.

21  
22 ADD2NET, INC. d/b/a LUNARPAGES

23 Defendant.  
24  
25  
26  
27  
28

) Case No.: 2:19-cv-5091

) **COMPLAINT FOR PATENT  
INFRINGEMENT**

) DEMAND FOR JURY TRIAL

1 Plaintiff Express Mobile, Inc. (“Express Mobile” or “Plaintiff”), for its  
2 Complaint against Defendant Add2Net, Inc. d/b/a Lunarpages, (“Lunarpages” or  
3 “Defendant”) alleges the following:

4 **NATURE OF THE ACTION**

5 1. This is an action for patent infringement arising under the Patent Laws of  
6 the United States, 35 U.S.C. § 1 *et seq.*

7 **THE PARTIES**

8 2. Plaintiff is a corporation organized under the laws of the State of  
9 Delaware with a place of business at 3415 Custer Rd. Suite 104, Plano, TX 75023.

10 3. Upon information and belief, Lunarpages is a corporation organized and  
11 existing under the laws of California, with a place of business at 1908 N. Enterprise  
12 St., Orange, CA 92865 and can be served through its registered agent, Jeffrey A.  
13 Cohen, 10990 Wilshire Blvd., Ste. 1025, Los Angeles, CA 90024.

14 4. Upon information and belief, Lunarpages sells and offers to sell products  
15 and services throughout the United States, including in this judicial district, and  
16 introduces products and services into the stream of commerce and that incorporate  
17 infringing technology knowing that they would be sold in this judicial district and  
18 elsewhere in the United States.

19 **JURISDICTION AND VENUE**

20 5. This is an action for patent infringement arising under the Patent Laws of  
21 the United States, Title 35 of the United States Code.

22 6. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and  
23 1338(a).

24 7. Venue is proper in this judicial district under 28 U.S.C. §1400(b). On  
25 information and belief, Defendant is incorporated in the State of California, has  
26 committed acts of infringement in this District, and has a regular and established place  
27 of business within this District.  
28

1           8. On information and belief, Defendant is subject to this Court’s general  
2 and specific personal jurisdiction because Defendant has sufficient minimum contacts  
3 within the State of California and this District, pursuant to due process and/or the  
4 California Long Arm Statute because Defendant purposefully availed itself of the  
5 privileges of conducting business in the State of California and in this District,  
6 because Defendant regularly conducts and solicits business within the State of  
7 California and within this District, and because Plaintiff’s causes of action arise  
8 directly from each of Defendant’s business contacts and other activities in the State of  
9 California and this District.

10                           **COUNT I – INFRINGEMENT OF U.S. Patent No. 6,546,397**

11           9. The allegations set forth in the foregoing paragraphs 1 through 8 are  
12 incorporated into this First Claim for Relief.

13           10. On April 8, 2003, U.S. Patent No. 6,546,397 (“the ’397 patent”), entitled  
14 “*Browser Based Web Site Generation Tool and Run Time Engine*,” was duly and  
15 legally issued by the United States Patent and Trademark Office. A true and correct  
16 copy of the ’397 patent is attached as Exhibit A.

17           11. The inventions of the ’397 patent resolve technical problems related to  
18 website creation and generation. For example, the inventions enable the creation of  
19 websites through browser-based visual editing tools such as selectable settings panels  
20 which describe website elements, with one or more settings corresponding to  
21 commands, which features are exclusively implemented utilizing computer  
22 technology including a virtual machine.

23           12. The claims of the ’397 patent do not merely recite the performance of  
24 some business practice known from the pre-Internet world along with the requirement  
25 to perform it on the Internet. Instead, the claims of the ’397 patent recite one or more  
26 inventive concepts that are rooted in computerized website creation technology, and  
27 overcome problems specifically arising in the realm of computerized website creation  
28 technologies.

1           13. The claims of the '397 patent recite an invention that is not merely the  
2 routine or conventional use of website creation systems and methods. Instead, the  
3 invention describes a browser-based website creation system and method in which the  
4 user-selected settings representing website elements are stored in a database, and in  
5 which said stored information is retrieved to generate said website.

6           14. The technology claimed in the '397 patent does not preempt all ways of  
7 using website or web page authoring tools nor preempt the use of all website or web  
8 page authoring tools, nor preempt any other well-known or prior art technology.

9           15. Accordingly, each claim of the '397 patent recites a combination of  
10 elements sufficient to ensure that the claim in practice amounts to significantly more  
11 than a patent on an ineligible concept.

12           16. In C.A. 2:17-00128, a case filed in the Eastern District of Texas, the  
13 defendant in that action, KTree Computer Solutions brought a Motion for Judgment  
14 on the Pleadings asserting that the '397 patent, along with U.S. Patent No. 7,594,168  
15 (asserted in Count II below) were invalid as claiming abstract subject matter under 35  
16 U.S.C. § 101. (C.A. 2:17-00128 Dkt. 9.) Subsequent briefing included Plaintiff's  
17 Response and related Declarations and Exhibits (C.A. 2:17-00128 Dkt. 17, 22-24),  
18 KTree's Reply (C.A. 2:17-00128 Dkt. 25), and Plaintiff's Sur-Reply and related  
19 Declarations and Exhibits (C.A. 2:17-00128 Dkt. 26-27). Each of those filings is  
20 incorporated by reference into this Complaint.

21           17. After a consideration of the respective pleadings, Magistrate Judge Payne  
22 recommended denial of KTree's motion, without prejudice, holding that "the claims  
23 appear to address a problem particular to the internet: dynamically generating  
24 websites and displaying web pages based on stored user-selected settings" and further  
25 stating "the asserted claims do not bear all of the hallmarks of claims that have been  
26 invalidated on the pleadings by other courts in the past. For example, the claims are  
27 not merely do-it-on-a-computer claims." (C.A. 2:17-00128 Dkt. 29 attached hereto as  
28 Exhibit B.) Judge Payne's report and recommendation is incorporated by reference

1 into this Complaint. No objection was filed to the Magistrate Judge’s report and  
2 recommendation and the decision therefore became final.

3 18. In C.A. Nos. 3:18-cv-04679 and 3:18-04688, both of which were filed in  
4 the Northern District of California, the respective defendant in each of those actions  
5 brought a Motion to Dismiss asserting that the ’397 patent, along with U.S. Patent No.  
6 7,594,168 (asserted in Count II below) were invalid as claiming abstract subject  
7 matter under 35 U.S.C. § 101. The § 101 briefing in each of those cases is  
8 incorporated by reference into this Complaint.

9 19. After consideration of the respective pleadings and oral argument, Judge  
10 Richard Seeborg issued orders denying each respective motion to dismiss drawing a  
11 comparison between the asserted Express Mobile patents with those patents asserted  
12 in *Enfish, LLC v. Microsoft Corp.*, 822 F.3d 1327 (Fed. Cir. 2016). (C.A. 3:18 -04679  
13 Dkt. 45, attached hereto as Exhibit C, and C.A. 3:18-04688 Dkt. 40, attached hereto as  
14 Exhibit D.)

15 20. Plaintiff is the assignee and owner of the right, title and interest in and to  
16 the ’397 patent, including the right to assert all causes of action arising under said  
17 patents and the right to any remedies for infringement of them.

18 21. Upon information and belief, Defendant has and continues to directly  
19 infringe at least claims 1-6, 8-11, 14-15, 17, 20, 24-25, 35, and 37 of the ’397 patent  
20 by using a browser-based website and/or web page authoring tool in which the user-  
21 selected settings representing website elements are stored in a database, and in which  
22 said stored information is retrieved to generate said website (the “Accused  
23 Instrumentalities”). The Accused Instrumentalities include but are not limited to the  
24 website building tools used and/or provided by Defendant, such as, for example  
25 Drupal, Joomla, Magento and/or Wordpress. *See, e.g.*, [https://lunarpages.com/build-](https://lunarpages.com/build-your-site/professional-web-design/)  
26 [your-site/professional-web-design/](https://lunarpages.com/build-your-site/professional-web-design/).

27 22. On information and belief, Defendant is a for-profit organization with  
28 revenues of approximately \$37.5 million U.S.D. per year. Moreover, Defendant, its

1 employees and/or agents utilize the Accused Instrumentalities in the building and/or  
2 hosting of websites for Defendant's customers, leading to direct or indirect revenues  
3 and profit. As one example of indirect profit, entities such as Defendant will  
4 frequently offer website building and/or hosting services at reduced pricing as an  
5 inducement to attract customers, who then purchase additional products or services.  
6 On information and belief, without the availability of infringing tools such as the  
7 Accused Instrumentalities, Defendant would be at a disadvantage in the marketplace  
8 and would generate less revenue overall.

9 23. In particular, claim 1 of the '397 patent generally recites a method  
10 enabling production of websites on and for computers with browsers and virtual  
11 machines, by presenting, through a browser, a selectable settings menu describing  
12 elements, such setting(s) corresponding to commands to the virtual machine;  
13 generating a display in accordance with selected settings; storing information  
14 regarding selected settings in a database; generating a website at least in part by  
15 retrieving said information; and building web page(s) to generate said website and a  
16 run time file, where the run time file uses the stored information to generate virtual  
17 machine commands for the display of at least a portion of web page(s).

18 24. The Accused Instrumentalities infringe claim 1 of the '397 patent through  
19 a combination of features which collectively practice each limitation of claim 1. By  
20 way of example, modern internet browsers such as Microsoft Internet Explorer,  
21 Mozilla's Firefox, Apple Safari, Google Chrome, and Opera include virtual machines  
22 within the meaning of the '397 patent. (*See, e.g.*,  
23 <http://developer.telerik.com/featured/a-guide-to-javascript-engines-for-idiots/>;  
24 <http://dictionary.reference.com/browse/virtual+machine?s=t>). The Accused  
25 Instrumentalities support the use of the latest versions of Internet Explorer 11 or later,  
26 Microsoft Edge, latest-1, Firefox latest, latest-1, Chrome latest, latest-1, Safari latest,  
27 latest-1 (Mac OS), Safari Mobile for iPad 2, iPad Mini, iPad with Retina Display (iOS  
28 7 or later), for desktop site, Safari Mobile for iPhone 4 or later; iOS 7 or later, for

1 mobile site, Chrome for mobile latest-1 (Android 4 or later) for mobile site, where  
2 *latest-1* means one major version earlier than the latest released version. (See, e.g.,  
3 <https://www.drupal.org/docs/8/system-requirements/browser->;  
4 [http://devdocs.magento.com/guides/v2.0/install-gde/system-](http://devdocs.magento.com/guides/v2.0/install-gde/system-requirements_browsers.html)  
5 [requirements\\_browsers.html](http://devdocs.magento.com/guides/v2.0/install-gde/system-requirements_browsers.html); <http://themeforest.net/category/wordpress>;  
6 [https://docs.joomla.org/Joomla\\_Browser\\_Support](https://docs.joomla.org/Joomla_Browser_Support)  
7 [http://devdocs.magento.com/guides/v2.0/install-gde/system-](http://devdocs.magento.com/guides/v2.0/install-gde/system-requirements_browsers.html)  
8 [requirements\\_browsers.html](http://devdocs.magento.com/guides/v2.0/install-gde/system-requirements_browsers.html).) All of these browsers rely on browser engines  
9 comprising virtual machines to interpret and execute JavaScript and HTML to render  
10 web pages on a computer.

11 25. By way of further example, the Accused Instrumentalities enable users to  
12 produce websites through browsers on users' computers via interaction with an  
13 Internet server. For example, in order to add a new page to a user's website, the user  
14 logs in and then a server of the Accused Instrumentalities initiates presentation to the  
15 user through a browser of a website-builder tool. From the interface—sometimes  
16 referred to as a dashboard—of the Accused Instrumentalities, the user can navigate  
17 and add elements and element properties commensurate with a new page. A display is  
18 generated in accordance with one or more user selected settings substantially  
19 contemporaneously with the selection thereof. This is performed, for example, using  
20 a visual editing tool through a browser. The WYSIWYG interface for selecting center  
21 alignment of an image can also be accessed, and then the user can select various  
22 options such as a font and paragraph styles. After the user selects options such as  
23 image/text alignment or font and paragraph styles through the WYSIWYG editor, the  
24 display immediately updates to reflect the selected option. Furthermore, when images  
25 are uploaded by a user, those images are displayed in approximately 0-2 seconds  
26 depending on file size and bandwidth.

27 26. Data is stored in a database, including information corresponding to user  
28 selected settings such as, for example, the selections of text color. Other user

1 selections are also stored including, for example, the layout, image filenames,  
2 thumbnails, and paragraph margin settings for defining the alignment of an image  
3 location. The Accused Instrumentalities build one or more web pages to generate a  
4 website from at least a portion of a database and at least one run time file, where at  
5 least one run time file utilizes information stored in said database to generate virtual  
6 machine commands for the display of at least a portion of said one or more web pages.

7 27. At run time, at least some of these files use information stored in the  
8 database to generate the HTML for the final rendered HTML page. This HTML  
9 represents virtual machine commands for display of the page because it is read and  
10 used by the applicable browser's engine, including a virtual machine, in order to  
11 render the page. On information and belief, the Accused Instrumentalities further rely  
12 on the browser engine's component JavaScript engine to either display a portion of the  
13 page directly, or generate HTML to be executed for display by the main layout engine.

14 28. Additionally, the "PHP code," including the PHP template files, can be  
15 viewed in the file directory for the Accused Instrumentalities, and this directory  
16 includes various other runtime files (including other PHP files, JavaScript files,  
17 PHTML, and/or XML). It follows that a user will view the finalized website  
18 developed with said tools in a browser outside of the website authoring environment  
19 to verify the website conforms to the intended design. *See, e.g.*,  
20 <https://techterms.com/definition/runtime>.

21 29. The presence of the above referenced elements are demonstrated, by way  
22 of example, by reference to publicly available information. Regarding Drupal, *see*,  
23 *e.g.*, <https://www.drupal.org/home>; <https://www.drupal.org/docs/8/system-requirements/browser-requirements>; <https://www.drupal.org/project/ckeditor>;  
24 <https://www.drupal.org/docs/8/core/modules/ckeditor/overview>;  
25 [https://dev.acquia.com/blog/tutorial-drupal-8-wysiwyg-inline-and-responsive-  
26 images/10/03/2016/9821](https://dev.acquia.com/blog/tutorial-drupal-8-wysiwyg-inline-and-responsive-images/10/03/2016/9821); Angela Byron, *Ultimate Guide to Drupal 8* at 4 (2016);  
27 <https://www.drupal.org/docs/7/understanding-drupal/technology-stack>;  
28



1 <https://www.drupal.org/docs/8/system-requirements/web-server>;  
2 <https://www.drupal.org/docs/8/core/modules/rest/overview>;  
3 <https://www.drupal.org/docs/8/core/modules/serialization/overview>;  
4 <https://www.drupal.org/docs/8/understanding-drupal-8/overview>;  
5 <https://www.drupal.org/docs/develop/standards/css/css-architecture-for-drupal-8>.  
6 Regarding Magento, *see, e.g.*, [http://docs.magento.com/m1/ee/user\\_guide/system-](http://docs.magento.com/m1/ee/user_guide/system-operations/browser-capabilities-detection.html)  
7 [operations/browser-capabilities-detection.html](http://docs.magento.com/m1/ee/user_guide/system-operations/browser-capabilities-detection.html);  
8 [http://docs.magento.com/m1/ee/user\\_guide/system-operations/index-](http://docs.magento.com/m1/ee/user_guide/system-operations/index-management.html)  
9 [management.html](http://docs.magento.com/m1/ee/user_guide/system-operations/index-management.html); [http://docs.magento.com/m1/ce/user\\_guide/cms/magento-](http://docs.magento.com/m1/ce/user_guide/cms/magento-cms.html)  
10 [cms.html](http://docs.magento.com/m1/ce/user_guide/cms/magento-cms.html); [http://docs.magento.com/m1/ce/user\\_guide/cms/page-create.html](http://docs.magento.com/m1/ce/user_guide/cms/page-create.html);  
11 [http://docs.magento.com/m1/ce/user\\_guide/cms/editor.html](http://docs.magento.com/m1/ce/user_guide/cms/editor.html);  
12 [http://docs.magento.com/m1/ce/user\\_guide/cms/links.html](http://docs.magento.com/m1/ce/user_guide/cms/links.html);  
13 [http://docs.magento.com/m1/ce/user\\_guide/cms/editor-insert-image.html](http://docs.magento.com/m1/ce/user_guide/cms/editor-insert-image.html);  
14 [http://docs.magento.com/m1/ce/user\\_guide/cms/editor-add-widget.html](http://docs.magento.com/m1/ce/user_guide/cms/editor-add-widget.html);  
15 [http://docs.magento.com/m1/ce/user\\_guide/design/page-layout.html](http://docs.magento.com/m1/ce/user_guide/design/page-layout.html);  
16 [http://docs.magento.com/m1/ce/user\\_guide/design/layout-updates.html](http://docs.magento.com/m1/ce/user_guide/design/layout-updates.html);  
17 [http://docs.magento.com/m1/ee/user\\_guide/store-operations/stores-multiple.html](http://docs.magento.com/m1/ee/user_guide/store-operations/stores-multiple.html);  
18 [http://docs.magento.com/m1/ee/user\\_guide/store-operations/store-hierarchy.html](http://docs.magento.com/m1/ee/user_guide/store-operations/store-hierarchy.html);  
19 [http://docs.magento.com/m1/ee/user\\_guide/system-operations/index-](http://docs.magento.com/m1/ee/user_guide/system-operations/index-management.html)  
20 [management.html](http://docs.magento.com/m1/ee/user_guide/system-operations/index-management.html). Regarding Wordpress, *see, e.g.*,  
21 <http://themeforest.net/category/wordpress>; <http://codex.wordpress.org/Templates>;  
22 [http://codex.wordpress.org/Template\\_Hierarchy](http://codex.wordpress.org/Template_Hierarchy);  
23 [http://codex.wordpress.org/Function\\_Reference/the\\_title](http://codex.wordpress.org/Function_Reference/the_title);  
24 [http://codex.wordpress.org/Function\\_Reference/the\\_content](http://codex.wordpress.org/Function_Reference/the_content);  
25 <https://www.wpbeginner.com/glossary/database/>; <https://codex.wordpress.org/Pages>;  
26 <http://codex.wordpress.org/Templates>;  
27 [http://codex.wordpress.org/Template\\_Tags/get\\_the\\_title](http://codex.wordpress.org/Template_Tags/get_the_title); and  
28 [http://codex.wordpress.org/Query\\_Overview](http://codex.wordpress.org/Query_Overview). Regarding Joomla, *see, e.g.*,

1 [https://docs.joomla.org/Joomla\\_Browser\\_Support](https://docs.joomla.org/Joomla_Browser_Support);  
2 [https://www.joomlart.com/documentation/other/joomla-3-and-joomla-2-5-system-](https://www.joomlart.com/documentation/other/joomla-3-and-joomla-2-5-system-requirement)  
3 [requirement; https://showcase.joomla.org/](https://showcase.joomla.org/);  
4 [https://docs.joomla.org/Editor\\_form\\_field\\_type](https://docs.joomla.org/Editor_form_field_type); [https://developer.joomla.org/coding-](https://developer.joomla.org/coding-standards/html.html)  
5 [standards/html.html; https://developer.joomla.org/coding-standards/css.html](https://developer.joomla.org/coding-standards/css.html);  
6 <https://developer.joomla.org/coding-standards/javascript.html>;  
7 [https://docs.joomla.org/Generating\\_JSON\\_output](https://docs.joomla.org/Generating_JSON_output); [https://api.joomla.org/cms-](https://api.joomla.org/cms-3/classes/Joomla.CMS.Input.Json.html)  
8 [3/classes/Joomla.CMS.Input.Json.html](https://api.joomla.org/cms-3/classes/Joomla.CMS.Input.Json.html);  
9 [https://docs.joomla.org/How\\_do\\_you\\_assign\\_a\\_module\\_to\\_specific\\_pages%3F](https://docs.joomla.org/How_do_you_assign_a_module_to_specific_pages%3F);  
10 [https://docs.joomla.org/Where\\_are\\_the\\_web\\_pages%3F](https://docs.joomla.org/Where_are_the_web_pages%3F).

11 30. Claim 2 of the '397 patent generally recites an apparatus for producing  
12 websites on and for computers having a browser and a virtual machine, said apparatus  
13 comprising an interface to present a settings menu which describes elements, said  
14 panel presented through a browser, where the selectable setting(s) corresponds to  
15 commands to the virtual machine; a browser to generate a display in accordance with  
16 selected setting(s); a database for storing information regarding selected settings; and  
17 a build tool having run time file(s) for generating web page(s) and using stored  
18 information to generate commands to the virtual machine for generating at least a  
19 portion of web page(s).

20 31. The Accused Instrumentalities infringe claim 2 of the '397 patent through  
21 a combination of features which collectively practice each limitation of claim 2. By  
22 way of example, modern internet browsers such as Microsoft Internet Explorer,  
23 Mozilla's Firefox, Apple Safari, Google Chrome, and Opera include virtual machines  
24 within the meaning of the '397 patent. (*See, e.g.*,  
25 <http://developer.telerik.com/featured/a-guide-to-javascript-engines-for-idiots/>;  
26 <http://dictionary.reference.com/browse/virtual+machine?s=t>). The Accused  
27 Instrumentalities support the use of the latest versions of Internet Explorer 11 or later,  
28 Microsoft Edge, latest-1, Firefox latest, latest-1, Chrome latest, latest-1, Safari latest,

1 latest–1 (Mac OS), Safari Mobile for iPad 2, iPad Mini, iPad with Retina Display (iOS  
2 7 or later), for desktop site, Safari Mobile for iPhone 4 or later; iOS 7 or later, for  
3 mobile site, Chrome for mobile latest–1 (Android 4 or later) for mobile site, where  
4 *latest–1* means one major version earlier than the latest released version. (See, e.g.,  
5 <https://www.drupal.org/docs/8/system-requirements/browser-requirements>;  
6 [http://devdocs.magento.com/guides/v2.0/install-gde/system-](http://devdocs.magento.com/guides/v2.0/install-gde/system-requirements_browsers.html)  
7 [requirements\\_browsers.html](http://devdocs.magento.com/guides/v2.0/install-gde/system-requirements_browsers.html); <http://themeforest.net/category/wordpress>;  
8 [https://docs.joomla.org/Joomla\\_Browser\\_Support](https://docs.joomla.org/Joomla_Browser_Support)  
9 [http://devdocs.magento.com/guides/v2.0/install-gde/system-](http://devdocs.magento.com/guides/v2.0/install-gde/system-requirements_browsers.html)  
10 [requirements\\_browsers.html](http://devdocs.magento.com/guides/v2.0/install-gde/system-requirements_browsers.html).) All of these browsers rely on browser engines  
11 comprising virtual machines to interpret and execute JavaScript and HTML to render  
12 web pages on a computer.

13 32. By way of further example, the Accused Instrumentalities enable users to  
14 produce websites through browsers on users' computers via interaction with an  
15 Internet server. For example, in order to add a new page to a user's website, the user  
16 logs in and then a server of the Accused Instrumentalities initiates presentation to the  
17 user through a browser of a website-builder tool. From the interface—sometimes  
18 referred to as a dashboard—of the Accused Instrumentalities, the user can navigate  
19 and add elements and element properties commensurate with a new page. A display is  
20 generated in accordance with one or more user selected settings substantially  
21 contemporaneously with the selection thereof. This is performed, for example, using  
22 a visual editing tool through a browser. The WYSIWYG interface for selecting center  
23 alignment of an image can also be accessed, and then the user can select various  
24 options such as a font and paragraph styles. After the user selects options such as  
25 image/text alignment or font and paragraph styles through the WYSIWYG editor, the  
26 display immediately updates to reflect the selected option. Furthermore, when images  
27 are uploaded by a user, those images are displayed in approximately 0-2 seconds  
28 depending on file size and bandwidth.

1           33. Data is stored in a database, including information corresponding to user  
2 selected settings such as, for example, the selections of text color. Other user  
3 selections are also stored including, for example, the layout, image filenames,  
4 thumbnails, and paragraph margin settings for defining the alignment of an image  
5 location. The Accused Instrumentalities build one or more web pages to generate a  
6 website from at least a portion of a database and at least one run time file, where at  
7 least one run time file utilizes information stored in said database to generate virtual  
8 machine commands for the display of at least a portion of said one or more web pages.

9           34. At run time, at least some of these files use information stored in the  
10 database to generate the HTML for the final rendered HTML page. This HTML  
11 represents virtual machine commands for display of the page because it is read and  
12 used by the applicable browser's engine, including a virtual machine, in order to  
13 render the page. On information and belief, the Accused Instrumentalities further rely  
14 on the browser engine's component JavaScript engine to either display a portion of the  
15 page directly, or generate HTML to be executed for display by the main layout engine.

16           35. Additionally, the "PHP code," including the PHP template files, can be  
17 viewed in the file directory for the Accused Instrumentalities, and this directory  
18 includes various other runtime files (including other PHP files, JavaScript files,  
19 PHTML, and XML). *See, e.g.,* <https://techterms.com/definition/runtime>.

20           36. It follows that a user will view the finalized website developed with said  
21 tools in a browser outside of the website authoring environment to verify the website  
22 conforms to the intended design.

23           37. The presence of the above referenced elements are demonstrated, by way  
24 of example, by reference to publicly available information. Regarding Drupal, *see,*  
25 *e.g.,* <https://www.drupal.org/home>; [https://www.drupal.org/docs/8/system-](https://www.drupal.org/docs/8/system-requirements/browser-requirements)  
26 [requirements/browser-requirements](https://www.drupal.org/project/ckeditor); <https://www.drupal.org/project/ckeditor>;  
27 <https://www.drupal.org/docs/8/core/modules/ckeditor/overview>;  
28 <https://dev.acquia.com/blog/tutorial-drupal-8-wysiwyg-inline-and-responsive->

1 images/10/03/2016/9821; Angela Byron, *Ultimate Guide to Drupal 8* at 4 (2016);  
2 <https://www.drupal.org/docs/7/understanding-drupal/technology-stack>;  
3 <https://www.drupal.org/docs/8/system-requirements/web-server>;  
4 <https://www.drupal.org/docs/8/core/modules/rest/overview>;  
5 <https://www.drupal.org/docs/8/core/modules/serialization/overview>;  
6 <https://www.drupal.org/docs/8/understanding-drupal-8/overview>;  
7 <https://www.drupal.org/docs/develop/standards/css/css-architecture-for-drupal-8>.  
8 Regarding Magento, *see, e.g.*, [http://docs.magento.com/m1/ee/user\\_guide/system-](http://docs.magento.com/m1/ee/user_guide/system-operations/browser-capabilities-detection.html)  
9 [operations/browser-capabilities-detection.html](http://docs.magento.com/m1/ee/user_guide/system-operations/browser-capabilities-detection.html);  
10 [http://docs.magento.com/m1/ee/user\\_guide/system-operations/index-](http://docs.magento.com/m1/ee/user_guide/system-operations/index-management.html)  
11 [management.html](http://docs.magento.com/m1/ee/user_guide/system-operations/index-management.html); [http://docs.magento.com/m1/ce/user\\_guide/cms/magento-](http://docs.magento.com/m1/ce/user_guide/cms/magento-cms.html)  
12 [cms.html](http://docs.magento.com/m1/ce/user_guide/cms/magento-cms.html); [http://docs.magento.com/m1/ce/user\\_guide/cms/page-create.html](http://docs.magento.com/m1/ce/user_guide/cms/page-create.html);  
13 [http://docs.magento.com/m1/ce/user\\_guide/cms/editor.html](http://docs.magento.com/m1/ce/user_guide/cms/editor.html);  
14 [http://docs.magento.com/m1/ce/user\\_guide/cms/links.html](http://docs.magento.com/m1/ce/user_guide/cms/links.html);  
15 [http://docs.magento.com/m1/ce/user\\_guide/cms/editor-insert-image.html](http://docs.magento.com/m1/ce/user_guide/cms/editor-insert-image.html);  
16 [http://docs.magento.com/m1/ce/user\\_guide/cms/editor-add-widget.html](http://docs.magento.com/m1/ce/user_guide/cms/editor-add-widget.html);  
17 [http://docs.magento.com/m1/ce/user\\_guide/design/page-layout.html](http://docs.magento.com/m1/ce/user_guide/design/page-layout.html);  
18 [http://docs.magento.com/m1/ce/user\\_guide/design/layout-updates.html](http://docs.magento.com/m1/ce/user_guide/design/layout-updates.html);  
19 [http://docs.magento.com/m1/ee/user\\_guide/store-operations/stores-multiple.html](http://docs.magento.com/m1/ee/user_guide/store-operations/stores-multiple.html);  
20 [http://docs.magento.com/m1/ee/user\\_guide/store-operations/store-hierarchy.html](http://docs.magento.com/m1/ee/user_guide/store-operations/store-hierarchy.html);  
21 [http://docs.magento.com/m1/ee/user\\_guide/system-operations/index-](http://docs.magento.com/m1/ee/user_guide/system-operations/index-management.html)  
22 [management.html](http://docs.magento.com/m1/ee/user_guide/system-operations/index-management.html). Regarding Wordpress, *see, e.g.*,  
23 <http://themeforest.net/category/wordpress>; <http://codex.wordpress.org/Templates>;  
24 [http://codex.wordpress.org/Template\\_Hierarchy](http://codex.wordpress.org/Template_Hierarchy);  
25 [http://codex.wordpress.org/Function\\_Reference/the\\_title](http://codex.wordpress.org/Function_Reference/the_title);  
26 [http://codex.wordpress.org/Function\\_Reference/the\\_content](http://codex.wordpress.org/Function_Reference/the_content);  
27 <https://www.wpbeginner.com/glossary/database/>; <https://codex.wordpress.org/Pages>;  
28 <http://codex.wordpress.org/Templates>;

1 [http://codex.wordpress.org/Template\\_Tags/get\\_the\\_title](http://codex.wordpress.org/Template_Tags/get_the_title); and  
2 [http://codex.wordpress.org/Query\\_Overview](http://codex.wordpress.org/Query_Overview). Regarding Joomla, *see, e.g.*,  
3 [https://docs.joomla.org/Joomla\\_Browser\\_Support](https://docs.joomla.org/Joomla_Browser_Support);  
4 [https://www.joomlart.com/documentation/other/joomla-3-and-joomla-2-5-system-](https://www.joomlart.com/documentation/other/joomla-3-and-joomla-2-5-system-requirement)  
5 [requirement](https://www.joomlart.com/documentation/other/joomla-3-and-joomla-2-5-system-requirement); <https://showcase.joomla.org/>;  
6 [https://docs.joomla.org/Editor\\_form\\_field\\_type](https://docs.joomla.org/Editor_form_field_type); [https://developer.joomla.org/coding-](https://developer.joomla.org/coding-standards/html.html)  
7 [standards/html.html](https://developer.joomla.org/coding-standards/html.html); <https://developer.joomla.org/coding-standards/css.html>;  
8 <https://developer.joomla.org/coding-standards/javascript.html>;  
9 [https://docs.joomla.org/Generating\\_JSON\\_output](https://docs.joomla.org/Generating_JSON_output); [https://api.joomla.org/cms-](https://api.joomla.org/cms-3/classes/Joomla.CMS.Input.Json.html)  
10 [3/classes/Joomla.CMS.Input.Json.html](https://api.joomla.org/cms-3/classes/Joomla.CMS.Input.Json.html);  
11 [https://docs.joomla.org/How\\_do\\_you\\_assign\\_a\\_module\\_to\\_specific\\_pages%3F](https://docs.joomla.org/How_do_you_assign_a_module_to_specific_pages%3F);  
12 [https://docs.joomla.org/Where\\_are\\_the\\_web\\_pages%3F](https://docs.joomla.org/Where_are_the_web_pages%3F).

13 38. Claim 3 of the '397 patent recites the apparatus of claim 2, wherein the  
14 database is a multi-dimensional array structured database.

15 39. The Accused Instrumentalities infringe claim 3 of the '397 patent  
16 through, by way of example, patent through a combination of features which  
17 collectively practice each limitation of claim 3.

18 40. By way of example, the JSON strings that are used to generate, in part,  
19 field capabilities originate from the database and therefore reflect the database  
20 structure and contents showing, on information and belief, the implementation of a  
21 multidimensional array structured database. By way of further evidence, the JSON  
22 strings show that there are dimensions for various parameters. *See, e.g.*,  
23 <https://www.drupal.org/files/issues/Field.png>;  
24 [https://api.drupal.org/api/drupal/core%21modules%21field%21field.module/group/fie](https://api.drupal.org/api/drupal/core%21modules%21field%21field.module/group/field/8.3.x)  
25 [ld/8.3.x](https://api.drupal.org/api/drupal/core%21modules%21field%21field.module/group/field/8.3.x); <http://devdocs.magento.com/guides/v2.0/get-started/gs-web-api-request.html>;  
26 <https://code.tutsplus.com/>;  
27 [https://wordpress.stackexchange.com/questions/43302/wordpress-settings-api-and-](https://wordpress.stackexchange.com/questions/43302/wordpress-settings-api-and-option-array-structure)  
28 [option-array-structure](https://wordpress.stackexchange.com/questions/43302/wordpress-settings-api-and-option-array-structure).

1           41. Claim 4 of the '397 patent recites the apparatus of claim 3, wherein the  
2 representative information is Boolean data, numeric data, string data or multi-  
3 dimensional arrays of various multimedia objects.

4           42. The Accused Instrumentalities infringe claim 4 of the '397 patent through  
5 a combination of features that practice the limitations of Claim 4. *See, e.g.,*  
6 [https://www.drupal.org/docs/8/api/entity-api/defining-and-using-content-entity-field-](https://www.drupal.org/docs/8/api/entity-api/defining-and-using-content-entity-field-definitions)  
7 [definitions;](https://www.drupal.org/docs/8/api/entity-api/defining-and-using-content-entity-field-definitions)  
8 [http://devdocs.magento.com/guides/mlx/api/rest/Resources/Products/products.html;](http://devdocs.magento.com/guides/mlx/api/rest/Resources/Products/products.html)  
9 [https://wordpress.stackexchange.com/questions/43302/wordpress-settings-api-and-](https://wordpress.stackexchange.com/questions/43302/wordpress-settings-api-and-option-array-structure)  
10 [option-array-structure.](https://wordpress.stackexchange.com/questions/43302/wordpress-settings-api-and-option-array-structure)

11           43. Claim 5 of the '397 patent recites the apparatus of claim 4, wherein said  
12 elements include multimedia objects selected from the group consisting of a color, a  
13 font, an image, an audio clip, a video clip, a text area and a URL.

14           44. The Accused Instrumentalities infringe claim 5 of the '397 patent through  
15 a combination of features that practice the limitations of Claim 5.

16           45. By way of example, the Accused Instrumentalities include various  
17 multimedia objects selected from a group contained within a WYSIWYG Editor.  
18 Examples include color, font, an image, a video, a text area and a URL as they appear  
19 in the WYSIWYG Editor. The multimedia objects created in the WYSIWYG editor  
20 are stored in the database and appear as HTML scripted text in the database. Text and  
21 vector objects can be selected and colored by selecting them or “click and dragging”  
22 over them in the WYSIWYG editor. A color may also be selected from the color  
23 dropdowns on the control bar of the Editor. This color is saved to the database; as part  
24 of the HTML of the description record. Moreover, text objects may be assigned a font  
25 by making such a selection or “click and dragging” over them in the WYSIWYG  
26 editor. A font can then be selected from the font dropdown on the control bar of the  
27 Editor. This font selection is thereafter saved to the database as part of the HTML of  
28 the description record. Selecting the Image button in the WYSIWYG editor opens a

1 tabbed panel where the user designates source, title, format, size, etc. The image file  
2 is uploaded to the server and the file's location and style are saved and posted to the  
3 database as part of the HTML of the description record. Furthermore, videos are  
4 created by clicking on the Media module, which opens a tabbed panel where the user  
5 designates URL, format, size, etc. The video's URL and style elements are saved to  
6 the database as part of the HTML of the description record. A text area may also be  
7 selected for creation by clicking in the frame of the WYSIWYG Editor and typing.  
8 The text and its style are saved to the database as part of the HTML of the description  
9 record. After entering text into the WYSIWYG editor's text area, a URL assigned by  
10 clicking and dragging over the text object you wish to link, and then selecting the  
11 "chain" link button from the control bar; which opens a tabbed panel where the user  
12 can designate the URL, target, etc. The text and its style are saved to the database as  
13 part of the HTML of the description record.

14 46. The presence of the above referenced elements are demonstrated, by way  
15 of example, by reference to publicly available information. *See, e.g.*,  
16 <https://www.drupal.org/project/ckeditor>;  
17 <https://www.drupal.org/docs/8/core/modules/ckeditor/overview>;  
18 [https://dev.acquia.com/blog/tutorial-drupal-8-wysiwyg-inline-and-responsive-](https://dev.acquia.com/blog/tutorial-drupal-8-wysiwyg-inline-and-responsive-images/10/03/2016/9821)  
19 [images/10/03/2016/9821](https://dev.acquia.com/blog/tutorial-drupal-8-wysiwyg-inline-and-responsive-images/10/03/2016/9821); Angela Byron, *Ultimate Guide to Drupal 8* at 4 (2016);  
20 [https://dev.acquia.com/blog/tutorial-drupal-8-wysiwyg-inline-and-responsive-](https://dev.acquia.com/blog/tutorial-drupal-8-wysiwyg-inline-and-responsive-images/10/03/2016/9821)  
21 [images/10/03/2016/9821](https://dev.acquia.com/blog/tutorial-drupal-8-wysiwyg-inline-and-responsive-images/10/03/2016/9821);  
22 <https://www.drupal.org/docs/8/core/modules/media/overview>;  
23 [https://www.drupal.org/project/media\\_entity](https://www.drupal.org/project/media_entity).

24 47. Claim 6 of the '397 patent recites the apparatus of claim 2, wherein said  
25 elements are selected from the group consisting of a button, an image, a paragraph, a  
26 frame, a table, a form and a vector object.

27 48. The Accused Instrumentalities infringe claim 6 of the '397 patent  
28 through a combination of features that practice the limitations of Claim 6.



1           49. By way of example, the Accused Instrumentalities include various user  
2 selectable menus where various elements can be placed on a web page. Those various  
3 user selectable menus are used to place elements selected from the group consisting of  
4 a button, an image, a paragraph, a frame, a table, a form and a vector object. The cells  
5 of a table and maps would reside in a frame, and that, dividers, maps and the lines in  
6 tables would be, at least in part, vector objects.

7           50. The presence of the above referenced elements are demonstrated, by way  
8 of example, by reference to publicly available information. *See, e.g.*,  
9 <https://www.drupal.org/project/ckeditor>;  
10 <https://www.drupal.org/docs/8/core/modules/ckeditor/overview>;  
11 [https://dev.acquia.com/blog/tutorial-drupal-8-wysiwyg-inline-and-responsive-](https://dev.acquia.com/blog/tutorial-drupal-8-wysiwyg-inline-and-responsive-images/10/03/2016/9821)  
12 [images/10/03/2016/9821](https://dev.acquia.com/blog/tutorial-drupal-8-wysiwyg-inline-and-responsive-images/10/03/2016/9821); Angela Byron, *Ultimate Guide to Drupal 8* at 4 (2016);  
13 [https://www.drupal.org/docs/8/core/modules/custom\\_block/overview](https://www.drupal.org/docs/8/core/modules/custom_block/overview);  
14 <https://www.drupal.org/docs/8/core/modules/contact/overview>.

15           51. Claim 8 recites the apparatus of claim 2, wherein said elements include  
16 one or more objects on a web page, and wherein said description of elements are a  
17 transition or an animation of at least one of said elements on a web page.

18           52. The Accused Instrumentalities infringe claim 8 of the '397 patent through  
19 a combination of features which collectively practice each limitation of claim 8. *See,*  
20 *e.g.*, <https://wordpress.org/plugins/animate-everything/>.

21           53. Claim 9 recites the apparatus of claim 2, wherein said elements include a  
22 button or an images, wherein said selectable settings include the selection of an  
23 element style, and wherein said build tool includes means for storing information  
24 representative of selected style in a database.

25           54. The Accused Instrumentalities infringe claim 9 of the '397 patent through  
26 a combination of features which collectively practice each limitation of claim 9. *See,*  
27 *e.g.*, <https://www.drupal.org/project/ckeditor>;  
28 <https://www.drupal.org/docs/8/core/modules/ckeditor/overview>;

1 [https://dev.acquia.com/blog/tutorial-drupal-8-wysiwyg-inline-and-responsive-](https://dev.acquia.com/blog/tutorial-drupal-8-wysiwyg-inline-and-responsive-images/10/03/2016/9821)  
2 [images/10/03/2016/9821;](https://dev.acquia.com/blog/tutorial-drupal-8-wysiwyg-inline-and-responsive-images/10/03/2016/9821)  
3 [https://www.drupal.org/docs/8/core/modules/image/working-with-images;](https://www.drupal.org/docs/8/core/modules/image/working-with-images)  
4 [https://www.drupal.org/docs/7/understanding-drupal/technology-stack;](https://www.drupal.org/docs/7/understanding-drupal/technology-stack)  
5 [https://www.drupal.org/docs/8/system-requirements/web-server;](https://www.drupal.org/docs/8/system-requirements/web-server)  
6 [https://www.drupal.org/docs/8/core/modules/rest/overview;](https://www.drupal.org/docs/8/core/modules/rest/overview)  
7 [https://www.drupal.org/docs/8/core/modules/serialization/overview;](https://www.drupal.org/docs/8/core/modules/serialization/overview)  
8 [https://www.drupal.org/docs/8/understanding-drupal-8/overview;](https://www.drupal.org/docs/8/understanding-drupal-8/overview)  
9 [https://www.drupal.org/docs/develop/standards/css/css-architecture-for-drupal-8;](https://www.drupal.org/docs/develop/standards/css/css-architecture-for-drupal-8)  
10 [https://www.wpbeginner.com/wp-tutorials/how-to-add-custom-styles-to-wordpress-](https://www.wpbeginner.com/wp-tutorials/how-to-add-custom-styles-to-wordpress-visual-editor/)  
11 [visual-editor/.](https://www.wpbeginner.com/wp-tutorials/how-to-add-custom-styles-to-wordpress-visual-editor/)

12 55. Claim 10 recites the apparatus of claim 9, wherein said elements are  
13 described by multiple object states.

14 56. The Accused Instrumentalities infringe claim 10 of the '397 patent  
15 through a combination of features which collectively practice each limitation of claim  
16 10. For example, buttons can have multiple object states. *See, e.g.,*  
17 [https://www.drupal.org/docs/8/core/themes/seven-theme;](https://www.drupal.org/docs/8/core/themes/seven-theme)  
18 [https://wordpress.org/plugins/animate-everything/.](https://wordpress.org/plugins/animate-everything/)

19 57. Claim 11 recites the apparatus of claim 9, wherein said elements are  
20 described by a transformation or a timelines of said selected styles.

21 58. The Accused Instrumentalities infringe claim 11 of the '397 patent  
22 through a combination of features which collectively practice each limitation of claim  
23 11. By way of example, the Accused Instrumentalities support CSS architecture. *See,*  
24 *e.g.,* [https://www.drupal.org/docs/develop/standards/css/css-architecture-for-drupal-8;](https://www.drupal.org/docs/develop/standards/css/css-architecture-for-drupal-8)  
25 *see also, e.g.,* [http://demos.dojotoolkit.org/demos/css3/demo.html;](http://demos.dojotoolkit.org/demos/css3/demo.html)  
26 [https://wordpress.org/plugins/animate-everything/.](https://wordpress.org/plugins/animate-everything/)

27 59. Claim 14 recites the apparatus of claim 2, wherein said elements include  
28 buttons or images, wherein said description of elements is a transition or a timeline

1 which is selected according to input from a mouse, and wherein said build tool  
2 includes means for storing information representative of said selected description of  
3 elements in said database.

4 60. The Accused Instrumentalities infringe claim 14 of the '397 patent  
5 through a combination of features which collectively practice each limitation of claim  
6 14.

7 61. By way of example, the Accused Instrumentalities include various CSS  
8 libraries that are used extensively for adding transformations and timelines to selected  
9 elements. *See, e.g.*, [https://www.drupal.org/docs/develop/standards/css/css-  
10 architecture-for-drupal-8](https://www.drupal.org/docs/develop/standards/css/css-architecture-for-drupal-8); <http://demos.dojotoolkit.org/demos/css3/demo.html>.

11 62. Claim 15 recites the apparatus of claim 14, wherein at least one of said  
12 description of elements is a timeline or an animation.

13 63. The Accused Instrumentalities infringe claim 15 of the '397 patent  
14 through a combination of features which collectively practice each limitation of claim  
15 15.

16 64. By way of example, the Accused Instrumentalities enable descriptions of  
17 elements describing CSS animations. *See, e.g.*,  
18 <https://www.drupal.org/docs/develop/standards/css/css-architecture-for-drupal-8>;  
19 <http://demos.dojotoolkit.org/demos/css3/demo.html>.

20 65. Claim 17 recites the apparatus of claim 2, wherein one or more of said  
21 elements is a button or an image, wherein said description of elements is a transition,  
22 an animation or a timeline, and wherein said build engine includes means to  
23 synchronize said description of said one or more elements.

24 66. The Accused Instrumentalities infringe claim 17 of the '397 patent  
25 through a combination of features which collectively practice each limitation of claim  
26 17.

27 67. By way of example, the Accused Instrumentalities enable the definition  
28 of certain parent elements and child element in certain classes, which can include the

1 URL for an image, in the database, and that also can be zoomed. The parent element  
2 can include two transform styles, such as one for the parent and one for its lens.

3 68. Claim 20 recites the apparatus of claim 2, wherein at least one of said  
4 elements is a child button or a child object, wherein said description of said elements  
5 is a timeline, a transition or an animation, and wherein said build engine includes  
6 means for defining said description of said element.

7 69. The Accused Instrumentalities infringe claim 20 of the '397 patent  
8 through a combination of features which collectively practice each limitation of claim  
9 20.

10 70. By way of example, the Accused Instrumentalities enable the description  
11 of elements as timelines or transition. Moreover, the build engine includes the means  
12 for defining said description of said element through a choice of menu items through  
13 the design tab of the Product Information Admin Panel.

14 71. Claim 24 recites the apparatus of claim 2, wherein said run time files  
15 include one compressed website specific, customized run time engine program file  
16 and one compressed website specific, customized run time engine library file.

17 72. The Accused Instrumentalities infringe claim 24 of the '397 patent  
18 through a combination of features which collectively practice each limitation of claim  
19 24.

20 73. By way of example, the Accused Instrumentalities include two  
21 customized runtime files, an HTML file and a second unique CSS file. *See, e.g.*,  
22 <https://www.drupal.org/docs/7/understanding-drupal/technology-stack>;  
23 <https://www.drupal.org/docs/8/system-requirements/web-server>;  
24 <https://www.drupal.org/docs/8/core/modules/rest/overview>;  
25 <https://www.drupal.org/docs/8/core/modules/serialization/overview>;  
26 <https://www.drupal.org/docs/8/understanding-drupal-8/overview>;  
27 <https://www.drupal.org/docs/develop/standards/css/css-architecture-for-drupal-8>.

28

1           74. Claim 25 recites the apparatus of claim 24, wherein said run time files  
2 include a dynamic web page scaling mechanism, whereby each of said one or more  
3 generated web pages is scaled for viewing on said display.

4           75. The Accused Instrumentalities infringe claim 25 of the '397 patent  
5 through a combination of features which collectively practice each limitation of claim  
6 25.

7           76. By way of example, the Accused Instrumentalities enable rescaling of a  
8 web page to the size of the particular screen that is being used. *See, e.g.*,  
9 <https://www.drupal.org/docs/8/mobile/responsive-web-design>;  
10 <https://www.drupal.org/docs/8/mobile/web-based-mobile-apps>.

11           77. Claim 35 of the '397 patent generally recites the apparatus of claim 2,  
12 wherein the build tool includes dynamic resizing means operable to redefine a size of  
13 a web page upon being display.

14           78. The Accused Instrumentalities infringe claim 35 of the '397 patent  
15 through a combination of features which collectively practice each limitation of claim  
16 35.

17           79. By way of example, the Accused Instrumentalities enable dynamic  
18 resizing upon display to a different device and screen. For example, the Accused  
19 Instrumentalities include "Responsive Web Design." Responsive Web Design refers  
20 to web design that changes formatting and lay-out to respond to different devices,  
21 screen sizes and browser capabilities. The Accused Instrumentalities therefore enable  
22 the creation of web pages that may be viewed with resizing means operable to  
23 redefine a size of a web page upon being displayed. *See, e.g.*,

24 [http://www.w3schools.com/html/html\\_responsive.asp](http://www.w3schools.com/html/html_responsive.asp);  
25 <https://www.drupal.org/docs/8/mobile/responsive-web-design>;  
26 <https://www.drupal.org/docs/8/mobile/web-based-mobile-apps>.

27           80. Claim 37 of the '397 patent generally recites [a]n apparatus for producing  
28 websites with web page(s) on and for a computer with a browser and a virtual

1 machine, the apparatus comprising: an interface for building a website through control  
2 of website elements, being operable through the browser on to: present a selectable  
3 settings menu, accept settings, and generate the display in accordance with an  
4 assembly of settings contemporaneously with the acceptance thereof, at least one  
5 setting being operable to generate said display through commands to said virtual  
6 machine; an internal database associated with the interface for storing information  
7 representative of one or more of assembly of settings for controlling elements of the  
8 website; and a build tool to construct web page(s) of the website having: an external  
9 database containing data corresponding to the information stored in the internal  
10 database, and one or more run time files, where said run time files use information  
11 stored in the external database to generate virtual machine commands for the display  
12 of at least a portion of one or more web pages.

13 81. The Accused Instrumentalities infringe claim 37 of the '397 patent  
14 through a combination of features which collectively practice each limitation of claim  
15 37. By way of example, modern internet browsers such as Microsoft Internet  
16 Explorer, Mozilla's Firefox, Apple Safari, Google Chrome, and Opera include virtual  
17 machines within the meaning of the '397 patent. (*See, e.g.*,  
18 <http://developer.telerik.com/featured/a-guide-to-javascript-engines-for-idiots/>;  
19 <http://dictionary.reference.com/browse/virtual+machine?s=t>). The Accused  
20 Instrumentalities support the use of the latest versions of Internet Explorer 11 or later,  
21 Microsoft Edge, latest-1, Firefox latest, latest-1, Chrome latest, latest-1, Safari latest,  
22 latest-1 (Mac OS), Safari Mobile for iPad 2, iPad Mini, iPad with Retina Display (iOS  
23 7 or later), for desktop site, Safari Mobile for iPhone 4 or later; iOS 7 or later, for  
24 mobile site, Chrome for mobile latest-1 (Android 4 or later) for mobile site, where  
25 *latest-1* means one major version earlier than the latest released version. (*See*  
26 <https://www.drupal.org/docs/8/system-requirements/browser-requirements>;  
27 [http://devdocs.magento.com/guides/v2.0/install-gde/system-](http://devdocs.magento.com/guides/v2.0/install-gde/system-requirements_browsers.html)  
28 [requirements\\_browsers.html](http://themeforest.net/category/wordpress); <http://themeforest.net/category/wordpress>;

1 [https://docs.joomla.org/Joomla\\_Browser\\_Support](https://docs.joomla.org/Joomla_Browser_Support)  
2 [http://devdocs.magento.com/guides/v2.0/install-gde/system-requirements\\_browsers.html](http://devdocs.magento.com/guides/v2.0/install-gde/system-requirements_browsers.html).)

3  
4 82. By way of example, the Accused Instrumentalities include various  
5 multimedia objects selected from a group contained within a WYSIWYG Editor.  
6 Examples include color, font, an image, a video, a text area and a URL as they appear  
7 in the WYSIWYG Editor. The multimedia objects created in the WYSIWYG editor  
8 are stored in the database and appear as HTML scripted text in the database. Text and  
9 vector objects can be selected and colored by selecting them or “clicking and  
10 dragging” over them in the WYSIWYG editor. A color may also be selected from the  
11 color dropdowns on the control bar of the Editor. This color is saved to the database;  
12 as part of the HTML of the description record. Moreover, text objects may be assigned  
13 a font by making such a selection or “click and dragging” over them in the  
14 WYSIWYG editor. A font can then be selected from the font dropdown on the  
15 control bar of the Editor. This font selection is thereafter saved to the database as part  
16 of the HTML of the description record. Selecting the Image button in the WYSIWYG  
17 editor opens a tabbed panel where the user designates source, title, format, size, etc.  
18 The image file is uploaded to the server and the file’s location and style are saved and  
19 posted to the database as part of the HTML of the description record. Furthermore,  
20 videos are created by clicking on the Media module, which opens a tabbed panel  
21 where the user designates URL, format, size, etc. The video’s URL and style  
22 elements are saved to the database as part of the HTML of the description record. A  
23 text area may also be selected for creation by clicking in the frame of the WYSIWYG  
24 Editor and typing. The text and its style are saved to the database as part of the  
25 HTML of the description record. After entering text into the WYSIWYG editor’s text  
26 area, a URL assigned by clicking and dragging over the text object you wish to link,  
27 and then selecting the “chain” link button from the control bar; which opens a tabbed  
28

1 panel where the user can designate the URL, target, etc. The text and its style are  
2 saved to the database as part of the HTML of the description record.

3 83. Furthermore, the Accused Instrumentalities enable data from the client-  
4 side form referenced to be stored in a server-side database.

5 84. The presence of the above referenced elements are demonstrated, by way  
6 of example, by reference to publicly available information. *See, e.g.,*

7 <https://www.drupal.org/home>; [https://www.drupal.org/docs/8/system-](https://www.drupal.org/docs/8/system-requirements/browser-requirements)

8 [requirements/browser-requirements](https://www.drupal.org/project/ckeditor); <https://www.drupal.org/project/ckeditor>;

9 <https://www.drupal.org/docs/8/core/modules/ckeditor/overview>;

10 [https://dev.acquia.com/blog/tutorial-drupal-8-wysiwyg-inline-and-responsive-](https://dev.acquia.com/blog/tutorial-drupal-8-wysiwyg-inline-and-responsive-images/10/03/2016/9821)

11 [images/10/03/2016/9821](https://dev.acquia.com/blog/tutorial-drupal-8-wysiwyg-inline-and-responsive-images/10/03/2016/9821); Angela Byron, *Ultimate Guide to Drupal 8* at 4 (2016);

12 [https://www.drupal.org/project/save\\_draft](https://www.drupal.org/project/save_draft);

13 <https://www.drupal.org/docs/7/understanding-drupal/technology-stack>;

14 <https://www.drupal.org/docs/8/system-requirements/web-server>;

15 <https://www.drupal.org/docs/8/core/modules/rest/overview>;

16 <https://www.drupal.org/docs/8/core/modules/serialization/overview>;

17 <https://www.drupal.org/docs/8/understanding-drupal-8/overview>;

18 <https://www.drupal.org/docs/develop/standards/css/css-architecture-for-drupal-8>;

19 [http://docs.magento.com/m1/ee/user\\_guide/system-operations/index-](http://docs.magento.com/m1/ee/user_guide/system-operations/index-management.html)

20 [management.html](http://docs.magento.com/m1/ee/user_guide/system-operations/index-management.html); [http://docs.magento.com/m1/ee/user\\_guide/design/layout-](http://docs.magento.com/m1/ee/user_guide/design/layout-updates.html)

21 [updates.html](http://docs.magento.com/m1/ee/user_guide/design/layout-updates.html); [http://docs.magento.com/m1/ee/user\\_guide/system-operations/cache-](http://docs.magento.com/m1/ee/user_guide/system-operations/cache-page.html?Highlight=database%20retrieval)

22 [page.html?Highlight=database%20retrieval](http://docs.magento.com/m1/ee/user_guide/system-operations/cache-page.html?Highlight=database%20retrieval);

23 [http://docs.magento.com/m1/ee/user\\_guide/system-operations/media-storage.html](http://docs.magento.com/m1/ee/user_guide/system-operations/media-storage.html);

24 [http://docs.magento.com/m1/ee/user\\_guide/system-operations/media-storage-](http://docs.magento.com/m1/ee/user_guide/system-operations/media-storage-database.html)

25 [database.html](http://docs.magento.com/m1/ee/user_guide/system-operations/media-storage-database.html);

26 [http://docs.magento.com/m1/ee/user\\_guide/Resources/pdf/magento\\_enterprise\\_edition](http://docs.magento.com/m1/ee/user_guide/Resources/pdf/magento_enterprise_edition_user_guide.pdf)

27 [\\_user\\_guide.pdf](http://docs.magento.com/m1/ee/user_guide/Resources/pdf/magento_enterprise_edition_user_guide.pdf); [http://docs.magento.com/m1/ee/user\\_guide/store-operations/stores-](http://docs.magento.com/m1/ee/user_guide/store-operations/stores-multiple.html)

28 [multiple.html](http://docs.magento.com/m1/ee/user_guide/store-operations/stores-multiple.html); [http://docs.magento.com/m1/ee/user\\_guide/store-operations/stores-](http://docs.magento.com/m1/ee/user_guide/store-operations/stores-multiple.html)



1 hierarchy.html; [http://docs.magento.com/m1/ee/user\\_guide/system-](http://docs.magento.com/m1/ee/user_guide/system-operations/browser-capabilities-detection.html)  
2 [operations/browser-capabilities-detection.html](http://docs.magento.com/m1/ee/user_guide/system-operations/browser-capabilities-detection.html);  
3 [http://docs.magento.com/m1/ce/user\\_guide/design/page-layout.html](http://docs.magento.com/m1/ce/user_guide/design/page-layout.html);  
4 [http://docs.magento.com/m1/ce/user\\_guide/design/layout-updates.html](http://docs.magento.com/m1/ce/user_guide/design/layout-updates.html); and  
5 [http://docs.magento.com/m1/ee/user\\_guide/Resources/pdf/magento\\_enterprise\\_edition](http://docs.magento.com/m1/ee/user_guide/Resources/pdf/magento_enterprise_edition_user_guide.pdf)  
6 [\\_user\\_guide.pdf](http://docs.magento.com/m1/ee/user_guide/Resources/pdf/magento_enterprise_edition_user_guide.pdf). Regarding Wordpress, *see, e.g.*,  
7 <http://themeforest.net/category/wordpress>; <http://codex.wordpress.org/Templates>;  
8 [http://codex.wordpress.org/Template\\_Hierarchy](http://codex.wordpress.org/Template_Hierarchy);  
9 [http://codex.wordpress.org/Function\\_Reference/the\\_title](http://codex.wordpress.org/Function_Reference/the_title);  
10 [http://codex.wordpress.org/Function\\_Reference/the\\_content](http://codex.wordpress.org/Function_Reference/the_content);  
11 [http://codex.wordpress.org/Template\\_Tags/get\\_the\\_title](http://codex.wordpress.org/Template_Tags/get_the_title);  
12 [http://codex.wordpress.org/Query\\_Overview](http://codex.wordpress.org/Query_Overview);  
13 <https://www.wpbeginner.com/glossary/database/>; and  
14 <https://codex.wordpress.org/Pages>. Regarding Joomla, *see, e.g.*,  
15 [https://docs.joomla.org/Joomla\\_Browser\\_Support](https://docs.joomla.org/Joomla_Browser_Support);  
16 [https://www.joomlart.com/documentation/other/joomla-3-and-joomla-2-5-system-](https://www.joomlart.com/documentation/other/joomla-3-and-joomla-2-5-system-requirement)  
17 [requirement](https://www.joomlart.com/documentation/other/joomla-3-and-joomla-2-5-system-requirement); <https://showcase.joomla.org/>;  
18 [https://docs.joomla.org/Editor\\_form\\_field\\_type](https://docs.joomla.org/Editor_form_field_type); [https://developer.joomla.org/coding-](https://developer.joomla.org/coding-standards/html.html)  
19 [standards/html.html](https://developer.joomla.org/coding-standards/html.html); <https://developer.joomla.org/coding-standards/css.html>;  
20 <https://developer.joomla.org/coding-standards/javascript.html>;  
21 [https://docs.joomla.org/Generating\\_JSON\\_output](https://docs.joomla.org/Generating_JSON_output); [https://api.joomla.org/cms-](https://api.joomla.org/cms-3/classes/Joomla.CMS.Input.Json.html)  
22 [3/classes/Joomla.CMS.Input.Json.html](https://api.joomla.org/cms-3/classes/Joomla.CMS.Input.Json.html);  
23 [https://docs.joomla.org/How\\_do\\_you\\_assign\\_a\\_module\\_to\\_specific\\_pages%3F](https://docs.joomla.org/How_do_you_assign_a_module_to_specific_pages%3F);  
24 [https://docs.joomla.org/Where\\_are\\_the\\_web\\_pages%3F](https://docs.joomla.org/Where_are_the_web_pages%3F).

25 85. Upon information and belief, these Accused Instrumentalities are used,  
26 marketed, provided to, and or used by or for each of Defendant's partners, clients,  
27 customers, and/or end users across the country and in this District.

28

1           86. In particular, Defendant's actions that aid and abet others such as its  
2 partners, customers, clients, and/or end users to infringe include advertising and  
3 distributing the Accused Instrumentalities and providing instruction materials,  
4 training, and services regarding the Accused Instrumentalities. *See, e.g.*,  
5 <https://wiki.lunarpages.com/WordPress>. On information and belief, Defendant has  
6 engaged in such actions with specific intent to cause infringement or with willful  
7 blindness to the resulting infringement because Defendant has had actual knowledge  
8 of the '397 patent and knowledge that its acts were inducing infringement of the '397  
9 patent since at least the date Lunarpages received notice that such activities infringed  
10 the '397 patent.

11           87. Upon information and belief, Defendant is liable as a contributory  
12 infringer of the '397 patent under 35 U.S.C. § 271(c) by offering to sell, selling and  
13 importing into the United States website authoring tools to be especially made or  
14 adapted for use in an infringement of the '397 patent. The Accused Instrumentalities  
15 are a material component for use in practicing the '397 patent and are specifically  
16 made and are not a staple article of commerce suitable for substantial non-infringing  
17 use.

18           88. Defendant was made aware of the '397 patent and its infringement  
19 thereof at least as early as the filing of this Complaint.

20           89. Since the date of the filing of this Complaint, Defendant's infringement  
21 of the '397 patent has been willful.

22           90. Plaintiff has not sold any product nor offered a service within the scope  
23 of any claim of the '397 patent. In addition, prior to August 12, 2015, no license to  
24 the '397 patent had been granted.

25           91. Plaintiff has been harmed by Defendant's infringing activities.

26           **COUNT II – INFRINGEMENT OF U.S. PATENT NO. 7,594,168**

27           92. The allegations set forth in the foregoing paragraphs 1 through 91 are  
28 incorporated into this Second Claim for Relief.

1           93. On September 22, 2009, U.S. Patent No. 7,594,168 entitled *Browser*  
2 *Based Web Site Generation Tool and Run Time Engine* was duly and legally issued by  
3 the United States Patent and Trademark Office. A true and correct copy of the '168  
4 patent is attached as Exhibit E.

5           94. The inventions of the '168 patent resolve technical problems related to  
6 website creation and generation. For example, the inventions enable the creation of  
7 websites through browser-based build tools and a user interface, which features are  
8 exclusively implemented utilizing computer technology.

9           95. The claims of the '168 patent do not merely recite the performance of  
10 some business practice known from the pre-Internet world along with the requirement  
11 to perform it on the Internet. Instead, the claims of the '168 patent recite one or more  
12 inventive concepts that are rooted in computerized website creation technology, and  
13 overcome problems specifically arising in the realm of computerized website creation  
14 technologies.

15           96. The claims of the '168 patent recite an invention that is not merely the  
16 routine or conventional use of website creation systems and methods. Instead, the  
17 invention describes a browser-based website creation system including a server  
18 comprising a build engine configured to create and apply styles to, for example, a  
19 website with web pages comprised of objects.

20           97. The technology claimed in the '168 patent does not preempt all ways of  
21 using website or web page authoring tools nor preempt the use of all website or web  
22 page authoring tools, nor preempt any other well-known or prior art technology.

23           98. Accordingly, each claim of the '168 patent recites a combination of  
24 elements sufficient to ensure that the claim in practice amounts to significantly more  
25 than a patent on an ineligible concept.

26           99. As noted above and incorporated into this Second Claim for Relief,  
27 defendants in other cases in which the '397 and '168 patents were asserted, asserted  
28

1 that the '397 and '168 patents were invalid under 35 U.S.C. § 101. Those motions  
2 and related Orders are discussed above.

3 100. Plaintiff is the assignee and owner of the right, title and interest in and to  
4 the '168 patent, including the right to assert all causes of action arising under said  
5 patents and the right to any remedies for infringement of them.

6 101. Upon information and belief, Defendant has and continues to directly  
7 infringe at least claims 1-6 of the '168 patent by using a browser-based website and/or  
8 web page authoring tool in which the user-selected settings representing website  
9 elements are stored in a database, and retrieval of said information to generate said  
10 website (the "Accused Instrumentalities"). The Accused Instrumentalities include but  
11 are not limited website building tools used and/or provided by Defendant, such as, for  
12 example Drupal, Joomla, Magento and/or Wordpress. *See, e.g.*,  
13 <https://lunarpages.com/build-your-site/professional-web-design/>.

14 102. In particular, claim 1 of the '168 patent generally recites a system for  
15 assembling a website comprising a server with a build engine, the website comprising  
16 web pages with objects (one button or one image object), the server accepting user  
17 input to associate a style with objects, wherein a button or image object is associated  
18 with a style that includes values defining transformations and time lines; wherein each  
19 web page is defined entirely by the objects and the style associated with the object,  
20 produce a database with a multidimensional array comprising the objects that  
21 comprise the website including data defining the object style, number, and an  
22 indication of the web page that each object is part of, and provide the database to a  
23 server accessible to web browser; wherein the database is produced such that a web  
24 browser with access to a runtime engine is configured to generate the website from the  
25 objects and style data extracted from the provided database.

26 103. The Accused Instrumentalities infringe claim 1 of the '168 patent through  
27 a combination of features which collectively practice each limitation of claim 1. (*See*,

28

1 e.g., [https://developer.mozilla.org/en-US/docs/Web/API/Document\\_Object\\_Model](https://developer.mozilla.org/en-US/docs/Web/API/Document_Object_Model),  
2 [http://www.w3schools.com/js/js\\_htmldom.asp](http://www.w3schools.com/js/js_htmldom.asp).)

3 104. Further, by way of example, the JSON strings that are used by the  
4 Accused Instrumentalities to generate, in part, element formatting originate from the  
5 database and therefore reflect the database structure and contents showing, on  
6 information and belief, the implementation of a multidimensional array structured  
7 database comprising the objects that comprise the web site. By way of further  
8 evidence, the JSON strings show that there are dimensions for the pages, for arrays of  
9 columns, for arrays of sections, and for arrays of modules generated using the  
10 Accused Instrumentalities. *See, e.g.*,

11 <https://api.drupal.org/api/drupal/core%21modules%21field%21field.module/group/field/8.3.x>

13 105. Further, the Accused Instrumentalities enable the storing in the database  
14 of data defining each object such as object styles, an object number, and an indication  
15 of the which page each object is a part of. For example, a user can select a theme  
16 style for a body title on a specific page. The CSS database file is thereafter saved to  
17 the server, reflecting the selected font, size, and the object and page to which it  
18 applies.

19 106. By way of example, for the completed web site, the Accused  
20 Instrumentalities include runtime files, such as, for example HTML CSS files. *See,*  
21 *e.g.*, <https://www.drupal.org/home>; <https://www.drupal.org/docs/8/system-requirements/browser-requirements>; <https://www.drupal.org/project/ckeditor>;  
22 <https://www.drupal.org/docs/8/core/modules/ckeditor/overview>;  
23 <https://dev.acquia.com/blog/tutorial-drupal-8-wysiwyg-inline-and-responsive-images/10/03/2016/9821>; Angela Byron, *Ultimate Guide to Drupal 8* at 4 (2016);  
24 <https://www.drupal.org/docs/7/understanding-drupal/technology-stack>;  
25 <https://www.drupal.org/docs/8/system-requirements/web-server>;  
26 <https://www.drupal.org/docs/8/core/modules/rest/overview>;  
27  
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1 <https://www.drupal.org/docs/8/core/modules/serialization/overview>;  
2 <https://www.drupal.org/docs/8/understanding-drupal-8/overview>;  
3 <https://www.drupal.org/docs/develop/standards/css/css-architecture-for-drupal-8>;  
4 <https://www.drupal.org/docs/8/core/modules/media/overview>;  
5 [https://www.drupal.org/project/media\\_entity](https://www.drupal.org/project/media_entity);  
6 <https://www.drupal.org/docs/8/core/modules/image/working-with-images>;  
7 <http://demos.dojotoolkit.org/demos/css3/demo.html>;  
8 <https://www.drupal.org/files/issues/Field.png>;  
9 <https://api.drupal.org/api/drupal/core%21modules%21field%21field.module/group/field/8.3.x>; [https://www.drupal.org/project/save\\_draft](https://www.drupal.org/project/save_draft).

11 107. Claim 2 of the '168 patent generally recites the system of claim 1,  
12 wherein one of said plurality of objects is a child, and wherein the build engine is  
13 configured to accept user input to associate a style with child button and child image  
14 objects.

15 108. The Accused Instrumentalities infringe claim 2 of the '168 patent  
16 through a combination of features which collectively practice each limitation of claim  
17 2.

18 109. By way of example from Express Mobile's investigatory use of the  
19 Accused Instrumentalities, users of the Accused Instrumentalities are able to access  
20 child element images by clicking on a parent element which unlock additional images  
21 related to a product being viewed.

22 110. Claim 3 of the '168 patent generally recites the system of claim 2,  
23 wherein at least one of said styles includes values defining timelines for child button  
24 and child image objects.

25 111. The Accused Instrumentalities infringe claim 3 of the '168 patent  
26 through a combination of features which collectively practice each limitation of claim  
27 3.

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1 112. By way of example, the Accused Instrumentalities incorporate various  
2 CSS libraries, and CSS-animations and CSS-transitions are used extensively for  
3 adding transformations and timelines to selected elements. On information and belief,  
4 this includes timelines for child buttons and child image objects. *See*  
5 [http://docs.magento.com/m1/ee/user\\_guide/cms/banner-](http://docs.magento.com/m1/ee/user_guide/cms/banner-rotator.html?Highlight=carousel)  
6 [rotator.html?Highlight=carousel](http://docs.magento.com/m1/ee/user_guide/cms/banner-rotator.html?Highlight=carousel).

7 113. Claim 4 of the '168 patent generally recites the system of claim 1,  
8 wherein at least one of said styles includes settings for multiple object states.

9 114. The Accused Instrumentalities infringe claim 4 of the '168 patent through  
10 a combination of features which collectively practice each limitation of claim 4.

11 115. By way of example, the Accused Instrumentalities enable the ability to  
12 define a hover state, so that an element, including a button, has defined styles. *See,*  
13 *e.g.*, <https://www.drupal.org/docs/8/core/themes/seven-theme>.

14 116. Claim 5 of the '168 patent generally recites the system of claim 1,  
15 further including file size reduction means for reducing total size of files generated by  
16 said build engine to a size between 12k and 50k.

17 117. On information and belief, the Accused Instrumentalities infringe claim 5  
18 of the '168 patent through a combination of features which collectively practice each  
19 limitation of claim 5. *See* [http://docs.magento.com/m1/ee/user\\_guide/design/merge-](http://docs.magento.com/m1/ee/user_guide/design/merge-css.html?Highlight=css)  
20 [css.html?Highlight=css](http://docs.magento.com/m1/ee/user_guide/design/merge-css.html?Highlight=css).

21 118. Claim 6 of the '168 patent generally recites the system of claim 1, where  
22 said data is stored as one or more of a Boolean an integer, a string, a floating point  
23 variables, or a URL.

24 119. The Accused Instrumentalities infringe claim 6 of the '168 patent through  
25 a combination of features which collectively practice each limitation of claim 6. A  
26 review of the API documentation behind websites created using the Accused  
27 Instrumentalities reveals data that is stored as one or more of a Boolean, an integer, or  
28

1 a string. *See, e.g.*, [https://www.drupal.org/docs/8/api/entity-api/defining-and-using-](https://www.drupal.org/docs/8/api/entity-api/defining-and-using-content-entity-field-definitions)  
2 [content-entity-field-definitions](https://www.drupal.org/docs/8/api/entity-api/defining-and-using-content-entity-field-definitions).

3 120. Upon information and belief, these Accused Instrumentalities are used,  
4 marketed, provided to, and or used by or for each of Defendant's partners, clients,  
5 customers, and/or end users across the country and in this District.

6 121. In particular, Defendant's actions that aid and abet others such as its  
7 partners, customers, clients, and/or end users to infringe include advertising and  
8 distributing the Accused Instrumentalities and providing instruction materials,  
9 training, and services regarding the Accused Instrumentalities. *See, e.g.*,  
10 <https://wiki.lunarpages.com/WordPress>. On information and belief, Defendant has  
11 engaged in such actions with specific intent to cause infringement or with willful  
12 blindness to the resulting infringement because Defendant has had actual knowledge  
13 of the '168 patent and knowledge that its acts were inducing infringement of the '397  
14 patent since at least the date Lunarpages received notice that such activities infringed  
15 the '168 patent.

16 122. Upon information and belief, Defendant is liable as a contributory  
17 infringer of the '168 patent under 35 U.S.C. § 271(c) by offering to sell, selling and  
18 importing into the United States website authoring tools to be especially made or  
19 adapted for use in an infringement of the '168 patent. The Accused Instrumentalities  
20 are a material component for use in practicing the '168 patent and are specifically  
21 made and are not a staple article of commerce suitable for substantial non-infringing  
22 use.

23 123. Defendant was made aware of the '168 patent and its infringement  
24 thereof at least as early as the filing of this Complaint.

25 124. Since the date of the filing of this Complaint, Defendant's infringement  
26 of the '168 patent has been willful.

27  
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1 125. Plaintiff has not sold any product nor offered a service within the scope  
2 of any claim of the '168 patent. In addition, prior to August 12, 2015, no license to  
3 the '168 patent had been granted.

4 126. Plaintiff has been harmed by Defendant's infringing activities.

5 **COUNT III – INFRINGEMENT OF U.S. PATENT NO. 9,471,287**

6 127. The allegations set forth in the foregoing paragraphs 1 through 126 are  
7 incorporated into this Third Claim for Relief.

8 128. On October 18, 2016, U.S. Patent No. 9,471,287 ("the '287 patent"),  
9 entitled "*Systems and Methods for Integrating Widgets on Mobile Devices*," was duly  
10 and legally issued by the United States Patent and Trademark Office. A true and  
11 correct copy of the '287 patent is attached as Exhibit F.

12 129. The inventions of the '287 patent resolve technical problems related to  
13 generating content on a display of a device, such as the display of a mobile device.  
14 For example, the inventions of the '287 patent feature a registry and an authoring tool  
15 or Player configured to define a User Interface ("UI") object for display on the device,  
16 where the UI object corresponds to a web component. Each UI object is either: 1)  
17 selected by a user or 2) automatically selected by the system as a preferred UI object  
18 corresponding to a symbolic name of the web component and used to produce an  
19 Application, where the Application is a device-independent code; and a Player, where  
20 the Player is a device-dependent code. The Application and Player enable 1) the  
21 device to provide one or more input values and corresponding input symbolic name to  
22 the web service and 2) the web service to utilize the input symbolic name and the user  
23 provided one or more input values to generate one or more output values having an  
24 associated output symbolic name, while 3) the Player receives the output symbolic  
25 name and corresponding one or more output values and provide instructions for the  
26 display of the device to present an output value in the defined UI object. These  
27 features are exclusively implemented utilizing computer technology.

28

1           130. The claims of the '287 patent do not merely recite the performance of  
2 some business practice known from the pre-Internet world along with the requirement  
3 to perform it on the Internet. Instead, the claims of the '287 patent recite one or more  
4 inventive concepts that are rooted in the computerized generation of content on a  
5 display of a device, such as a mobile device, and overcome problems specifically  
6 arising in the realm of computerized display content generation technologies.

7           131. The claims of the '287 patent recite inventions that are not merely the  
8 routine or conventional use of systems and methods for the computerized generation  
9 of content on a display of a device. Instead, the inventions feature systems for use  
10 with devices and methods of using the systems with authoring tools or Players specific  
11 to each device and Applications that are device independent.

12           132. The technology claimed in the '287 patent does not preempt all ways for  
13 the computerized generation of content on a display of a device, such as a mobile  
14 device, nor preempt the use of all authoring tools or Players for the computerized  
15 generation of content on a display of a device, such as a mobile devices, nor preempt  
16 any other well-known or prior art technology.

17           133. Accordingly, each claim of the '287 patent recites a combination of  
18 elements sufficient to ensure that the claim in practice amounts to significantly more  
19 than a patent on an ineligible concept.

20           134. Plaintiff is the assignee and owner of the right, title and interest in and to  
21 the '287 patent, including the right to assert all causes of action arising under the  
22 patents and the right to any remedies for infringement of them.

23           135. Upon information and belief, Defendant has and continues to directly  
24 infringe at least claims 1-5, 11, 12, 15-19, 25 and 26 of the '287 patent by a system  
25 and method which includes a registry and an authoring tool or Player configured to  
26 define a User Interface ("UI") object for display on the device, where the UI object  
27 corresponds to a web component. Each UI object is either: 1) selected by a user or 2)  
28 automatically selected by the system as a preferred UI object corresponding to a

1 symbolic name of the web component and used to produce an Application, where the  
2 Application is a device-independent code and a Player, where the Player is a device-  
3 dependent code. The Application and Player enable 1) the device to provide one or  
4 more input values and corresponding input symbolic name to the web service and 2)  
5 the web service to utilize the input symbolic name and the user provided one or more  
6 input values to generate one or more output values having an associated output  
7 symbolic name, while 3) the Player receives the output symbolic name and  
8 corresponding one or more output values and provides instructions for the display of  
9 the device to present an output value in the defined UI object (the “Accused  
10 Instrumentalities”). The Accused Instrumentalities include platforms that enable the  
11 functionality described above and include but are not limited to, for example,  
12 WordPress. *See, e.g.*, [https://lunarpages.com/build-your-site/professional-web-](https://lunarpages.com/build-your-site/professional-web-design/)  
13 [design/](https://lunarpages.com/build-your-site/professional-web-design/).

14 136. In particular, claim 1 of the ’287 patent recites 1 a system for generating  
15 code to provide content on a display of a device, the system comprising: computer  
16 memory storing a registry of: a) symbolic names required for evoking one or more  
17 web components each related to a set of inputs and outputs of a web service  
18 obtainable over a network, where the symbolic names are character strings that do not  
19 contain either a persistent address or pointer to an output value accessible to the web  
20 service, where each symbolic name has an associated data format class type  
21 corresponding to a subclass of User Interface (UI) objects that support the data format  
22 type of the symbolic name, and has a preferred UI object, and b) an address of the web  
23 service; an authoring tool configured to: define a (UI) object for presentation on the  
24 display, where the defined UI object corresponds to a web component included in the  
25 registry selected from a group consisting of an input of the web service and an output  
26 of the web service, where each defined UI object is either: 1) selected by a user of the  
27 authoring tool; or 2) automatically selected by the system as the preferred UI object  
28 corresponding to the symbolic name of the web component selected by the user of the

1 authoring tool, access the computer memory to select the symbolic name  
2 corresponding to the web component of the defined UI object, associate the selected  
3 symbolic name with the defined UI object, where the selected symbolic name is only  
4 available to UI objects that support the defined data format associated with that  
5 symbolic name, and produce an Application including the selected symbolic name of  
6 the defined UI object, where the Application is a device-independent code; and a  
7 Player, where the Player is a device-dependent code, wherein, when the Application  
8 and Player are provided to the device and executed on the device, and when the user  
9 of the device provides one or more input values associated with an input symbolic  
10 name to an input of the defined UI object, 1) the device provides the user provided  
11 one or more input values and corresponding input symbolic name to the web service,  
12 2) the web service utilizes the input symbolic name and the user provided one or more  
13 input values for generating one or more output values having an associated output  
14 symbolic name, 3) the Player receives the output symbolic name and corresponding  
15 one or more output values and provides instructions for the display of the device to  
16 present an output value in the defined UI object.

17 137. The Accused Instrumentalities infringe claim 1 of the '287 patent through  
18 a combination of features The Accused Instrumentalities infringe claim 1 of the '287  
19 patent through a combination of features which collectively practice each limitation of  
20 claim 1. By way of example, the Accused Instrumentalities feature a system for  
21 generating code to provide content on a display of a device. The system includes a  
22 server hosting the WordPress platform, which provides WordPress's WYSIWYG  
23 visual effects editor, and which is accessed through a WordPress-compatible browser.  
24 WordPress's WYSIWYG visual effects editor generates code, such as JavaScript or  
25 HTML code, for such options as defining title, text, images, videos and paragraph  
26 styles, while the browser displays the resulting content as a WordPress webpage on a  
27 display of a device.

28

1 138. For example, on information and belief, WordPress uses a variety of  
 2 databases in its technology stack including MySQL. Data from the wp\_options table  
 3 for the website header and the data from the wp\_posts table for the “WordPress Info”  
 4 web page extracted directly from the Bitnami WordPress server-side database using  
 5 MySQL Workbench. The stored data in the wp\_options table includes the website’s  
 6 url, the website’s title (blogname), the website’s tagline (blogdescription), and the  
 7 active template (style sheet).

option_id	option_name	option_value
1	siteurl	<a href="http://localhost/wordpress">http://localhost/wordpress</a>
2	blogname	Express Mobile
3	blogdescription	SELECTED USERS OF WORDPRESS
44	template	the-fundamentals-of-graphic-design

8  
 9  
 10  
 11  
 12  
 13 The stored data in the wp\_posts table for the “WordPress Info” web page includes  
 14 information corresponding to user selected settings such as, for example, the color red  
 15 (“#ff0000”) for “manages 22%”. Other user selections shown in stored database data  
 16 below include, for ex-ample, the image filename for the image  
 17 (<http://localhost/wordpress/wp-content/uploads/2013/03/icon21.png>), the image  
 18 alignment (class=“wp-image-24 aligncenter”), and a selected paragraph style (h3) for  
 19 “Heading 3”.

20 The stored data in the wp\_posts table for the “WordPress Info” web page includes  
 21 information corresponding to user selected settings such as, for example, the color red  
 22 (“#ff0000”) for “manages 22%”. Other user selections shown in stored database data  
 23 below include, for ex-ample, the image filename for the image  
 24 (<http://localhost/wordpress/wp-content/uploads/2013/03/icon21.png>), the image  
 25 alignment (class=“wp-image-24 aligncenter”), and a selected paragraph style (h3) for  
 26 “Heading 3”.

ID	post_content	post_title	post_type
23	<p>WordPress is used by over 14.7% of Alexa Internet's "top 1 million" websites and as of August, 2011, believe it or not, <span style="color: #ff0000;">manages 22%</span> of all new websites. WordPress is currently the most popular blogging system in use on the Web.</p> <p>&amp;nbsp;</p> <p style="text-align: center;"><a href="http://localhost/wordpress/wp-content/uploads/2013/03/icon21.png"></a></p> <p>&amp;nbsp;</p> <p>As of December 2011, WordPress version 3.0 had been downloaded over 65 million times.</p> <p>&amp;nbsp;</p>	WordPress Info	page

WordPress's HTML, CSS, Java, and JSON coding capabilities further are shown, e.g., by <http://codex.wordpress.org/Templates>, <https://codex.wordpress.org/CSS>, <https://developer.wordpress.org/rest-api/>.

139. The Accused Instrumentalities feature a computer memory provided by WordPress MySQL database functionality on the WordPress server. By way of example, WordPress utilizes JSON strings extensively as part of its API, which necessarily require servers and databases. (See, <https://developer.wordpress.org/rest-api/>.)

140. The computer memory stores a registry of a) symbolic names required for evoking one or more web components each related to a set of inputs and outputs of a web service obtainable over a network, where the symbolic names are character strings that do not contain either a persistent address or pointer to an output value accessible to the web service. The WordPress MySQL database contains symbolic names required for evoking one or more web components each related to a set of inputs and outputs of a web service obtainable over a network by the formatting of the symbolic names in conjunction with WordPress's WYSIWYG visual effects editor, widget, and plugin authoring tools.

1 141. Furthermore, each symbolic name has an associated data format class  
2 type corresponding to a subclass of defined UI objects *i.e.*, element/UI components,  
3 that supports the data format type of the symbolic name, and has a preferred UI object  
4 as evidenced by the JSON formatting of the name in conjunction with WordPress'  
5 WYSIWYG visual effects editor and widget authoring tools. JSON names are strings  
6 that only represent the symbolic names that are bound both to a web service input  
7 and/or output and to a UI object. All JSON names in the name/value pairs are  
8 character strings. WordPress' WYSIWYG visual effects editor includes elements for  
9 defining the layout for placement of the defined UI objects. Widgets, plug-ins and  
10 other elements correspond to the defined UI objects and are the product of the JSON  
11 formatting. (*See*, for example,  
12 [https://codex.wordpress.org/WordPress\\_Lessons#Template\\_Files](https://codex.wordpress.org/WordPress_Lessons#Template_Files),  
13 [https://codex.wordpress.org/WordPress\\_Widgets](https://codex.wordpress.org/WordPress_Widgets),  
14 [https://codex.wordpress.org/Plugin\\_Resources](https://codex.wordpress.org/Plugin_Resources), and  
15 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API).)

16 142. The computer memory also stores b) an address of the web service.  
17 Because WordPress contains web services, it contains the corresponding addresses for  
18 the web services. (*See*, for example, <https://developer.wordpress.org/rest-api/>,  
19 [https://codex.wordpress.org/WordPress\\_Widgets](https://codex.wordpress.org/WordPress_Widgets),  
20 [https://codex.wordpress.org/Plugin\\_Resources](https://codex.wordpress.org/Plugin_Resources), and  
21 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API).)

22 143. The Accused Instrumentalities feature an authoring tool in the form of  
23 WordPress's WYSIWYG visual effects editor, widget, and plug-in authoring tools.  
24 (*See*, for example, [https://codex.wordpress.org/WordPress\\_Widgets](https://codex.wordpress.org/WordPress_Widgets),  
25 [https://codex.wordpress.org/Plugin\\_Resources](https://codex.wordpress.org/Plugin_Resources),  
26 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API).)

27 144. The authoring tool is configured to define a UI object for presentation on  
28 the display, where the defined UI object corresponds to a web component included in

1 the registry selected from a group consisting of an input of the web service and an  
2 output of the web service. WordPress's WYSIWYG visual effects editor and widget  
3 authoring tools define the presence of a defined UI object for presentation on a display  
4 and the defined UI object corresponds to a web component included in the computer  
5 memory selected from a group consisting of an input of the web service and an output  
6 of the web service.

7 145. Each defined UI object is either: 1) selected by a user of the authoring  
8 tool; or 2) automatically selected by the system as the preferred UI object  
9 corresponding to the symbolic name of the web component selected by the user of the  
10 authoring tool. WordPress's UI objects are automatically selected by the system as  
11 the preferred UI object corresponding to the symbolic name of the web component  
12 selected by the user of the authoring tool, i.e., a UI object selected by a user is  
13 automatically selected. When a Widget is selected in the WordPress Widget selection  
14 list steps 1 to 5 under "Displaying Widgets", the widget UI will automatically  
15 displayed in the Web Page Sidebar. (*See*, for example,  
16 [https://codex.wordpress.org/WordPress\\_Widgets](https://codex.wordpress.org/WordPress_Widgets),  
17 [https://codex.wordpress.org/Plugin\\_Resources](https://codex.wordpress.org/Plugin_Resources),  
18 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API).)

19 146. The authoring tool is configured to access the computer memory to select  
20 the symbolic name corresponding to the web component of the defined UI object by a  
21 JSON formatted element.

22 147. The authoring tool is also configured to associate the selected symbolic  
23 name with the defined UI object, i.e., the JSON formatted element, where the selected  
24 symbolic name is only available to UI objects that support the defined data format  
25 associated with the element associated with that symbolic name, i.e., JSON string.  
26 JSON names are strings that only represent the symbolic names that are bound both to  
27 a web service input and/or output and to a UI object. All JSON names in the  
28 name/value pairs are character strings. When the WordPress Editor makes a UI



1 element request a JSON request is sent to the Server and a JSON data response is  
2 provided to the Interface. (*See*, for example, <https://developer.wordpress.org/rest-api/>,  
3 [https://codex.wordpress.org/WordPress\\_Widgets](https://codex.wordpress.org/WordPress_Widgets),  
4 [https://codex.wordpress.org/Plugin\\_Resources](https://codex.wordpress.org/Plugin_Resources),  
5 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API).)

6 148. The WordPress authoring tool is configured to produce an Application  
7 including the selected symbolic name of the defined UI object, (*see*, for example,  
8 <https://developer.wordpress.org/rest-api/reference/>,  
9 [https://codex.wordpress.org/Widgets\\_API](https://codex.wordpress.org/Widgets_API),  
10 [https://codex.wordpress.org/Plugin\\_Resources](https://codex.wordpress.org/Plugin_Resources), and  
11 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API)), where the Application is a device-  
12 independent with its API and “responsive” capabilities. (*See*, for example,  
13 <https://torquemag.io/2017/08/make-wordpress-website-mobile-friendly/> and  
14 <https://torquemag.io/2017/08/make-wordpress-website-mobile-friendly/>.)

15 149. The WordPress authoring tool is further configured to produce a Player  
16 (*see*, for example, <https://codex.wordpress.org/CSS>,  
17 [https://codex.wordpress.org/Using\\_Javascript](https://codex.wordpress.org/Using_Javascript), [https://developer.wordpress.org/rest-](https://developer.wordpress.org/rest-api/)  
18 [api/](https://developer.wordpress.org/rest-api/)), where the Player is a device-dependent code. WordPress contains a Player in  
19 the form of a runtime player. The Accused Instrumentality produces a device  
20 dependent file, which is wrapped inside the runtime file. In order for a site to display  
21 on different devices through a browser or through responsive capabilities, there is  
22 device dependent code (*see*, for example, [https://torquemag.io/2017/08/make-](https://torquemag.io/2017/08/make-wordpress-website-mobile-friendly/)  
23 [wordpress-website-mobile-friendly/](https://torquemag.io/2017/08/make-wordpress-website-mobile-friendly/) and <https://wordpress.org/themes/ultra/>.)

24 150. The Accused Instrumentalities feature a system where the Application  
25 and Player are provided to the device and executed on the device and when the user of  
26 the device provides one or more input values associated with an input symbolic name  
27 to an input of the defined UI object. Because the Accused Instrumentalities  
28 incorporate a system that includes WordPress, when a user of the device provides one

1 or more input values associated with an input symbolic name, using JSON formatting  
2 characteristics, to an input of the defined UI object, the device provides the user  
3 provided one or more input values and corresponding input symbolic name, using  
4 JSON formatting characteristics, to the web service. (*See*, for example,  
5 <https://developer.wordpress.org/rest-api/>, [https://developer.wordpress.org/rest-](https://developer.wordpress.org/rest-api/reference/)  
6 [api/reference/](https://developer.wordpress.org/rest-api/reference/), [https://codex.wordpress.org/Widgets\\_API](https://codex.wordpress.org/Widgets_API),  
7 [https://codex.wordpress.org/Plugin\\_Resources](https://codex.wordpress.org/Plugin_Resources), and  
8 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API).)

9 151. The Accused Instrumentalities feature a system where the device  
10 provides the user provided one or more input values and corresponding input  
11 symbolic name to the web service. Because the Accused Instrumentalities incorporate  
12 a system that includes WordPress, the web service utilizes the input symbolic name  
13 and the user provided one or more input values for generating one or more output  
14 values having an associated output symbolic name. The defined UI object output  
15 value corresponds to the output symbolic name based on its JSON formatting  
16 characteristics. (*See*, for example, <https://developer.wordpress.org/rest-api/>,  
17 <https://developer.wordpress.org/rest-api/reference/>,  
18 [https://codex.wordpress.org/Widgets\\_API](https://codex.wordpress.org/Widgets_API),  
19 [https://codex.wordpress.org/Plugin\\_Resources](https://codex.wordpress.org/Plugin_Resources), and  
20 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API).)

21 152. The Accused Instrumentalities feature a system where the web service  
22 utilizes the input symbolic name and the user provided one or more input values for  
23 generating one or more output values having an associated output symbolic name.  
24 Because of the JSON formatting, the output values having an associated output  
25 symbolic name. (*See*, for example, <https://developer.wordpress.org/rest-api/>,  
26 <https://developer.wordpress.org/rest-api/reference/>,  
27 [https://codex.wordpress.org/Widgets\\_API](https://codex.wordpress.org/Widgets_API),  
28

1 [https://codex.wordpress.org/Plugin\\_Resources](https://codex.wordpress.org/Plugin_Resources), and  
2 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API).)

3 153. The Accused Instrumentalities feature a system where the Player receives  
4 the output symbolic name and corresponding one or more output values and provides  
5 instructions for the display of the device to present an output value in the defined UI  
6 object. The runtime player within WordPress receives the output name, output value,  
7 and provides instructions for a display as shown by the fact that the defined UI object  
8 are ultimately rendered. (See, for example, <https://developer.wordpress.org/rest-api/>,  
9 <https://developer.wordpress.org/rest-api/reference/>,  
10 [https://codex.wordpress.org/Widgets\\_API](https://codex.wordpress.org/Widgets_API),  
11 [https://codex.wordpress.org/Plugin\\_Resources](https://codex.wordpress.org/Plugin_Resources), and  
12 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API).)

13 154. The presence of the above referenced features is demonstrated, by way of  
14 example, by reference to publicly available information. Regarding WordPress, see,  
15 e.g., <http://themeforest.net/category/wordpress>; <http://codex.wordpress.org/Templates>;  
16 [http://codex.wordpress.org/Template\\_Hierarchy](http://codex.wordpress.org/Template_Hierarchy);  
17 [http://codex.wordpress.org/Function\\_Reference/the\\_title](http://codex.wordpress.org/Function_Reference/the_title);  
18 [http://codex.wordpress.org/Function\\_Reference/the\\_content](http://codex.wordpress.org/Function_Reference/the_content);  
19 <https://www.wpbeginner.com/glossary/database/>; <https://codex.wordpress.org/Pages>;  
20 <http://codex.wordpress.org/Templates>;  
21 [http://codex.wordpress.org/Template\\_Tags/get\\_the\\_title](http://codex.wordpress.org/Template_Tags/get_the_title); and  
22 [http://codex.wordpress.org/Query\\_Overview](http://codex.wordpress.org/Query_Overview).

23 155. Claim 2 of the '287 patent recites a system for generating code to provide  
24 content on a display of a device that includes all the elements of claim 1, additionally  
25 where the registry includes definitions of input and output related to the web service.

26 156. The Accused Instrumentalities infringe claim 2 of the '287 patent through  
27 a combination of features which collectively practice each limitation of claim 1. By  
28 way of example, the registry includes definitions of input and output related to a web

1 service as evidenced by WordPress’s JSON formatting characteristics of the defined  
2 UI objects. (See, for example, <https://developer.wordpress.org/rest-api/>;  
3 <https://developer.wordpress.org/rest-api/reference/>;  
4 <https://developer.wordpress.org/rest-api/reference/posts/>  
5 [https://developer.wordpress.org/rest-api/reference/posts/#schema-title\\_2](https://developer.wordpress.org/rest-api/reference/posts/#schema-title_2),  
6 [https://codex.wordpress.org/Widgets\\_API\\_2](https://codex.wordpress.org/Widgets_API_2);  
7 [https://codex.wordpress.org/Plugin\\_Resources](https://codex.wordpress.org/Plugin_Resources); and  
8 [https://codex.wordpress.org/Plugin\\_API\\_2](https://codex.wordpress.org/Plugin_API_2);  
9 [https://codex.wordpress.org/WordPress\\_Widgets\\_2](https://codex.wordpress.org/WordPress_Widgets_2).)

10 157. Claim 3 of the ’287 patent recites a system for generating code to provide  
11 content on a display of a device that includes all the elements of claim 1, additionally  
12 where the web component is a text chat, a video chat, an image, a slideshow, a video,  
13 or an RSS feed.

14 158. The Accused Instrumentalities infringe claim 3 of the ’287 patent through  
15 a combination of features which collectively practice each limitation of claim 3. By  
16 way of example, the Accused Instrumentalities feature web components additionally  
17 including web chat, Reuters RSS feed, Calendar image, and map image widgets.

18 159. Claim 4 of the ’287 patent recites a system for generating code to provide  
19 content on a display of a device that includes all the elements of claim 1, additionally  
20 where the defined UI object is an input field for a chat.

21 160. The Accused Instrumentalities infringe claim 4 of the ’287 patent through  
22 a combination of features which collectively practice each limitation of claim 4. By  
23 way of example, the Accused Instrumentalities additionally feature a defined UI  
24 object that is an input field for a chat.

25 161. Claim 5 of the ’287 patent recites a system for generating code to provide  
26 content on a display of a device that includes all the elements of claim 1, additionally  
27 the defined UI object is an input field for a web service.

28

1 162. The Accused Instrumentalities infringe claim 5 of the '287 patent through  
 2 a combination of features which collectively practice each limitation of claim 1. By  
 3 way of example, the Accused Instrumentalities additionally feature a defined UI  
 4 object that is an input field for a web service.

5 163. Claim 11 of the '287 patent recites a system for generating code to  
 6 provide content on a display of a device that includes all the elements of claim 1,  
 7 additionally where the code is provided over the network.

8 164. The Accused Instrumentalities infringe claim 11 of the '287 patent  
 9 through a combination of features which collectively practice each limitation of claim  
 10 11. WordPress sends all files over a network using a variety of databases in its  
 11 technology stack including MySQL. These backend capabilities provided the code  
 12 over a network. By way of example, data from the wp\_options table for the website  
 13 header and from the wp\_posts table for the "WordPress Info" web page are extracted  
 14 directly from the Bitnami WordPress server-side database using MySQL Workbench.  
 15 The stored data in the wp\_options table includes the website's url, the website's title  
 16 (blogname), the website's tagline (blogdescription), and the active template (style  
 17 sheet).

option_id	option_name	option_value
1	siteurl	<a href="http://localhost/wordpress">http://localhost/wordpress</a>
2	blogname	Express Mobile
3	blogdescription	SELECTED USERS OF WORDPRESS
44	template	the-fundamentals-of-graphic-design

18  
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 23 The stored data in the wp\_posts table for the "WordPress Info" web page includes  
 24 information corresponding to user selected settings such as, for example, the color red  
 25 ("#ff0000") for "manages 22%". Other user selections shown in stored database data  
 26 below include, for ex-ample, the image filename for the image  
 27 (<http://localhost/wordpress/wp-content/uploads/2013/03/icon21.png>), the image  
 28

1 alignment (class="wp-image-24 aligncenter"), and a selected paragraph style (h3) for  
2 "Heading 3".

ID	post_content	post_title	post_type
23	<p>WordPress is used by over 14.7% of Alexa Internet's "top 1 million" websites and as of August, 2011, believe it or not, <span style="color: #ff0000;">&lt;span style="color: #ff0000;"&gt; manages 22%&lt;/span&gt;</span> of all new websites. WordPress is currently the most popular blogging system in use on the Web.</p> <p>&amp;nbsp;</p> <p>&lt;p style="text-align: center;"&gt;&lt;a href="http://localhost/wordpress/wp-content/uploads/2013/03/icon21.png"&gt;&lt;img class=" wp-image-24 aligncenter" alt="icon2" src="http://localhost/wordpress/wp-content/uploads/2013/03/icon21.png" width="136" height="36" /&gt;&lt;/a&gt;&lt;/p&gt;</p> <p>&amp;nbsp;</p> <p>&lt;h3&gt;As of December 2011, WordPress version 3.0 had been downloaded over 65 million times.&lt;/h3&gt;</p> <p>&amp;nbsp;</p>	WordPress Info	page

14  
15 WordPress's HTML, CSS, Java, and JSON coding capabilities further are shown, for  
16 example. by <http://codex.wordpress.org/Templates>, <https://codex.wordpress.org/CSS>,  
17 <https://developer.wordpress.org/rest-api/> and  
18 [https://codex.wordpress.org/Widgets\\_API](https://codex.wordpress.org/Widgets_API)).

19 165. Claim 12 of the '287 patent recites a system for generating code to  
20 provide content on a display of a device that includes all the elements of claim 1,  
21 additionally where the defined UI object corresponds to a widget.

22 166. The Accused Instrumentalities infringe claim 12 of the '287 patent  
23 through a combination of features which collectively practice each limitation of claim  
24 1. By way of example, the Accused Instrumentalities' incorporation of WordPress  
25 includes widgets. (See, for example., [https://codex.wordpress.org/Widgets\\_API](https://codex.wordpress.org/Widgets_API).)

26 167. Claim 15 of the '287 patent recites a method of displaying content on a  
27 display of a device having a Player, where the Player is a device-dependent code, the  
28

1 method comprising: defining a user interface (UI) object for presentation on the  
2 display, where the UI object corresponds to a web component included in a registry of  
3 one or more web components selected from a group consisting of an input of a web  
4 service and an output of the web service, where each web component includes a  
5 plurality of symbolic names of inputs and outputs associated with each web service,  
6 and where the registry includes: a) symbolic names required for evoking one or more  
7 web components each related to a set of inputs and outputs of the web service  
8 obtainable over a network, where the symbolic names are character strings that do not  
9 contain either a persistent address or pointer to an output value accessible to the web  
10 service, and b) an address of the web service, and where each defined UI object is  
11 either: 1) selected by a user of an authoring tool; 2) automatically selected by a system  
12 as a preferred UI object corresponding to a symbolic name of the web component  
13 selected by the user of the authoring tool.

14 168. The Accused Instrumentalities infringe claim 15 of the '287 patent  
15 through a combination of features which collectively practice each limitation of claim  
16 15. By way of example, the method is for displaying content on a display of a device  
17 and the Accused Instrumentalities include a WordPress-compatible browser which  
18 content as a WordPress webpage on a display of a device.

19 169. The Accused Instrumentalities feature a Player, where the Player is a  
20 device-dependent code. The device has a Player (*see*, for example,  
21 <https://codex.wordpress.org/CSS>, [https://codex.wordpress.org/Using\\_Javascript](https://codex.wordpress.org/Using_Javascript),  
22 <https://developer.wordpress.org/rest-api/>) in the form of a runtime player that is a  
23 device dependent code. WordPress produces a device dependent file, which is  
24 wrapped inside a runtime file. In order for a site to display on different devices  
25 through a browser or through responsive capabilities, there is device dependent code.  
26 (*See*, for example, [https://torquemag.io/2017/08/make-wordpress-website-mobile-](https://torquemag.io/2017/08/make-wordpress-website-mobile-friendly/)  
27 [friendly/](https://wordpress.org/themes/ultra/); <https://wordpress.org/themes/ultra/>.)

28

1           170. The Accused Instrumentalities include defining a user interface (UI)  
2 object for presentation on the display, where the defined UI object corresponds to a  
3 web component included in the registry of one or more web components, where the  
4 web component is selected from a group consisting of an input of a web service and  
5 an output of the web service. WordPress defines a UI object for presentation on  
6 display, where the UI object corresponds to a web component included in the non-  
7 volatile computer memory selected from a group consisting of an input of a web  
8 service and an output of the web service by JSON data formatting. (*See*, for example,  
9 <https://developer.wordpress.org/rest-api/>, [https://developer.wordpress.org/rest-](https://developer.wordpress.org/rest-api/reference/)  
10 [api/reference/](https://developer.wordpress.org/rest-api/reference/), [https://codex.wordpress.org/WordPress\\_Widgets](https://codex.wordpress.org/WordPress_Widgets),  
11 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API), and  
12 [https://codex.wordpress.org/Plugin\\_Resources](https://codex.wordpress.org/Plugin_Resources).) JSON names are strings that only  
13 represent the symbolic names that are bound both to a web service input and/or output  
14 and to a UI object. All JSON names in the name/value pairs are character strings.  
15 When the WordPress interface makes a UI element request a JSON request is sent to  
16 the Server and a JSON data response is provided to the Interface. (*See*, for example,  
17 <https://developer.wordpress.org/rest-api/>,  
18 [https://codex.wordpress.org/WordPress\\_Widgets](https://codex.wordpress.org/WordPress_Widgets),  
19 [https://codex.wordpress.org/Plugin\\_Resources](https://codex.wordpress.org/Plugin_Resources),  
20 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API).)

21           171. Each web component includes a plurality of symbolic names of inputs  
22 and outputs associated with each web service. The plurality of symbolic names of  
23 inputs and outputs associated with each web service is a feature of their JSON  
24 formatting characteristics. Each symbolic name has an associated data format class  
25 type corresponding to a subclass of UI objects that supports the data format type of the  
26 symbolic name, and has a preferred UI object as demonstrated by the presence of  
27 JSON formatting in conjunction with WordPress' WYSIWYG and widget  
28 capabilities. (*See*, for example, <https://developer.wordpress.org/rest-api/>,



1 <https://developer.wordpress.org/rest-api/>,  
2 [https://codex.wordpress.org/WordPress\\_Widgets](https://codex.wordpress.org/WordPress_Widgets),  
3 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API), and  
4 [https://codex.wordpress.org/Plugin\\_Resources](https://codex.wordpress.org/Plugin_Resources).)

5 172. The registry includes: a) symbolic names required for evoking one or  
6 more web components each related to a set of inputs and outputs of a web service  
7 obtainable over a network, where the symbolic names are character strings that do not  
8 contain either a persistent address or pointer to an output value accessible to the web  
9 service. The registry and WordPress MySQL database contain symbolic names  
10 required for evoking one or more web components each related to a set of inputs and  
11 outputs of a web service obtainable over a network as demonstrated by the formatting  
12 in conjunction with WordPress's WYSIWYG visual effects editor widget, and plugin  
13 authoring tools. JSON names are strings that only represent the symbolic names that  
14 are bound both to a web service input and/or output and to a UI object. All JSON  
15 names in the name/value pairs are character strings. When the WordPress interface  
16 makes a UI element request a JSON request is sent to the Server and a JSON data  
17 response is provided to the Interface. (*See*, for example,

18 <https://developer.wordpress.org/rest-api/>,  
19 [https://codex.wordpress.org/WordPress\\_Widgets](https://codex.wordpress.org/WordPress_Widgets),  
20 [https://codex.wordpress.org/Plugin\\_Resources](https://codex.wordpress.org/Plugin_Resources),  
21 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API).)

22 173. The registry also includes b) an address of the web service. Because  
23 WordPress contains web services, it contains the corresponding web addresses.  
24 Because WordPress contains web services, both as a library of Widgets (*see*  
25 [https://codex.wordpress.org/Widgets\\_API](https://codex.wordpress.org/Widgets_API)) and Plug-ins (*see*  
26 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API)), it contains the corresponding addresses of  
27 the web services. All web services are represented as a wsdl (Web Service  
28 Description Language) and wsdl's have URLs to point to the internet location that

1 receives the web service's inputs and returns the web service's outputs (*see*  
2 <https://www.soapui.org/soap-and-wsdl/working-with-wsdl.html>).

3 174. Each defined UI object is either: 1) selected by a user of an authoring  
4 tool; or 2) automatically selected by the system as the preferred UI object  
5 corresponding to the symbolic name of the web component selected by the user of the  
6 authoring tool. WordPress's UI objects are automatically selected by the system as  
7 the preferred UI object corresponding to the symbolic name of the web component  
8 selected by the user of the authoring tool, i.e., a UI object selected by a user is  
9 automatically selected. When a Widget is selected in the WordPress Widget selection  
10 list steps 1 to 5 under "Displaying Widgets", the widget UI will automatically  
11 displayed in the Web Page Sidebar. (*See*, for example,  
12 [https://codex.wordpress.org/WordPress\\_Widgets](https://codex.wordpress.org/WordPress_Widgets),  
13 [https://codex.wordpress.org/Plugin\\_Resources](https://codex.wordpress.org/Plugin_Resources),  
14 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API).)

15 175. The Accused Instrumentalities include selecting the symbolic name from  
16 the web component (i.e. WordPress Widget or Plug-in) corresponding to the defined  
17 UI object, where the selected symbolic name has an associated data format class type  
18 corresponding to a subclass of UI objects that support the data format type of the  
19 symbolic name and has the preferred UI object. WordPress accesses its memory to  
20 select the symbolic name corresponding to the web component of the defined UI  
21 object (as evidenced by JSON data formatting), associate the selected symbolic name  
22 with the defined UI object (the JSON element corresponding to an element), where the  
23 selected symbolic name is only available to UI objects that support the defined data  
24 format associated with that symbolic name (the element associated with at JSON  
25 string). (*See*, for example, <https://developer.wordpress.org/rest-api/>,  
26 <https://developer.wordpress.org/rest-api/reference/>,  
27 [https://codex.wordpress.org/WordPress\\_Widgets](https://codex.wordpress.org/WordPress_Widgets),  
28 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API), and

1 [https://codex.wordpress.org/Plugin\\_Resources](https://codex.wordpress.org/Plugin_Resources).) Additionally, the preferred UI object  
2 is the selected UI object. JSON names are strings that only represent the symbolic  
3 names that are bound both to a web service input and/or output and to a UI object. All  
4 JSON names in the name/value pairs are character strings. When the WordPress  
5 interface makes a UI element request a JSON request is sent to the Server and a JSON  
6 data response is provided to the Interface. (*See*, for example,  
7 <https://developer.wordpress.org/rest-api/>,  
8 [https://codex.wordpress.org/WordPress\\_Widgets](https://codex.wordpress.org/WordPress_Widgets),  
9 [https://codex.wordpress.org/Plugin\\_Resources](https://codex.wordpress.org/Plugin_Resources),  
10 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API).)

11 176. The Accused Instrumentalities include associating the selected symbolic  
12 name with the defined UI object.

13 177. The Accused Instrumentalities include producing an Application  
14 including the selected symbolic name of the defined UI object, where the Application  
15 is a device-independent code. WordPress produces an Application included in the  
16 symbolic name of the defined UI object. (*See*, for example,  
17 <https://developer.wordpress.org/rest-api/>, [https://developer.wordpress.org/rest-](https://developer.wordpress.org/rest-api/reference/)  
18 [api/reference/](https://developer.wordpress.org/rest-api/reference/), [https://codex.wordpress.org/WordPress\\_Widgets](https://codex.wordpress.org/WordPress_Widgets),  
19 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API), and  
20 [https://codex.wordpress.org/Plugin\\_Resources](https://codex.wordpress.org/Plugin_Resources).)

21 178. The Accused Instrumentalities feature a system where the Application  
22 and Player are provided to the device and executed on the device and when the user of  
23 the device provides one or more input values associated with an input symbolic name  
24 to an input of the defined UI object. Because the Accused Instrumentalities  
25 incorporate a system that includes WordPress, when a user of the device provides one  
26 or more input values associated with an input symbolic name, using JSON formatting  
27 characteristics, to an input of the defined UI object, the device provides the user  
28 provided one or more input values and corresponding input symbolic name, using

1 JSON formatting characteristics, to the web service. (*See*, for example,  
2 <https://developer.wordpress.org/rest-api/>, <https://developer.wordpress.org/rest-api/reference/>,  
3 [https://codex.wordpress.org/Widgets\\_API](https://codex.wordpress.org/Widgets_API),  
4 [https://codex.wordpress.org/Plugin\\_Resources](https://codex.wordpress.org/Plugin_Resources), and  
5 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API).)

6 179. The Accused Instrumentalities feature a system where the device  
7 provides the user provided one or more input values and corresponding input  
8 symbolic name to the web service. Because the Accused Instrumentalities incorporate  
9 a system that includes WordPress, the web service utilizes the input symbolic name  
10 and the user provided one or more input values for generating one or more output  
11 values having an associated output symbolic name. The defined UI object output  
12 value corresponds to the output symbolic name based on its JSON formatting  
13 characteristics. (*See*, for example, <https://developer.wordpress.org/rest-api/>,  
14 <https://developer.wordpress.org/rest-api/reference/>,  
15 [https://codex.wordpress.org/Widgets\\_API](https://codex.wordpress.org/Widgets_API),  
16 [https://codex.wordpress.org/Plugin\\_Resources](https://codex.wordpress.org/Plugin_Resources), and  
17 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API).)

18 180. The Accused Instrumentalities feature a system where the web service  
19 utilizes the input symbolic name and the user provided one or more input values for  
20 generating one or more output values having an associated output symbolic name.  
21 Because of the JSON formatting, the output values having an associated output  
22 symbolic name. (*See*, for example, <https://developer.wordpress.org/rest-api/>,  
23 <https://developer.wordpress.org/rest-api/reference/>,  
24 [https://codex.wordpress.org/Widgets\\_API](https://codex.wordpress.org/Widgets_API),  
25 [https://codex.wordpress.org/Plugin\\_Resources](https://codex.wordpress.org/Plugin_Resources), and  
26 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API).)

27 181. The Accused Instrumentalities feature a system where the Player receives  
28 the output symbolic name and corresponding one or more output values and provides

1 instructions for the display of the device to present an output value in the defined UI  
2 object. The runtime player within WordPress receives the output name, output value,  
3 and provides instructions for a display as shown by the fact that the defined UI object  
4 are ultimately rendered. (See, for example, <https://developer.wordpress.org/rest-api/>,  
5 <https://developer.wordpress.org/rest-api/reference/>,  
6 [https://codex.wordpress.org/Widgets\\_API](https://codex.wordpress.org/Widgets_API),  
7 [https://codex.wordpress.org/Plugin\\_Resources](https://codex.wordpress.org/Plugin_Resources), and  
8 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API).)

9 182. The presence of the above referenced features is demonstrated, by way of  
10 example, by reference to publicly available information. Regarding WordPress, *see*,  
11 *e.g.*, <http://themeforest.net/category/wordpress>; <http://codex.wordpress.org/Templates>;  
12 [http://codex.wordpress.org/Template\\_Hierarchy](http://codex.wordpress.org/Template_Hierarchy);  
13 [http://codex.wordpress.org/Function\\_Reference/the\\_title](http://codex.wordpress.org/Function_Reference/the_title);  
14 [http://codex.wordpress.org/Function\\_Reference/the\\_content](http://codex.wordpress.org/Function_Reference/the_content);  
15 <https://www.wpbeginner.com/glossary/database/>; <https://codex.wordpress.org/Pages>;  
16 <http://codex.wordpress.org/Templates>;  
17 [http://codex.wordpress.org/Template\\_Tags/get\\_the\\_title](http://codex.wordpress.org/Template_Tags/get_the_title); and  
18 [http://codex.wordpress.org/Query\\_Overview](http://codex.wordpress.org/Query_Overview).

19 183. Claim 16 of the '287 patent recites a method of displaying content on a  
20 display that includes all the elements of claim 15, additionally where the registry  
21 includes definitions of input and output related to the web service.

22 184. The Accused Instrumentalities infringe claim 16 of the '287 patent  
23 through a combination of features which collectively practice each limitation of claim  
24 16. By way of example, the Accused Instrumentalities include definitions of input  
25 and output related to a web service as based on their JSON formatting characteristics  
26 and the defined UI object functionality. *See, e.g.*, <https://developer.wordpress.org/rest-api/>;  
27 <https://developer.wordpress.org/rest-api/reference/>;  
28 <https://developer.wordpress.org/rest-api/reference/posts/>

1 <https://developer.wordpress.org/rest-api/reference/posts/#schema-title>

2 [https://codex.wordpress.org/Widgets\\_API](https://codex.wordpress.org/Widgets_API);

3 [https://codex.wordpress.org/Plugin\\_Resources](https://codex.wordpress.org/Plugin_Resources); and

4 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API);

5 [https://codex.wordpress.org/WordPress\\_Widgets](https://codex.wordpress.org/WordPress_Widgets).

6 185. Claim 17 of the '287 patent recites a method of displaying content on a  
7 display that includes all the elements of claim 15, additionally where the web  
8 component is a text chat, a video chat, an image, a slideshow, a video, or an RSS feed.

9 186. The Accused Instrumentalities infringe claim 17 of the '287 patent  
10 through a combination of features which collectively practice each limitation of claim  
11 17. By way of example, the Accused Instrumentalities feature web components  
12 including web chat, Reuters RSS feed, Calendar image, and map image widgets.

13 187. Claim 18 of the '287 patent recites a method of displaying content on a  
14 display that includes all the elements of claim 15, additionally where the defined UI  
15 object is an input field for a chat.

16 188. The Accused Instrumentalities infringe claim 18 of the '287 patent  
17 through a combination of features which collectively practice each limitation of claim  
18 18. By way of example, the Accused Instrumentalities additionally feature an UI  
19 object that is an input field for a chat.

20 189. Claim 19 of the '287 patent recites a method of displaying content on a  
21 display that includes all the elements of claim 15, additionally where the UI object is  
22 an input field for a web service.

23 190. The Accused Instrumentalities infringe claim 19 of the '287 patent  
24 through a combination of features which collectively practice each limitation of claim  
25 19. By way of example, the Accused Instrumentalities additionally feature a UI object  
26 that is an input field for a web service.

27  
28

1 191. Claim 25 of the '287 patent recites a method of displaying content on a  
 2 display that includes all the elements of claim 15, additionally where the method  
 3 includes providing the Application and Player over the network.

4 192. The Accused Instrumentalities infringe claim 25 of the '287 patent  
 5 through a combination of features which collectively practice each limitation of claim  
 6 25. WordPress sends all files over a network using a variety of databases in its  
 7 technology stack including MySQL. These backend capabilities provided the code  
 8 over a network. By way of example, data from the wp\_options table for the website  
 9 header and from the wp\_posts table for the "WordPress Info" web page are extracted  
 10 directly from the Bitnami WordPress server-side database using MySQL Workbench.  
 11 The stored data in the wp\_options table includes the website's url, the website's title  
 12 (blogname), the website's tagline (blogdescription), and the active template (style  
 13 sheet).

option_id	option_name	option_value
1	siteurl	<a href="http://localhost/wordpress">http://localhost/wordpress</a>
2	blogname	Express Mobile
3	blogdescription	SELECTED USERS OF WORDPRESS
44	template	the-fundamentals-of-graphic-design

14  
 15  
 16  
 17  
 18  
 19 The stored data in the wp\_posts table for the "WordPress Info" web page includes  
 20 information corresponding to user selected settings such as, for example, the color red  
 21 ("#ff0000") for "manages 22%". Other user selections shown in stored database data  
 22 below include, for ex-ample, the image filename for the image  
 23 (<http://localhost/wordpress/wp-content/uploads/2013/03/icon21.png>), the image  
 24 alignment (class="wp-image-24 aligncenter"), and a selected paragraph style (h3) for  
 25 "Heading 3".  
 26  
 27  
 28

ID	post_content	post_title	post_type
23	<p>WordPress is used by over 14.7% of Alexa Internet's "top 1 million" websites and as of August, 2011, believe it or not, <span style="color: #ff0000;">&lt;span style="color: #ff0000;"&gt; manages 22%&lt;/span&gt;</span> of all new websites. WordPress is currently the most popular blogging system in use on the Web.</p> <p>&amp;nbsp;</p> <p style="text-align: center;"><a &gt;&lt;="" &gt;&lt;img="" a&gt;&lt;="" alt="icon2" class="wp-image-24 aligncenter" height="36" href="http://localhost/wordpress/wp-content/uploads/2013/03/icon21.png" p="" p&gt;<="" src="http://localhost/wordpress/wp-content/uploads/2013/03/icon21.png" width="136"> <p>&amp;nbsp;</p> <p><b>As of December 2011, WordPress version 3.0 had been downloaded over 65 million times.&lt;/b&gt;</b></p> <p>&amp;nbsp;</p> </a></p>	WordPress Info	page

WordPress's HTML, CSS, Java, and JSON coding capabilities further are shown, for example by <http://codex.wordpress.org/Templates>, <https://codex.wordpress.org/CSS>, <https://developer.wordpress.org/rest-api/> and [https://codex.wordpress.org/Widgets\\_API](https://codex.wordpress.org/Widgets_API).

193. Claim 26 of the '287 patent recites a method of displaying content on a display that includes all the elements of claim 15, additionally where the UI object corresponds to a widget.

194. The Accused Instrumentalities infringe claim 26 of the '287 patent through a combination of features which collectively practice each limitation of claim 26. By way of example, the Accused Instrumentalities employ WordPress which includes widgets. (*See*, for example., [https://codex.wordpress.org/Widgets\\_API](https://codex.wordpress.org/Widgets_API).)

195. Upon information and belief, these Accused Instrumentalities are used, marketed, provided to, and or used by or for each of Defendant's partners, clients, customers, and/or end users across the country and in this District.

196. In particular, Defendant's actions that aid and abet others such as its partners, customers, clients, and/or end users to infringe include advertising and



1 distributing the Accused Instrumentalities and providing instruction materials,  
2 training, and services regarding the Accused Instrumentalities. *See, e.g.*,  
3 <https://wiki.lunarpages.com/WordPress>. On information and belief, Defendant has  
4 engaged in such actions with specific intent to cause infringement or with willful  
5 blindness to the resulting infringement because Defendant has had actual knowledge  
6 of the '287 patent and knowledge that its acts were inducing infringement of the '287  
7 patent since at least the date Lunarpages received notice that such activities infringed  
8 the '287 patent.

9 197. Upon information and belief, Defendant is liable as a contributory  
10 infringer of the '287 patent under 35 U.S.C. § 271(c) by offering to sell, selling and  
11 importing into the United States website authoring tools to be especially made or  
12 adapted for use in an infringement of the '287 patent. The Accused Instrumentalities  
13 are a material component for use in practicing the '287 patent and are specifically  
14 made and are not a staple article of commerce suitable for substantial non-infringing  
15 use.

16 198. Defendant was made aware of the '287 patent and its infringement  
17 thereof at least as early as the filing of this Complaint.

18 199. Since the date of the filing of this Complaint, Defendant's infringement  
19 of the '287 patent has been willful.

20 200. Within the past six years, Plaintiff has not sold any product nor offered a  
21 service within the scope of any claim of the '287 patent. In addition, prior to August  
22 12, 2015, no license to the '287 patent had been granted.

23 201. Plaintiff has been harmed by Defendant's infringing activities.

24 **COUNT IV – INFRINGEMENT OF U.S. PATENT NO. 9,928,044**

25 202. The allegations set forth in the foregoing paragraphs 1 through 201 are  
26 incorporated into this Fourth Claim for Relief.

27 203. On March 27, 2018, U.S. Patent No. 9,928,044 ("the '044 patent"),  
28 entitled "*Systems and Methods for Programming Mobile Devices*," was duly and

1 legally issued by the United States Patent and Trademark Office. A true and correct  
2 copy of the '044 patent is attached as Exhibit G.

3 204. The inventions of the '044 patent resolve technical problems related to  
4 generating content on a display of a device, such as the display of a mobile device.  
5 For example, the inventions feature a computer memory and an authoring tool or  
6 Player configured to define a User Interface ("UI") object for display on the device,  
7 where the defined UI object corresponds to a web component and where each UI  
8 object is either: 1) selected by a user or 2) automatically selected by the system as a  
9 preferred UI object corresponding to a symbolic name of the web component.  
10 Additionally, the computer memory and the authoring tool or Player are configured to  
11 build an Application consisting of one or more web page views to provide for the  
12 display of at least a portion of one or more of the web pages. These features are  
13 exclusively implemented utilizing computer technology.

14 205. The claims of the '044 patent do not merely recite the performance of  
15 some business practice known from the pre-Internet world along with the requirement  
16 to perform it on the Internet. Instead, the claims of the '044 patent recite one or more  
17 inventive concepts that are rooted in the computerized generation of content on a  
18 display of a device, such as a mobile device, and overcome problems specifically  
19 arising in the realm of computerized display content generation technologies.

20 206. The claims of the '044 patent recite an invention that is not merely the  
21 routine or conventional use of systems and methods for the computerized generation  
22 of content on a display of a device. Instead, the invention describes systems for use  
23 with devices with authoring tools or Players specific to each device and Applications  
24 that are device independent.

25 207. The technology claimed in the '044 patent does not preempt all ways for  
26 the computerized generation of content on a display of a device, such as a mobile  
27 device, nor preempt the use of all authoring tools or Players for the computerized  
28

1 generation of content on a display of a device, such as a mobile devices, nor preempt  
2 any other well-known or prior art technology.

3 208. Accordingly, each claim of the '044 patent recites a combination of  
4 elements sufficient to ensure that the claim in practice amounts to significantly more  
5 than a patent on an ineligible concept.

6 209. Plaintiff is the assignee and owner of the right, title and interest in and to  
7 the '044 patent, including the right to assert all causes of action arising under the  
8 patents and the right to any remedies for infringement of them.

9 210. Upon information and belief, Defendant has and continues to directly  
10 infringe at least claims 1-5, 11, 12, 15-19, 25 and 26 of the '044 patent by a system  
11 which includes a computer memory and an authoring tool or Player configured to  
12 define a User Interface ("UI") object for display on the device, where the UI object  
13 corresponds to a web component and where each UI object is either: 1) selected by a  
14 user or 2) automatically selected by the system as a preferred UI object corresponding  
15 to a symbolic name of the web component. Additionally, the computer memory and  
16 the authoring tool or Player are configured to build an Application consisting of one or  
17 more web page views to provide for the display of at least a portion of one or more of  
18 the web pages (the "Accused Instrumentalities"). The Accused Instrumentalities  
19 include platforms that enable the functionality described above and include but are not  
20 limited to, for example, WordPress. *See, e.g.,* [https://lunarpages.com/build-your-  
21 site/professional-web-design/](https://lunarpages.com/build-your-site/professional-web-design/).

22 211. In particular, claim 1 of the '044 patent recites a system for generating  
23 code to provide content on a display of a device, the system comprising: computer  
24 memory storing: a) symbolic names required for evoking one or more web  
25 components each related to a set of inputs and outputs of a web service obtainable  
26 over a network, where the symbolic names are character strings that do not contain  
27 either a persistent address or pointer to an output value accessible to the web service,  
28 where each symbolic name has an associated data format class type corresponding to a

1 subclass of User Interface (UI) objects that support the data format type of the  
2 symbolic name, and where each symbolic name has a preferred UI object, and b) an  
3 address of the web service; an authoring tool configured to: define a UI object for  
4 presentation on the display, where the defined UI object corresponds to a web  
5 component included in the computer memory selected from a group consisting of an  
6 input of the web service and an output of the web service, where each defined UI  
7 object is either: 1) selected by a user of the authoring tool; or 2) automatically selected  
8 by the system as the preferred UI object corresponding to the symbolic name of the  
9 web component selected by the user of the authoring tool, access the computer  
10 memory to select the symbolic name corresponding to the web component of the  
11 defined UI object, associate the selected symbolic name with the defined UI object,  
12 where the selected symbolic name is only available to UI objects that support the  
13 defined data format associated with that symbolic name, store information  
14 representative of the defined UI object and related settings in a database; retrieve the  
15 information representative of the one or more the UI object settings stored in the  
16 database; and build an Application consisting of one or more web page views from at  
17 least a portion of the database utilizing at least one Player, where the Player utilizes  
18 information stored in the database to generate for the display of at least a portion of  
19 the one or more web pages, wherein when the Application and Player are provided to  
20 the device and executed on the device, and when the user of the device provides one  
21 or more input values associated with an input symbolic name to an input of the  
22 defined UI object, the device provides the user provided one or more input values and  
23 corresponding input symbolic name to the web service, the web service utilizes the  
24 input symbolic name and the user provided one or more input values for generating  
25 one or more output values having an associated output symbolic name, and the Player  
26 receives the output symbolic name and corresponding one or more output values and  
27 provides instructions for the display of the device to present an output value in the  
28 defined UI object.

1           212. The Accused Instrumentalities infringe claim 1 of the '044 patent through  
2 a combination of features which collectively practice each limitation of claim 1. By  
3 way of example, the Accused Instrumentalities feature a system for generating code to  
4 provide content on a display of a device. The system includes a WordPress server,  
5 which provides WordPress's WYSIWYG visual effects editor and a WordPress-  
6 compatible browser. WordPress's WYSIWYG visual effects editor generates code,  
7 such as JavaScript or HTML code for such as options for defining title, text, images,  
8 videos and paragraph styles, while the browser displays the resulting content as a  
9 WordPress webpage on a display of a device, such as a computer display.

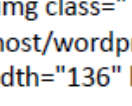
10           213. For example, on information and belief, WordPress uses a variety of  
11 databases in its technology stack including MySQL. Data from the wp\_options table  
12 for the website header and the data from the wp\_posts table for the "WordPress Info"  
13 web page extracted directly from the Bitnami WordPress server-side database using  
14 MySQL Workbench. The stored data in the wp\_options table includes the website's  
15 url, the website's title (blogname), the website's tagline (blogdescription), and the  
16 active template (style sheet).

option_id	option_name	option_value
1	siteurl	<a href="http://localhost/wordpress">http://localhost/wordpress</a>
2	blogname	Express Mobile
3	blogdescription	SELECTED USERS OF WORDPRESS
44	template	the-fundamentals-of-graphic-design

17  
18  
19  
20  
21  
22 The stored data in the wp\_posts table for the "WordPress Info" web page includes  
23 information corresponding to user selected settings such as, for example, the color red  
24 ("#ff0000") for "manages 22%". Other user selections shown in stored database data  
25 below include, for ex-ample, the image filename for the image  
26 (<http://localhost/wordpress/wp-content/uploads/2013/03/icon21.png>), the image  
27  
28

1 alignment (class="wp-image-24 aligncenter"), and a selected paragraph style (h3) for  
2 "Heading 3".

3 The stored data in the wp\_posts table for the "WordPress Info" web page  
4 includes information corresponding to user selected settings such as, for example, the  
5 color red ("#ff0000") for "manages 22%". Other user selections shown in stored  
6 database data below include, for ex-ample, the image filename for the image  
7 (<http://localhost/wordpress/wp-content/uploads/2013/03/icon21.png>), the image  
8 alignment (class="wp-image-24 aligncenter"), and a selected paragraph style (h3) for  
9 "Heading 3".

ID	post_content	post_title	post_type
23	<p>WordPress is used by over 14.7% of Alexa Internet's "top 1 million" websites and as of August, 2011, believe it or not, <span style="color: #ff0000;">manages 22%</span> of all new websites. WordPress is currently the most popular blogging system in use on the Web.</p> <p>&amp;nbsp;</p> <p><a href="http://localhost/wordpress/wp-content/uploads/2013/03/icon21.png" style="text-align: center;"> icon2</a></p> <p>&amp;nbsp;</p> <p>As of December 2011, WordPress version 3.0 had been downloaded over 65 million times.</p> <p>&amp;nbsp;</p>	WordPress Info	page

20 WordPress's HTML, CSS, Java, and JSON coding capabilities further are shown, e.g.,  
21 by <http://codex.wordpress.org/Templates>, <https://codex.wordpress.org/CSS>,  
22 <https://developer.wordpress.org/rest-api/>.

23  
24 214. The Accused Instrumentalities feature a computer memory provided by  
25 WordPress MySQL database functionality on the WordPress server. By way of  
26 example, WordPress utilizes JSON strings extensively as part of its API, which  
27 necessarily require servers and databases. (See, <https://developer.wordpress.org/rest-api/>.)  
28

1           215. The computer memory stores a) symbolic names required for evoking  
2 one or more web components each related to a set of inputs and outputs of a web  
3 service obtainable over a network, where the symbolic names are character strings that  
4 do not contain either a persistent address or pointer to an output value accessible to the  
5 web service. The WordPress MySQL database contains symbolic names required for  
6 evoking one or more web components each related to a set of inputs and outputs of a  
7 web service obtainable over a network as demonstrated by the formatting in  
8 conjunction with WordPress's WYSIWYG visual effects editor, widget, and plugin  
9 authoring tools. JSON names are strings that only represent the symbolic names that  
10 are bound both to a web service input and/or output and to a UI object. All JSON  
11 names in the name/value pairs are character strings. WordPress' WYSIWYG visual  
12 effects editor includes elements for defining the layout for placement of the defined  
13 UI objects. Widgets, plug-ins and other elements correspond to the defined UI objects  
14 and are the product of the JSON formatting. (*See*, for example,  
15 [https://codex.wordpress.org/WordPress\\_Lessons#Template\\_Files](https://codex.wordpress.org/WordPress_Lessons#Template_Files),  
16 [https://codex.wordpress.org/WordPress\\_Widgets](https://codex.wordpress.org/WordPress_Widgets),  
17 [https://codex.wordpress.org/Plugin\\_Resources](https://codex.wordpress.org/Plugin_Resources), and  
18 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API).)

19           216. Furthermore, each symbolic name has an associated data format class  
20 type corresponding to a subclass of UI objects that supports the data format type of the  
21 symbolic name, and has a preferred UI object as demonstrated by the presence of  
22 JSON formatting characteristics in conjunction with WordPress' WYSIWYG visual  
23 effects editor and widget authoring tools. JSON names are strings that only represent  
24 the symbolic names that are bound both to a web service input and/or output and to a  
25 UI object. All JSON names in the name/value pairs are character strings. WordPress'  
26 WYSIWYG visual effects editor includes elements for defining the layout for  
27 placement of the defined UI objects. Widgets, plug-ins and other elements correspond  
28 to the defined UI objects and are the product of the JSON formatting. (*See*, for

1 example, [https://codex.wordpress.org/WordPress\\_Lessons#Template\\_Files](https://codex.wordpress.org/WordPress_Lessons#Template_Files),  
2 [https://codex.wordpress.org/WordPress\\_Widgets](https://codex.wordpress.org/WordPress_Widgets),  
3 [https://codex.wordpress.org/Plugin\\_Resources](https://codex.wordpress.org/Plugin_Resources), and  
4 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API).)

5 217. The computer memory also stores b) an address of the web service.  
6 Because WordPress contains web services, it contains the corresponding addresses for  
7 the web services. (*See*, for example, <https://developer.wordpress.org/rest-api/>,  
8 [https://codex.wordpress.org/WordPress\\_Widgets](https://codex.wordpress.org/WordPress_Widgets),  
9 [https://codex.wordpress.org/Plugin\\_Resources](https://codex.wordpress.org/Plugin_Resources), and  
10 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API).)

11 218. The Accused Instrumentalities feature an authoring tool in the form of  
12 WordPress's WYSIWYG visual effects editor, widget, and plug-in authoring tools.  
13 (*See*, for example, [https://codex.wordpress.org/WordPress\\_Widgets](https://codex.wordpress.org/WordPress_Widgets),  
14 [https://codex.wordpress.org/Plugin\\_Resources](https://codex.wordpress.org/Plugin_Resources),  
15 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API).)

16 219. The authoring tool is configured to define a UI object for presentation on  
17 the display, where the defined UI object corresponds to a web component included in  
18 the computer memory selected from a group consisting of an input of the web service  
19 and an output of the web service. WordPress's WYSIWYG visual effects editor and  
20 widget authoring tools define the presence of a UI object for presentation on a display  
21 and the defined UI object corresponds to a web component included in the computer  
22 memory selected from a group consisting of an input of the web service and an output  
23 of the web service.

24 220. Each defined UI object is either: 1) selected by a user of the authoring  
25 tool; or 2) automatically selected by the system as the preferred UI object  
26 corresponding to the symbolic name of the web component selected by the user of the  
27 authoring tool. WordPress's UI objects are automatically selected by the system as  
28 the preferred UI object corresponding to the symbolic name of the web component



1 selected by the user of the authoring tool, *i.e.*, a UI object selected by a user is  
2 automatically selected. When a Widget is selected in the WordPress Widget selection  
3 list (*See* [https://codex.wordpress.org/WordPress\\_Widgets](https://codex.wordpress.org/WordPress_Widgets) ) steps 1 to 5 under  
4 “Displaying Widgets“, the widget UI will automatically displayed in the Web Page  
5 Sidebar. (*See*, for example, [https://codex.wordpress.org/WordPress\\_Widgets](https://codex.wordpress.org/WordPress_Widgets),  
6 [https://codex.wordpress.org/Plugin\\_Resources](https://codex.wordpress.org/Plugin_Resources),  
7 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API).)

8 221. The authoring tool is configured to access the computer memory to select  
9 the symbolic name corresponding to the web component of the defined UI object  
10 based on its JSON formatting characteristics.

11 222. The authoring tool is also configured to associate the selected symbolic  
12 name with the defined UI object, *i.e.*, the JSON formatted element, where the selected  
13 symbolic name is only available to UI objects that support the defined data format  
14 associated with the element associated with that symbolic name, *i.e.*, JSON string.  
15 JSON names are strings that only represent the symbolic names that are bound both to  
16 a web service input and/or output and to a UI object. All JSON names in the  
17 name/value pairs are character strings. When the WordPress Editor makes a UI  
18 element request a JSON request is sent to the Server and a JSON data response is  
19 provided to the Interface. (*See*, for example, <https://developer.wordpress.org/rest-api/>,  
20 [https://codex.wordpress.org/WordPress\\_Widgets](https://codex.wordpress.org/WordPress_Widgets),  
21 [https://codex.wordpress.org/Plugin\\_Resources](https://codex.wordpress.org/Plugin_Resources),  
22 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API).)

23 223. The authoring tool is configured to store information representative of the  
24 defined UI object and related settings in a database. For example, WordPress’s  
25 computer memory is configured to store information representative of defined UI  
26 objects. (*See*, for example, <https://developer.wordpress.org/rest-api/> and  
27 [https://codex.wordpress.org/Widgets\\_API](https://codex.wordpress.org/Widgets_API).)  
28

1           224. The authoring tool is also configured to retrieve the information  
2 representative of the one or more the UI object settings stored in the database based on  
3 the JSON strings. (See, for example, <https://developer.wordpress.org/rest-api/>,  
4 <https://developer.wordpress.org/rest-api/reference/>,  
5 [https://codex.wordpress.org/Plugin\\_Resources](https://codex.wordpress.org/Plugin_Resources),  
6 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API), and  
7 [https://codex.wordpress.org/Widgets\\_API](https://codex.wordpress.org/Widgets_API).)

8           225. The WordPress authoring tool is configured to build an Application  
9 consisting of one or more web page views from at least a portion of the database  
10 utilizing at least one Player, where the Player utilizes information stored in the  
11 database to generate for the display of at least a portion of the one or more web pages.  
12 WordPress builds an Application including the symbolic name of the defined UI  
13 object. (See, for example, [https://codex.wordpress.org/Widgets\\_API](https://codex.wordpress.org/Widgets_API),  
14 [https://codex.wordpress.org/Plugin\\_Resources](https://codex.wordpress.org/Plugin_Resources),  
15 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API), <https://developer.wordpress.org/rest-api/>,  
16 <https://developer.wordpress.org/rest-api/reference/>.) It is a feature of the Accused  
17 Instrumentalities that WordPress also contains at least one Player in the form of a  
18 runtime player, such that the Application and the Player are provided to the device and  
19 executed on the device. (See, for example, <https://codex.wordpress.org/CSS>,  
20 [https://codex.wordpress.org/Using\\_Javascript](https://codex.wordpress.org/Using_Javascript); and  
21 <https://developer.wordpress.org/rest-api/>.)

22           226. The Accused Instrumentalities feature a system where the Application  
23 and Player are provided to the device and executed on the device.

24           227. When the user of the device provides one or more input values  
25 associated with an input symbolic name to an input of the defined UI object the device  
26 provides the user provided one or more input values and corresponding input  
27 symbolic name to the web service. Because the Accused Instrumentalities incorporate  
28 a system that includes WordPress, when a user of the device provides one or more

1 input values associated with an input symbolic name, using JSON formatting  
2 characteristics, to an input of the defined UI object, the device provides the user  
3 provided one or more input values and corresponding input symbolic name, using  
4 JSON formatting characteristics, to the web service. (*See*, for example,  
5 <https://developer.wordpress.org/rest-api/>, [https://developer.wordpress.org/rest-](https://developer.wordpress.org/rest-api/reference/)  
6 [api/reference/](https://developer.wordpress.org/rest-api/reference/), [https://codex.wordpress.org/Widgets\\_API](https://codex.wordpress.org/Widgets_API),  
7 [https://codex.wordpress.org/Plugin\\_Resources](https://codex.wordpress.org/Plugin_Resources), and  
8 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API).)

9 228. The Accused Instrumentalities feature a system where the web service  
10 utilizes the input symbolic name and the user provided one or more input values for  
11 generating one or more output values having an associated output symbolic name.  
12 Because of the JSON formatting, the output values having an associated output  
13 symbolic name. (*See*, for example, <https://developer.wordpress.org/rest-api/>,  
14 <https://developer.wordpress.org/rest-api/reference/>,  
15 [https://codex.wordpress.org/Widgets\\_API](https://codex.wordpress.org/Widgets_API),  
16 [https://codex.wordpress.org/Plugin\\_Resources](https://codex.wordpress.org/Plugin_Resources), and  
17 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API).)

18 229. The Accused Instrumentalities feature a system where the Player receives  
19 the output symbolic name and corresponding one or more output values and provides  
20 instructions for the display of the device to present an output value in the defined UI  
21 object. The runtime player within WordPress receives the output name, output value,  
22 and provides instructions for a display as shown by the fact that the defined UI object  
23 are ultimately rendered. (*See*, for example, <https://developer.wordpress.org/rest-api/>,  
24 <https://developer.wordpress.org/rest-api/reference/>,  
25 [https://codex.wordpress.org/Widgets\\_API](https://codex.wordpress.org/Widgets_API),  
26 [https://codex.wordpress.org/Plugin\\_Resources](https://codex.wordpress.org/Plugin_Resources), and  
27 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API).)  
28

1           230. The presence of the above referenced features is demonstrated, by way of  
2 example, by reference to publicly available information. Regarding WordPress, *see*,  
3 *e.g.*, <http://themeforest.net/category/wordpress>; <http://codex.wordpress.org/Templates>;  
4 [http://codex.wordpress.org/Template\\_Hierarchy](http://codex.wordpress.org/Template_Hierarchy);  
5 [http://codex.wordpress.org/Function\\_Reference/the\\_title](http://codex.wordpress.org/Function_Reference/the_title);  
6 [http://codex.wordpress.org/Function\\_Reference/the\\_content](http://codex.wordpress.org/Function_Reference/the_content);  
7 <https://www.wpbeginner.com/glossary/database/>; <https://codex.wordpress.org/Pages>;  
8 <http://codex.wordpress.org/Templates>;  
9 [http://codex.wordpress.org/Template\\_Tags/get\\_the\\_title](http://codex.wordpress.org/Template_Tags/get_the_title); and  
10 [http://codex.wordpress.org/Query\\_Overview](http://codex.wordpress.org/Query_Overview). .

11           231. Claim 2 of the '044 patent recites a system for generating code to provide  
12 content on a display of a device that includes all the elements of claim 1, additionally  
13 where the system stores information in a registry, and wherein the registry includes  
14 definitions of input and output related to the web service.

15           232. The Accused Instrumentalities infringe claim 2 of the '044 patent through  
16 a combination of features which collectively practice each limitation of claim 2. By  
17 way of example, the registry includes definitions of input and output related to a web  
18 service as evidenced by WordPress's JSON formatting characteristics of the defined  
19 UI objects. (*See*, for example, <https://developer.wordpress.org/rest-api/>;  
20 <https://developer.wordpress.org/rest-api/reference/>;  
21 <https://developer.wordpress.org/rest-api/reference/posts/>  
22 <https://developer.wordpress.org/rest-api/reference/posts/#schema-title>  
23 [https://codex.wordpress.org/Widgets\\_API](https://codex.wordpress.org/Widgets_API);  
24 [https://codex.wordpress.org/Plugin\\_Resources](https://codex.wordpress.org/Plugin_Resources); and  
25 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API);  
26 [https://codex.wordpress.org/WordPress\\_Widgets](https://codex.wordpress.org/WordPress_Widgets).)

27           233. Claim 3 of the '044 patent recites a system for generating code to provide  
28 content on a display of a device that includes all the elements of claim 1, additionally

1 where the web component is a text chat, a video chat, an image, a slideshow, a video,  
2 or an RSS feed.

3 234. The Accused Instrumentalities infringe claim 3 of the '044 patent through  
4 a combination of features which collectively practice each limitation of claim 3. By  
5 way of example, the Accused Instrumentalities feature web components additionally  
6 including web chat, Reuters RSS feed, Calendar image, and map image widgets.

7 235. Claim 4 of the '044 patent recites a system for generating code to provide  
8 content on a display of a device that includes all the elements of claim 1, additionally  
9 where the UI object is an input field for a chat.

10 236. The Accused Instrumentalities infringe claim 4 of the '044 patent through  
11 a combination of features which collectively practice each limitation of claim 4. By  
12 way of example, the Accused Instrumentalities additionally feature an UI object that  
13 is an input field for a chat.

14 237. Claim 5 of the '044 patent recites a system for generating code to provide  
15 content on a display of a device that includes all the elements of claim 1, additionally  
16 where the system stores information in a registry, and wherein the registry includes  
17 definitions of input and output related to the web service.

18 238. The Accused Instrumentalities infringe claim 5 of the '044 patent through  
19 a combination of features which collectively practice each limitation of claim 5. By  
20 way of example, the Accused Instrumentalities additionally feature a defined UI  
21 object that is an input field for a web service.

22 239. Claim 11 of the '044 patent recites a system for generating code to  
23 provide content on a display of a device that includes all the elements of claim 1,  
24 additionally where the code is provided over the network.

25 240. The Accused Instrumentalities infringe claim 11 of the '044 patent  
26 through a combination of features which collectively practice each limitation of claim  
27 11. WordPress sends all files over a network using a variety of databases in its  
28 technology stack including MySQL. These backend capabilities provided the code

1 over a network. By way of example, data from the wp\_options table for the website  
2 header and from the wp\_posts table for the “WordPress Info” web page are extracted  
3 directly from the Bitnami WordPress server-side database using MySQL Workbench.  
4 The stored data in the wp\_options table includes the website’s url, the website’s title  
5 (blogname), the website’s tagline (blogdescription), and the active template (style  
6 sheet).

option_id	option_name	option_value
1	siteurl	<a href="http://localhost/wordpress">http://localhost/wordpress</a>
2	blogname	Express Mobile
3	blogdescription	SELECTED USERS OF WORDPRESS
44	template	the-fundamentals-of-graphic-design

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11 The stored data in the wp\_posts table for the “WordPress Info” web page includes  
12 information corresponding to user selected settings such as, for example, the color red  
13 (“#ff0000”) for “manages 22%”. Other user selections shown in stored database data  
14 below include, for ex-ample, the image filename for the image  
15 (<http://localhost/wordpress/wp-content/uploads/2013/03/icon21.png>), the image  
16 alignment (class=“wp-image-24 aligncenter”), and a selected paragraph style (h3) for  
17 “Heading 3”.  
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ID	post_content	post_title	post_type
23	<p>WordPress is used by over 14.7% of Alexa Internet's "top 1 million" websites and as of August, 2011, believe it or not, <span style="color: #ff0000;">&gt;</span> manages 22%<span style="color: #ff0000;">&lt;</span> of all new websites. WordPress is currently the most popular blogging system in use on the Web.</p> <p>&amp;nbsp;</p> <p style="text-align: center;">&lt;a href="http://localhost/wordpress/wp-content/uploads/2013/03/icon21.png"&gt;&lt;img class=" wp-image-24 aligncenter" alt="icon2" src="http://localhost/wordpress/wp-content/uploads/2013/03/icon21.png" width="136" height="36" /&gt;&lt;/a&gt;&lt;/p&gt;</p> <p>&amp;nbsp;</p> <p>&lt;h3&gt;As of December 2011, WordPress version 3.0 had been downloaded over 65 million times.&lt;/h3&gt;</p> <p>&amp;nbsp;</p>	WordPress Info	page

WordPress's HTML, CSS, Java, and JSON coding capabilities further are shown, for example by <http://codex.wordpress.org/Templates>, <https://codex.wordpress.org/CSS>, <https://developer.wordpress.org/rest-api/> and [https://codex.wordpress.org/Widgets\\_API](https://codex.wordpress.org/Widgets_API)).

241. Claim 12 of the '287 patent recites a system for generating code to provide content on a display of a device that includes all the elements of claim 1, additionally where the defined UI object corresponds to a widget.

242. The Accused Instrumentalities infringe claim 12 of the '044 patent through a combination of features which collectively practice each limitation of claim 12. By way of example, the Accused instrumentalities' WordPress includes widgets. *See, e.g.*, <https://codex.wordpress.org/Widgets>.

243. The Accused Instrumentalities infringe claim 15 of the '044 patent through a combination of features which collectively practice each limitation of claim 15. By way of example, the Accused Instrumentalities feature a method of displaying content on a display of a device having a Player, in the form of a runtime player and a non-volatile computer memory storing the WordPress MySQL database functionality

1 on the device. The non-volatile computer memory stores symbolic names required for  
2 evoking one or more web components each related to a set of inputs and outputs of a  
3 web service obtainable over a network, where the symbolic names are character  
4 strings that do not contain either a persistent address or pointer to an output value  
5 accessible to the web service. The WordPress MySQL database contains symbolic  
6 names required for evoking one or more web components each related to a set of  
7 inputs and outputs of a web service obtainable over a network as demonstrated by the  
8 formatting in conjunction with WordPress's WYSIWYG visual effects editor, widget,  
9 and plugin authoring tools.

10 244. Furthermore, each symbolic name has an associated data format class  
11 type corresponding to a subclass of UI objects that supports the data format type of the  
12 symbolic name, and has a preferred UI object as demonstrated by the presence of  
13 JSON formatting in conjunction with WordPress' WYSIWYG visual effects editor  
14 and widget authoring tools.

15 245. The computer memory also stores an address of the web service.  
16 Because WordPress contains web services, both as a library of Widgets (*see*  
17 [https://codex.wordpress.org/Widgets\\_API](https://codex.wordpress.org/Widgets_API)) and Plug-ins (*see*  
18 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API)), it contains the corresponding addresses of  
19 the web services. All web services are represented as a wsdl (Web Service  
20 Description Language) and wsdl's have URLs to point to the internet location that  
21 receives the web service's inputs and returns the web service's outputs (*see*  
22 <https://www.soapui.org/soap-and-wsdl/working-with-wsdl.html>).

23 246. The Accused Instrumentalities include defining a UI object for  
24 presentation on the display, where the UI object corresponds to a web component  
25 included in the computer memory, where the web component is selected from a group  
26 consisting of an input of a web service and an output of the web service. WordPress  
27 defines a user interface object, *i.e.*, an element/UI component, for presentation on  
28 display, where the UI object corresponds to a web component included in the non-



1 volatile computer memory selected from a group consisting of an input of a web  
2 service and an output of the web service (as evidenced by JSON data formatting)..

3 247. Each defined UI object is either: 1) selected by a user of an authoring  
4 tool; or 2) automatically selected by the system as the preferred UI object  
5 corresponding to the symbolic name of the web component selected by the user of the  
6 authoring tool. When a Widget is selected in the WordPress Widget selection list (See  
7 [https://codex.wordpress.org/WordPress\\_Widgets](https://codex.wordpress.org/WordPress_Widgets) ) steps 1 to 5 under “Displaying  
8 Widgets“, the widget UI will automatically displayed in the Web Page Sidebar.  
9 WordPress contains an authoring tool in the form of the WYSIWYG visual effects  
10 editor, widgets, and plug-in authoring tools.

11 248. The Accused Instrumentalities include selecting the symbolic name  
12 corresponding to the web component (i.e. WordPress Widget or Plug-in) of the  
13 defined UI object and associating the selected symbolic name with the defined UI  
14 object, where the selected symbolic name is only available to UI objects that support  
15 the defined data format associated with that symbolic name. WordPress accesses the  
16 non-volatile memory to select the symbolic name corresponding to the web  
17 component of the defined UI object (as evidenced by JSON data formatting), associate  
18 the selected symbolic name with the defined UI object (the JSON element  
19 corresponding to an element), where the selected symbolic name is only available to  
20 UI objects that support the defined data format associated with that symbolic name  
21 (the element associated with at JSON string).

22 249. The Accused Instrumentalities also include retrieving the information  
23 representative of the one or more the UI object settings stored in the database based on  
24 the JSON formatting characteristics.

25 250. The Accused Instrumentalities include building an Application consisting  
26 of one or more web page views from at least a portion of the database utilizing the  
27 Player, where the Player utilizes information stored in the database to generate for the  
28

1 display of at least a portion of the one or more web pages. WordPress builds an  
2 Application included in the symbolic name of the defined UI object.

3 251. With the Accused Instrumentalities when the Application and Player are  
4 provided to the device and executed on the device when the Application and Player  
5 are provided to the device and executed on the device, and when the user of the device  
6 provides one or more input values associated with an input symbolic name to an input  
7 of the defined UI object, 1) the device provides the user provided one or more input  
8 values and corresponding input symbolic name to the web service, 2) the web service  
9 utilizes the input symbolic name and the user provided one or more input values for  
10 generating one or more output values having an associated output symbolic name, and  
11 3) the Player receives the output symbolic name and corresponding one or more  
12 output values and provides instructions for the display of the device to present an  
13 output value in the defined UI object. For example, in WordPress, a user of a device  
14 provides an input value associated with an input symbolic name to an input of a  
15 defined UI object, such as utilizing an element, plug-in, or widget. The element, plug-  
16 in, or widget is associated with symbolic name based on their JSON formatting  
17 characteristics. 1) The element input value corresponds to the input symbolic name  
18 based on its JSON formatting characteristics 2) The element/UI component output  
19 value corresponds to the output symbolic name via JSON. 3) The runtime player  
20 within WordPress receives the output name, output value, and provides instructions  
21 for a display as shown by the fact that the defined UI object is displayed.

22 252. The presence of the above referenced features is demonstrated, by way of  
23 example, by reference to publicly available information. Regarding WordPress, see,  
24 e.g., <http://themeforest.net/category/wordpress>; <http://codex.wordpress.org/Templates>;  
25 [http://codex.wordpress.org/Template\\_Hierarchy](http://codex.wordpress.org/Template_Hierarchy);  
26 [http://codex.wordpress.org/Function\\_Reference/the\\_title](http://codex.wordpress.org/Function_Reference/the_title);  
27 [http://codex.wordpress.org/Function\\_Reference/the\\_content](http://codex.wordpress.org/Function_Reference/the_content);  
28 <https://www.wpbeginner.com/glossary/database/>; <https://codex.wordpress.org/Pages1>

1 <http://codex.wordpress.org/Templates>;

2 [http://codex.wordpress.org/Template\\_Tags/get\\_the\\_title](http://codex.wordpress.org/Template_Tags/get_the_title); and

3 [http://codex.wordpress.org/Query\\_Overview](http://codex.wordpress.org/Query_Overview).

4 253. Claim 16 of the '044 patent recites a method of displaying content on a  
5 display that includes all the elements of claim 15, additionally where the method  
6 stores information in a registry, and the registry includes definitions of input and  
7 output related to the web service.

8 254. The Accused Instrumentalities infringe claim 16 of the '044 patent  
9 through a combination of features which collectively practice each limitation of claim  
10 16. By way of example, the Accused Instrumentalities feature storing information in a  
11 WordPress registry that includes definitions of input and output related to a web  
12 service as evidenced by WordPress's JSON formatting characteristics and the UI  
13 object functionality. See, e.g., <https://developer.wordpress.org/rest-api/>;  
14 <https://developer.wordpress.org/rest-api/reference/>;  
15 <https://developer.wordpress.org/rest-api/reference/posts/>  
16 <https://developer.wordpress.org/rest-api/reference/posts/#schema-title>  
17 [https://codex.wordpress.org/Widgets\\_API](https://codex.wordpress.org/Widgets_API);  
18 [https://codex.wordpress.org/Plugin\\_Resources](https://codex.wordpress.org/Plugin_Resources); and  
19 [https://codex.wordpress.org/Plugin\\_API](https://codex.wordpress.org/Plugin_API);  
20 [https://codex.wordpress.org/WordPress\\_Widgets](https://codex.wordpress.org/WordPress_Widgets).

21 255. Claim 17 of the '044 patent recites a method of displaying content on a  
22 display that includes all the elements of claim 15, additionally where the method  
23 additionally where the web component is a text chat, a video chat, an image, a  
24 slideshow, a video, or an RSS feed.

25 256. The Accused Instrumentalities infringe claim 17 of the '044 patent  
26 through a combination of features which collectively practice each limitation of claim  
27 17. By way of example, the Accused Instrumentalities feature web components  
28

1 additionally including web chat, Reuters RSS feed, Calendar image, and map image  
2 widgets.

3 257. Claim 18 of the '044 patent recites a method of displaying content on a  
4 display that includes all the elements of claim 15, additionally where the UI object is  
5 an input field for a chat.

6 258. The Accused Instrumentalities infringe claim 18 of the '044 patent  
7 through a combination of features which collectively practice each limitation of claim  
8 18. By way of example, the Accused Instrumentalities additionally feature an UI  
9 object that is an input field for a chat.

10 259. Claim 19 of the '044 patent recites a method of displaying content on a  
11 display that includes all the elements of claim 15, additionally where the UI object is  
12 an input field for a web service.

13 260. The Accused Instrumentalities infringe claim 19 of the '044 patent  
14 through a combination of features which collectively practice each limitation of claim  
15 19. By way of example, the Accused Instrumentalities additionally feature a UI object  
16 that is an input field for a web service.

17 261. Claim 25 of the '044 patent recites a method of displaying content on a  
18 display that includes all the elements of claim 15, additionally where the method  
19 includes providing the code over the network.

20 262. The Accused Instrumentalities infringe claim 25 of the '044 patent  
21 through a combination of features which collectively practice each limitation of claim  
22 25. By way of example, WordPress uses a variety of databases including MySQL.  
23 These backend capabilities demonstrate that the code is provided to a user over a  
24 network. See, e.g., <http://codex.wordpress.org/Templates>.

25 263. Claim 26 of the '044 patent recites a method of displaying content on a  
26 display that includes all the elements of claim 15, additionally where the UI object  
27 corresponds to a widget.

28

1 The Accused Instrumentalities infringe claim 26 of the '044 patent through a  
2 combination of features which collectively practice each limitation of claim 26. By  
3 way of example, the Accused Instrumentalities employ WordPress which includes  
4 widgets. See, e.g., [https://codex.wordpress.org/Widgets\\_API](https://codex.wordpress.org/Widgets_API).

5 264. Upon information and belief, these Accused Instrumentalities are used,  
6 marketed, provided to, and or used by or for each of Defendant's partners, clients,  
7 customers, and/or end users across the country and in this District.

8 265. In particular, Defendant's actions that aid and abet others such as its  
9 partners, customers, clients, and/or end users to infringe include advertising and  
10 distributing the Accused Instrumentalities and providing instruction materials,  
11 training, and services regarding the Accused Instrumentalities. See, e.g.,  
12 <https://wiki.lunarpages.com/WordPress>. On information and belief, Defendant has  
13 engaged in such actions with specific intent to cause infringement or with willful  
14 blindness to the resulting infringement because Defendant has had actual knowledge  
15 of the '044 patent and knowledge that its acts were inducing infringement of the '044  
16 patent since at least the date Lunarpages received notice that such activities infringed  
17 the '044 patent.

18 266. Upon information and belief, Defendant is liable as a contributory  
19 infringer of the '044 patent under 35 U.S.C. § 271(c) by offering to sell, selling and  
20 importing into the United States website authoring tools to be especially made or  
21 adapted for use in an infringement of the '044 patent. The Accused Instrumentalities  
22 are a material component for use in practicing the '044 patent and are specifically  
23 made and are not a staple article of commerce suitable for substantial non-infringing  
24 use.

25 267. Defendant was made aware of the '044 patent and its infringement  
26 thereof at least as early as the filing of this Complaint.

27 268. Since the date of the filing of this Complaint, Defendant's infringement  
28 of the '044 patent has been willful.



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Dated: June 12, 2019

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