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15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA

17 _____ DIVISION

18 EXPRESS MOBILE, INC.,

19 Plaintiff,

20 vs.

21 MH SUB I, LLC,
22 Defendant.
23
24

) Case No.: 3:19-cv-3352
)
)
)

) **COMPLAINT FOR PATENT**
) **INFRINGEMENT**
)

) DEMAND FOR JURY TRIAL
)
)
)
)

1 Plaintiff Express Mobile, Inc. (“Express Mobile” or “Plaintiff”), for its Complaint against
2 Defendant MH Sub I LLC, (“MH” or “Defendant”) alleges the following:

3 **NATURE OF THE ACTION**

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

6 **THE PARTIES**

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

9 3. Upon information and belief, MH is a limited liability company organized and existing
10 under the laws of Delaware, with a place of business at 7031 Koll Center Parkway, # 100,
11 Pleasanton, CA 94566 and can be served through its registered agent, Corporation Service Company,
12 251 Little Falls Drive, Wilmington, DE 19808.

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

17 **JURISDICTION AND VENUE**

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

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

21 7. Venue is proper in this judicial district under 28 U.S.C. §1400(b). On information
22 and belief, Defendant has committed acts of infringement in this District and has a regular and
23 established place of business within this District.

24 8. On information and belief, Defendant is subject to this Court’s general and specific
25 personal jurisdiction because Defendant has sufficient minimum contacts within the State of
26 California and this District, pursuant to due process and/or the California Long Arm Statute because
27 Defendant purposefully availed itself of the privileges of conducting business in the State of
28 California and in this District, because Defendant regularly conducts and solicits business within the

1 State of California and within this District, and because Plaintiff's causes of action arise directly
2 from each of Defendant's business contacts and other activities in the State of California and this
3 District.

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

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

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

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

16 12. The claims of the '397 patent do not merely recite the performance of some business
17 practice known from the pre-Internet world along with the requirement to perform it on the Internet.
18 Instead, the claims of the '397 patent recite one or more inventive concepts that are rooted in
19 computerized website creation technology, and overcome problems specifically arising in the realm
20 of computerized website creation technologies.

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

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

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

4 16. In C.A. 2:17-00128, a case filed in the Eastern District of Texas, the defendant in that
5 action, KTree Computer Solutions brought a Motion for Judgment on the Pleadings asserting that the
6 '397 patent, along with U.S. Patent No. 7,594,168 (asserted in Count II below) were invalid as
7 claiming abstract subject matter under 35 U.S.C. § 101. (C.A. 2:17-00128 Dkt. 9.) Subsequent
8 briefing included Plaintiff's Response and related Declarations and Exhibits (C.A. 2:17-00128 Dkt.
9 17, 22-24), KTree's Reply (C.A. 2:17-00128 Dkt. 25), and Plaintiff's Sur-Reply and related
10 Declarations and Exhibits (C.A. 2:17-00128 Dkt. 26-27). Each of those filings is incorporated by
11 reference into this Complaint.

12 17. After a consideration of the respective pleadings, Magistrate Judge Payne
13 recommended denial of KTree's motion, without prejudice, holding that "the claims appear to
14 address a problem particular to the internet: dynamically generating websites and displaying web
15 pages based on stored user-selected settings" and further stating "the asserted claims do not bear all
16 of the hallmarks of claims that have been invalidated on the pleadings by other courts in the past.
17 For example, the claims are not merely do-it-on-a-computer claims." (C.A. 2:17-00128 Dkt. 29
18 attached hereto as Exhibit B.) Judge Payne's report and recommendation is incorporated by
19 reference into this Complaint. No objection was filed to the Magistrate Judge's report and
20 recommendation and the decision therefore became final.

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

26 19. After consideration of the respective pleadings and oral argument, Judge Richard
27 Seeborg issued orders denying each respective motion to dismiss drawing a comparison between the
28 asserted Express Mobile patents with those patents asserted in *Enfish, LLC v. Microsoft Corp.*, 822

1 F.3d 1327 (Fed. Cir. 2016). (C.A. 3:18 -04679 Dkt. 45, attached hereto as Exhibit C, and C.A. 3:18-
2 04688 Dkt. 40, attached hereto as Exhibit D.)

3 20. Plaintiff is the assignee and owner of the right, title and interest in and to the '397
4 patent, including the right to assert all causes of action arising under said patents and the right to any
5 remedies for infringement of them.

6 21. Upon information and belief, Defendant has and continues to directly infringe at least
7 claims 1-4, 8-11, and 37 of the '397 patent by using a browser-based website and/or web page
8 authoring tool in which the user-selected settings representing website elements are stored in a
9 database, and in which said stored information is retrieved to generate said website (the "Accused
10 Instrumentalities"). The Accused Instrumentalities include but are not limited to the website
11 building tools used and/or provided by Defendant, such as, for example Wordpress. *See, e.g.*,
12 https://www.martindale.com/Products_and_Services/Product_Terms_and_Conditions/#web-series.

13 22. On information and belief, Defendant is a for-profit organization with revenues of
14 approximately \$75 million U.S.D. per year. Moreover, Defendant, its employees and/or agents
15 utilize the Accused Instrumentalities in the building and/or hosting of websites for Defendant's
16 customers, leading to direct or indirect revenues and profit. As one example of indirect profit,
17 entities such as Defendant will frequently offer website building and/or hosting services at reduced
18 pricing as an inducement to attract customers, who then purchase additional products or services.
19 On information and belief, without the availability of infringing tools such as the Accused
20 Instrumentalities, Defendant would be at a disadvantage in the marketplace and would generate less
21 revenue overall.

22 23. In particular, claim 1 of the '397 patent generally recites a method enabling
23 production of websites on and for computers with browsers and virtual machines, by presenting,
24 through a browser, a selectable settings menu describing elements, such setting(s) corresponding to
25 commands to the virtual machine; generating a display in accordance with selected settings; storing
26 information regarding selected settings in a database; generating a website at least in part by
27 retrieving said information; and building web page(s) to generate said website and a run time file,
28

1 where the run time file uses the stored information to generate virtual machine commands for the
2 display of at least a portion of web page(s).

3 24. The Accused Instrumentalities infringe claim 1 of the '397 patent through a
4 combination of features which collectively practice each limitation of claim 1. By way of example,
5 modern internet browsers such as Microsoft Internet Explorer, Mozilla's Firefox, Apple Safari,
6 Google Chrome, and Opera include virtual machines within the meaning of the '397 patent. (*See*,
7 *e.g.*, <http://developer.telerik.com/featured/a-guide-to-javascript-engines-for-idiots/>;
8 <http://dictionary.reference.com/browse/virtual+machine?s=t>). The Accused Instrumentalities
9 support the use of the latest versions of Internet Explorer 11 or later, Microsoft Edge, latest-1,
10 Firefox latest, latest-1, Chrome latest, latest-1, Safari latest, latest-1 (Mac OS), Safari Mobile for
11 iPad 2, iPad Mini, iPad with Retina Display (iOS 7 or later), for desktop site, Safari Mobile for
12 iPhone 4 or later; iOS 7 or later, for mobile site, Chrome for mobile latest-1 (Android 4 or later) for
13 mobile site, where *latest-1* means one major version earlier than the latest released version. (*See*,
14 *e.g.*, <http://theforest.net/category/wordpress>.) All of these browsers rely on browser engines
15 comprising virtual machines to interpret and execute JavaScript and HTML to render web pages on a
16 computer.

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

1 uploaded by a user, those images are displayed in approximately 0-2 seconds depending on file size
2 and bandwidth.

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

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

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

23 29. The presence of the above referenced elements are demonstrated, by way of example,
24 by reference to publicly available information. Regarding Wordpress, *see, e.g.,*
25 <http://themeforest.net/category/wordpress>; <http://codex.wordpress.org/Templates>;
26 http://codex.wordpress.org/Template_Hierarchy;
27 http://codex.wordpress.org/Function_Reference/the_title;
28 http://codex.wordpress.org/Function_Reference/the_content;

1 http://codex.wordpress.org/Template_Tags/get_the_title; and

2 http://codex.wordpress.org/Query_Overview.

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

11 31. The Accused Instrumentalities infringe claim 2 of the '397 patent through a
12 combination of features which collectively practice each limitation of claim 2. By way of example,
13 modern internet browsers such as Microsoft Internet Explorer, Mozilla's Firefox, Apple Safari,
14 Google Chrome, and Opera include virtual machines within the meaning of the '397 patent. (*See*,
15 *e.g.*, <http://developer.telerik.com/featured/a-guide-to-javascript-engines-for-idiots/>;
16 <http://dictionary.reference.com/browse/virtual+machine?s=t>). The Accused Instrumentalities
17 support the use of the latest versions of Internet Explorer 11 or later, Microsoft Edge, latest-1,
18 Firefox latest, latest-1, Chrome latest, latest-1, Safari latest, latest-1 (Mac OS), Safari Mobile for
19 iPad 2, iPad Mini, iPad with Retina Display (iOS 7 or later), for desktop site, Safari Mobile for
20 iPhone 4 or later; iOS 7 or later, for mobile site, Chrome for mobile latest-1 (Android 4 or later) for
21 mobile site, where *latest-1* means one major version earlier than the latest released version. (*See*,
22 *e.g.*, <http://themeforest.net/category/wordpress>.) All of these browsers rely on browser engines
23 comprising virtual machines to interpret and execute JavaScript and HTML to render web pages on a
24 computer.

25 32. By way of further example, the Accused Instrumentalities enable users to produce
26 websites through browsers on users' computers via interaction with an Internet server. For example,
27 in order to add a new page to a user's website, the user logs in and then a server of the Accused
28 Instrumentalities initiates presentation to the user through a browser of a website-builder tool. From

1 the interface—sometimes referred to as a dashboard—of the Accused Instrumentalities, the user can
2 navigate and add elements and element properties commensurate with a new page. A display is
3 generated in accordance with one or more user selected settings substantially contemporaneously
4 with the selection thereof. This is performed, for example, using a visual editing tool through a
5 browser. The WYSIWYG interface for selecting center alignment of an image can also be accessed,
6 and then the user can select various options such as a font and paragraph styles. After the user
7 selects options such as image/text alignment or font and paragraph styles through the WYSIWYG
8 editor, the display immediately updates to reflect the selected option. Furthermore, when images are
9 uploaded by a user, those images are displayed in approximately 0-2 seconds depending on file size
10 and bandwidth.

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

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

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

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

4 37. The presence of the above referenced elements are demonstrated, by way of example,
5 by reference to publicly available information. Regarding Wordpress, *see, e.g.*,
6 <http://themeforest.net/category/wordpress>; <http://codex.wordpress.org/Templates>;
7 http://codex.wordpress.org/Template_Hierarchy;
8 http://codex.wordpress.org/Function_Reference/the_title;
9 http://codex.wordpress.org/Function_Reference/the_content;
10 http://codex.wordpress.org/Template_Tags/get_the_title; and
11 http://codex.wordpress.org/Query_Overview.

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

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

17 40. By way of example, the JSON strings that are used to generate, in part, field
18 capabilities originate from the database and therefore reflect the database structure and contents
19 showing, on information and belief, the implementation of a multidimensional array structured
20 database. By way of further evidence, the JSON strings show that there are dimensions for various
21 parameters. *See, e.g.*, <https://code.tutsplus.com/>;
22 [https://wordpress.stackexchange.com/questions/43302/wordpress-settings-api-and-option-array-](https://wordpress.stackexchange.com/questions/43302/wordpress-settings-api-and-option-array-structure)
23 [structure](https://wordpress.stackexchange.com/questions/43302/wordpress-settings-api-and-option-array-structure).

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

27 42. The Accused Instrumentalities infringe claim 4 of the '397 patent through a
28 combination of features that practice the limitations of Claim 4. *See, e.g.*,

1 [https://wordpress.stackexchange.com/questions/43302/wordpress-settings-api-and-option-array-](https://wordpress.stackexchange.com/questions/43302/wordpress-settings-api-and-option-array-structure)
2 [structure.](https://wordpress.stackexchange.com/questions/43302/wordpress-settings-api-and-option-array-structure)

3 43. Claim 8 recites the apparatus of claim 2, wherein said elements include one or
4 more objects on a web page, and wherein said description of elements are a transition or an
5 animation of at least one of said elements on a web page.

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

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

12 46. The Accused Instrumentalities infringe claim 9 of the '397 patent through a
13 combination of features which collectively practice each limitation of claim 9. *See, e.g.,*
14 <https://www.wpbeginner.com/wp-tutorials/how-to-add-custom-styles-to-wordpress-visual-editor/>.

15 47. Claim 10 recites the apparatus of claim 9, wherein said elements are described by
16 multiple object states.

17 48. The Accused Instrumentalities infringe claim 10 of the '397 patent through a
18 combination of features which collectively practice each limitation of claim 10. For example,
19 buttons can have multiple objects. *See, e.g.,* <https://wordpress.org/plugins/animate-everything/>.

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

22 50. The Accused Instrumentalities infringe claim 11 of the '397 patent through a
23 combination of features which collectively practice each limitation of claim 11. By way of example,
24 the Accused Instrumentalities support CSS architecture. *See, e.g.,*
25 <https://wordpress.org/plugins/animate-everything/>; *see also, e.g.,*
26 <http://demos.dojotoolkit.org/demos/css3/demo.html>.

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

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

11 52. The Accused Instrumentalities infringe claim 37 of the '397 patent through a combination
12 of features which collectively practice each limitation of claim 37. By way of example, modern
13 internet browsers such as Microsoft Internet Explorer, Mozilla's Firefox, Apple Safari, Google
14 Chrome, and Opera include virtual machines within the meaning of the '397 patent. (*See, e.g.*,
15 <http://developer.telerik.com/featured/a-guide-to-javascript-engines-for-idiots/>;
16 <http://dictionary.reference.com/browse/virtual+machine?s=t>). The Accused Instrumentalities
17 support the use of the latest versions of Internet Explorer 11 or later, Microsoft Edge, latest-1,
18 Firefox latest, latest-1, Chrome latest, latest-1, Safari latest, latest-1 (Mac OS), Safari Mobile for
19 iPad 2, iPad Mini, iPad with Retina Display (iOS 7 or later), for desktop site, Safari Mobile for
20 iPhone 4 or later; iOS 7 or later, for mobile site, Chrome for mobile latest-1 (Android 4 or later) for
21 mobile site, where *latest-1* means one major version earlier than the latest released version. (*See*
22 <http://theforest.net/category/wordpress>.)

23 53. By way of example, the Accused Instrumentalities include various multimedia objects
24 selected from a group contained within a WYSIWYG Editor. Examples include color, font, an
25 image, a video, a text area and a URL as they appear in the WYSIWYG Editor. The multimedia
26 objects created in the WYSIWYG editor are stored in the database and appear as HTML scripted
27 text in the database. Text and vector objects can be selected and colored by selecting them or
28 "clicking and dragging" over them in the WYSIWYG editor. A color may also be selected from the

1 color dropdowns on the control bar of the Editor. This color is saved to the database; as part of the
2 HTML of the description record. Moreover, text objects may be assigned a font by making such a
3 selection or “click and dragging” over them in the WYSIWYG editor. A font can then be selected
4 from the font dropdown on the control bar of the Editor. This font selection is thereafter saved to the
5 database as part of the HTML of the description record. Selecting the Image button in the
6 WYSIWYG editor opens a tabbed panel where the user designates source, title, format, size, etc.
7 The image file is uploaded to the server and the file’s location and style are saved and posted to the
8 database as part of the HTML of the description record. Furthermore, videos are created by clicking
9 on the Media module, which opens a tabbed panel where the user designates URL, format, size, etc.
10 The video’s URL and style elements are saved to the database as part of the HTML of the
11 description record. A text area may also be selected for creation by clicking in the frame of the
12 WYSIWYG Editor and typing. The text and its style are saved to the database as part of the HTML
13 of the description record. After entering text into the WYSIWYG editor’s text area, a URL assigned
14 by clicking and dragging over the text object you wish to link, and then selecting the “chain” link
15 button from the control bar; which opens a tabbed panel where the user can designate the URL,
16 target, etc. The text and its style are saved to the database as part of the HTML of the description
17 record.

18 54. Furthermore, the Accused Instrumentalities enable data from the client-side form
19 referenced to be stored in a server-side database.

20 55. The presence of the above referenced elements are demonstrated, by way of example,
21 by reference to publicly available information. *See, e.g.*, [ttp://themeforest.net/category/wordpress;](http://themeforest.net/category/wordpress;)
22 <http://codex.wordpress.org/Templates>; http://codex.wordpress.org/Template_Hierarchy;
23 http://codex.wordpress.org/Function_Reference/the_title;
24 http://codex.wordpress.org/Function_Reference/the_content;
25 http://codex.wordpress.org/Template_Tags/get_the_title; and
26 http://codex.wordpress.org/Query_Overview.

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

4 57. In particular, Defendant's actions that aid and abet others such as its partners,
5 customers, clients, and/or end users to infringe include advertising and distributing the Accused
6 Instrumentalities and providing instruction materials, training, and services regarding the Accused
7 Instrumentalities. *See, e.g.*,
8 https://www.martindale.com/Products_and_Services/Product_Terms_and_Conditions/#web-series.
9 On information and belief, each Defendant has engaged in such actions with specific intent to cause
10 infringement or with willful blindness to the resulting infringement because each Defendant has had
11 actual knowledge of the '397 patent and knowledge that its acts were inducing infringement of the
12 '397 patent since at least the date MH received notice that such activities infringed the '397 patent.

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

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

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

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

26 62. Plaintiff has been harmed by Defendant's infringing activities.
27
28

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

1
2 63. The allegations set forth in the foregoing paragraphs 1 through 62 are incorporated
3 into this Second Claim for Relief.

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

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

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

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

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

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

26 70. As noted above and incorporated into this Second Claim for Relief, defendants in
27 other cases in which the '397 and '168 patents were asserted, asserted that the '397 and '168 patents
28 were invalid under 35 U.S.C. § 101. Those motions and related Orders are discussed above.

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

4 72. Upon information and belief, Defendant has and continues to directly infringe at least
5 claim 1 of the '168 patent by using a browser-based website and/or web page authoring tool in
6 which the user-selected settings representing website elements are stored in a database, and retrieval
7 of said information to generate said website (the "Accused Instrumentalities"). The Accused
8 Instrumentalities include but are not limited website building tools used and/or provided by
9 Defendant, such as, for example Wordpress. *See, e.g.,*
10 https://www.martindale.com/Products_and_Services/Product_Terms_and_Conditions/#web-series.

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

21 74. The Accused Instrumentalities infringe claim 1 of the '168 patent through a
22 combination of features which collectively practice each limitation of claim 1.

23 75. Further, by way of example, the JSON strings that are used by the Accused
24 Instrumentalities to generate, in part, element formatting originate from the database and therefore
25 reflect the database structure and contents showing, on information and belief, the implementation of
26 a multidimensional array structured database comprising the objects that comprise the web site. By
27 way of further evidence, the JSON strings show that there are dimensions for the pages, for arrays of
28

1 columns, for arrays of sections, and for arrays of modules generated using the Accused
2 Instrumentalities.

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

8 77. By way of example, for the completed web site, the Accused Instrumentalities include
9 runtime files, such as, for example HTML CSS files. Regarding Wordpress, *see, e.g.*,
10 <https://en.wikipedia.org/wiki/WordPress>; [https://www.wpbeginner.com/glossary/content-](https://www.wpbeginner.com/glossary/content-management-system-cms/)
11 [management-system-cms/](https://wordpress.org/about/requirements/); <https://wordpress.org/about/requirements/>;
12 <https://www.wpbeginner.com/glossary/apache/>; <https://codex.wordpress.org/Pages>;
13 <https://www.downloads.eleopard.in/animate-it-documentation-wordpress/>;
14 <https://www.downloads.eleopard.in/class-generator.html>;
15 <https://developer.wordpress.org/themes/customize-api/customizer-objects/>;
16 https://codex.wordpress.org/Class_Reference/WP_Customize_Manager/add_control;
17 <https://www.wpbeginner.com/glossary/database/>; *See also*
18 <http://demos.dojotoolkit.org/demos/css3/demo.html>.

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

22 79. In particular, Defendant's actions that aid and abet others such as its partners,
23 customers, clients, and/or end users to infringe include advertising and distributing the Accused
24 Instrumentalities and providing instruction materials, training, and services regarding the Accused
25 Instrumentalities. *See, e.g.*,
26 https://www.martindale.com/Products_and_Services/Product_Terms_and_Conditions/#web-series.
27 On information and belief, Defendant has engaged in such actions with specific intent to cause
28 infringement or with willful blindness to the resulting infringement because Defendant has had

1 actual knowledge of the '397 patent and knowledge that its acts were inducing infringement of the
2 '397 patent since at least the date MH Sub I received notice that such activities infringed the '397
3 patent.

4 80. Upon information and belief, Defendant is liable as a contributory infringer of the
5 '397 patent under 35 U.S.C. § 271(c) by offering to sell, selling and importing into the United States
6 computerized trading platforms to be especially made or adapted for use in an infringement of the
7 '397 patent. The Accused Instrumentalities are a material component for use in practicing the '397
8 patent and are specifically made and are not a staple article of commerce suitable for substantial non-
9 infringing use.

10 81. Defendant was made aware of the '397 patent and its infringement thereof at least as
11 early as the filing of this Complaint.

12 82. Since the date of the filing of this Complaint, Defendant's infringement of the '397
13 patent has been willful.

14 83. Plaintiff has not sold any product nor offered a service within the scope
15 of any claim of the '168 patent. In addition, prior to August 12, 2015, no license to
16 the '168 patent had been granted.

17 84. Plaintiff has been harmed by Defendant's infringing activities.

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

19 85. The allegations set forth in the foregoing paragraphs 1 through 84 are incorporated
20 into this Third Claim for Relief.

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

25 87. The inventions of the '287 patent resolve technical problems related to generating
26 content on a display of a device, such as the display of a mobile device. For example, the inventions
27 of the '287 patent feature a registry and an authoring tool or Player configured to define a User
28 Interface ("UI") object for display on the device, where the UI object corresponds to a web

1 component. Each UI object is either: 1) selected by a user or 2) automatically selected by the system
2 as a preferred UI object corresponding to a symbolic name of the web component and used to
3 produce an Application, where the Application is a device-independent code; and a Player, where the
4 Player is a device-dependent code. The Application and Player enable 1) the device to provide one
5 or more input values and corresponding input symbolic name to the web service and 2) the web
6 service to utilize the input symbolic name and the user provided one or more input values to generate
7 one or more output values having an associated output symbolic name, while 3) the Player receives
8 the output symbolic name and corresponding one or more output values and provide instructions for
9 the display of the device to present an output value in the defined UI object. These features are
10 exclusively implemented utilizing computer technology.

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

16 89. The claims of the '287 patent recite inventions that are not merely the routine or
17 conventional use of systems and methods for the computerized generation of content on a display of
18 a device. Instead, the inventions feature systems for use with devices and methods of using the
19 systems with authoring tools or Players specific to each device and Applications that are device
20 independent.

21 90. The technology claimed in the '287 patent does not preempt all ways for the
22 computerized generation of content on a display of a device, such as a mobile device, nor preempt
23 the use of all authoring tools or Players for the computerized generation of content on a display of a
24 device, such as a mobile devices, nor preempt any other well-known or prior art technology.

25 91. Accordingly, each claim of the '287 patent recites a combination of elements
26 sufficient to ensure that the claim in practice amounts to significantly more than a patent on an
27 ineligible concept.

28

1 92. Plaintiff is the assignee and owner of the right, title and interest in and to the '287
2 patent, including the right to assert all causes of action arising under the patents and the right to any
3 remedies for infringement of them.

4 93. Upon information and belief, Defendant has and continues to directly infringe at
5 least claims 1-5, 11, 12, 15-19, 25 and 26 of the '287 patent by a system and method which includes
6 a registry and an authoring tool or Player configured to define a User Interface ("UI") object for
7 display on the device, where the UI object corresponds to a web component. Each UI object is
8 either: 1) selected by a user or 2) automatically selected by the system as a preferred UI object
9 corresponding to a symbolic name of the web component and used to produce an Application, where
10 the Application is a device-independent code and a Player, where the Player is a device-dependent
11 code. The Application and Player enable 1) the device to provide one or more input values and
12 corresponding input symbolic name to the web service and 2) the web service to utilize the input
13 symbolic name and the user provided one or more input values to generate one or more output
14 values having an associated output symbolic name, while 3) the Player receives the output symbolic
15 name and corresponding one or more output values and provides instructions for the display of the
16 device to present an output value in the defined UI object (the "Accused Instrumentalities"). The
17 Accused Instrumentalities include platforms that enable the functionality described above and
18 include but are not limited to, for example, WordPress. *See, e.g.*,
19 https://www.martindale.com/Products_and_Services/Product_Terms_and_Conditions/#web-series.

20 94. In particular, claim 1 of the '287 patent recites 1 a system for generating code to
21 provide content on a display of a device, the system comprising: computer memory storing a registry
22 of: a) symbolic names required for evoking one or more web components each related to a set of
23 inputs and outputs of a web service obtainable over a network, where the symbolic names are
24 character strings that do not contain either a persistent address or pointer to an output value
25 accessible to the web service, where each symbolic name has an associated data format class type
26 corresponding to a subclass of User Interface (UI) objects that support the data format type of the
27 symbolic name, and has a preferred UI object, and b) an address of the web service; an authoring
28 tool configured to: define a (UI) object for presentation on the display, where the defined UI object

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

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

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

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

7
 8
 9
 10
 11 The stored data in the wp_posts table for the “WordPress Info” web page includes information
 12 corresponding to user selected settings such as, for example, the color red (“#ff0000”) for “manages
 13 22%”. Other user selections shown in stored database data below include, for ex-ample, the image
 14 filename for the image (<http://localhost/wordpress/wp-content/uploads/2013/03/icon21.png>), the
 15 image alignment (class=“wp-image-24 aligncenter”), and a selected paragraph style (h3) for
 16 “Heading 3”.

17 The stored data in the wp_posts table for the “WordPress Info” web page includes information
 18 corresponding to user selected settings such as, for example, the color red (“#ff0000”) for “manages
 19 22%”. Other user selections shown in stored database data below include, for ex-ample, the image
 20 filename for the image (<http://localhost/wordpress/wp-content/uploads/2013/03/icon21.png>), the
 21 image alignment (class=“wp-image-24 aligncenter”), and a selected paragraph style (h3) for
 22 “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, > manages 22%< of all new websites. WordPress is currently the most popular blogging system in use on the Web.</p> <p>&nbsp;</p> <p style="text-align: center;"></p></p> <p>&nbsp;</p> <p><h3>As of December 2011, WordPress version 3.0 had been downloaded over 65 million times.</h3></p> <p>&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/>.

97. 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/>.)

98. 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.

99. Furthermore, each symbolic name has an associated data format class type corresponding to a subclass of defined UI objects *i.e.*, element/UI components, that supports the data

1 format type of the symbolic name, and has a preferred UI object as evidenced by the JSON
2 formatting of the name in conjunction with WordPress' WYSIWYG visual effects editor and widget
3 authoring tools. JSON names are strings that only represent the symbolic names that are bound both
4 to a web service input and/or output and to a UI object. All JSON names in the name/value pairs are
5 character strings. WordPress' WYSIWYG visual effects editor includes elements for defining the
6 layout for placement of the defined UI objects. Widgets, plug-ins and other elements correspond to
7 the defined UI objects and are the product of the JSON formatting. (*See*, for example,
8 https://codex.wordpress.org/WordPress_Lessons#Template_Files,
9 https://codex.wordpress.org/WordPress_Widgets, https://codex.wordpress.org/Plugin_Resources,
10 and https://codex.wordpress.org/Plugin_API.)

11 100. The computer memory also stores b) an address of the web service. Because
12 WordPress contains web services, it contains the corresponding addresses for the web services.
13 (*See*, for example, <https://developer.wordpress.org/rest-api/>,
14 https://codex.wordpress.org/WordPress_Widgets, https://codex.wordpress.org/Plugin_Resources,
15 and https://codex.wordpress.org/Plugin_API.)

16 101. The Accused Instrumentalities feature an authoring tool in the form of WordPress's
17 WYSIWYG visual effects editor, widget, and plug-in authoring tools. (*See*, for example,
18 https://codex.wordpress.org/WordPress_Widgets, https://codex.wordpress.org/Plugin_Resources,
19 https://codex.wordpress.org/Plugin_API.)

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

27 103. Each defined UI object is either: 1) selected by a user of the authoring tool; or 2)
28 automatically selected by the system as the preferred UI object corresponding to the symbolic name

1 of the web component selected by the user of the authoring tool. WordPress’s UI objects are
2 automatically selected by the system as the preferred UI object corresponding to the symbolic name
3 of the web component selected by the user of the authoring tool, i.e., a UI object selected by a user is
4 automatically selected. When a Widget is selected in the WordPress Widget selection list steps 1 to 5
5 under “Displaying Widgets“, the widget UI will automatically displayed in the Web Page Sidebar.
6 (See, for example, https://codex.wordpress.org/WordPress_Widgets,
7 https://codex.wordpress.org/Plugin_Resources, https://codex.wordpress.org/Plugin_API.)

8 104. The authoring tool is configured to access the computer memory to select the
9 symbolic name corresponding to the web component of the defined UI object by a JSON formatted
10 element.

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

21 106. The WordPress authoring tool is configured to produce an Application including the
22 selected symbolic name of the defined UI object, (see, for example,
23 <https://developer.wordpress.org/rest-api/reference/>, https://codex.wordpress.org/Widgets_API,
24 https://codex.wordpress.org/Plugin_Resources, and https://codex.wordpress.org/Plugin_API), where
25 the Application is a device-independent with its API and “responsive” capabilities. (See, for
26 example, <https://torquemag.io/2017/08/make-wordpress-website-mobile-friendly/> and
27 <https://torquemag.io/2017/08/make-wordpress-website-mobile-friendly/>.)
28

1 107. The WordPress authoring tool is further configured to produce a Player (*see*, for
2 example, <https://codex.wordpress.org/CSS>, https://codex.wordpress.org/Using_Javascript,
3 <https://developer.wordpress.org/rest-api/>), where the Player is a device-dependent code. WordPress
4 contains a Player in the form of a runtime player. The Accused Instrumentality produces a device
5 dependent file, which is wrapped inside the runtime file. In order for a site to display on different
6 devices through a browser or through responsive capabilities, there is device dependent code (*see*,
7 for example, <https://torquemag.io/2017/08/make-wordpress-website-mobile-friendly/> and
8 <https://wordpress.org/themes/ultra/>.)

9 108. The Accused Instrumentalities feature a system where the Application and Player are
10 provided to the device and executed on the device and when the user of the device provides one or
11 more input values associated with an input symbolic name to an input of the defined UI object.
12 Because the Accused Instrumentalities incorporate a system that includes WordPress, when a user of
13 the device provides one or more input values associated with an input symbolic name, using JSON
14 formatting characteristics, to an input of the defined UI object, the device provides the user provided
15 one or more input values and corresponding input symbolic name, using JSON formatting
16 characteristics, to the web service. (*See*, for example, <https://developer.wordpress.org/rest-api/>,
17 <https://developer.wordpress.org/rest-api/reference/>, https://codex.wordpress.org/Widgets_API,
18 https://codex.wordpress.org/Plugin_Resources, and https://codex.wordpress.org/Plugin_API.)

19 109. The Accused Instrumentalities feature a system where the device provides the user
20 provided one or more input values and corresponding input symbolic name to the web service.
21 Because the Accused Instrumentalities incorporate a system that includes WordPress, the web
22 service 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. The defined UI
24 object output value corresponds to the output symbolic name based on its JSON formatting
25 characteristics. (*See*, for example, <https://developer.wordpress.org/rest-api/>,
26 <https://developer.wordpress.org/rest-api/reference/>, https://codex.wordpress.org/Widgets_API,
27 https://codex.wordpress.org/Plugin_Resources, and https://codex.wordpress.org/Plugin_API.)
28

1 110. The Accused Instrumentalities feature a system where the web service utilizes the
2 input symbolic name and the user provided one or more input values for generating one or more
3 output values having an associated output symbolic name. Because of the JSON formatting, the
4 output values having an associated output symbolic name. (*See*, for example,
5 <https://developer.wordpress.org/rest-api/>, <https://developer.wordpress.org/rest-api/reference/>,
6 https://codex.wordpress.org/Widgets_API, https://codex.wordpress.org/Plugin_Resources, and
7 https://codex.wordpress.org/Plugin_API.)

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

16 112. The presence of the above referenced features is demonstrated, by way of example,
17 by reference to publicly available information. Regarding WordPress, *see*, e.g.,
18 <http://themeforest.net/category/wordpress>; <http://codex.wordpress.org/Templates>;
19 http://codex.wordpress.org/Template_Hierarchy;
20 http://codex.wordpress.org/Function_Reference/the_title;
21 http://codex.wordpress.org/Function_Reference/the_content;
22 <https://www.wpbeginner.com/glossary/database/>; <https://codex.wordpress.org/Pages>;
23 <http://codex.wordpress.org/Templates>; http://codex.wordpress.org/Template_Tags/get_the_title; and
24 http://codex.wordpress.org/Query_Overview.

25 113. Claim 2 of the '287 patent recites a system for generating code to provide content on
26 a display of a device that includes all the elements of claim 1, additionally where the registry
27 includes definitions of input and output related to the web service.
28

1 114. The Accused Instrumentalities infringe claim 2 of the '287 patent through a
2 combination of features which collectively practice each limitation of claim 1. By way of example,
3 the registry includes definitions of input and output related to a web service as evidenced by
4 WordPress's JSON formatting characteristics of the defined UI objects. (*See*, for example,
5 <https://developer.wordpress.org/rest-api/>; <https://developer.wordpress.org/rest-api/reference/>;
6 <https://developer.wordpress.org/rest-api/reference/posts/> <https://developer.wordpress.org/rest-api/reference/posts/#schema-title>, https://codex.wordpress.org/Widgets_API;
7 https://codex.wordpress.org/Plugin_Resources; and https://codex.wordpress.org/Plugin_API;
8 https://codex.wordpress.org/WordPress_Widgets.)

9
10 115. Claim 3 of the '287 patent recites a system for generating code to provide content on
11 a display of a device that includes all the elements of claim 1, additionally where the web component
12 is a text chat, a video chat, an image, a slideshow, a video, or an RSS feed.

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

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

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

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

26 120. The Accused Instrumentalities infringe claim 5 of the '287 patent through a
27 combination of features which collectively practice each limitation of claim 1. By way of example,
28

1 the Accused Instrumentalities additionally feature a defined UI object that is an input field for a web
2 service.

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

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

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

14
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16
17
18 The stored data in the wp_posts table for the "WordPress Info" web page includes information
19 corresponding to user selected settings such as, for example, the color red ("#ff0000") for "manages
20 22%". Other user selections shown in stored database data below include, for ex-ample, the image
21 filename for the image (<http://localhost/wordpress/wp-content/uploads/2013/03/icon21.png>), the
22 image alignment (class="wp-image-24 aligncenter"), and a selected paragraph style (h3) for
23 "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, manages 22% of all new websites. WordPress is currently the most popular blogging system in use on the Web.</p> <p>&nbsp;</p> <p style="text-align: center;"><a ><="" ><img="" a><="" alt="icon2" class="wp-image-24 aligncenter" height="36" href="http://localhost/wordpress/wp-content/uploads/2013/03/icon21.png" p="" p><="" src="http://localhost/wordpress/wp-content/uploads/2013/03/icon21.png" width="136"> <p>&nbsp;</p> <p>As of December 2011, WordPress version 3.0 had been downloaded over 65 million times.</h3></p> <p>&nbsp;</p> </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).

123. 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.

124. The Accused Instrumentalities infringe claim 12 of the '287 patent through a combination of features which collectively practice each limitation of claim 1. By way of example, the Accused Instrumentalities' incorporation of WordPress includes widgets. (See, for example., https://codex.wordpress.org/Widgets_API.)

125. Claim 15 of the '287 patent recites a method of displaying content on a display of a device having a Player, where the Player is a device-dependent code, the method comprising: defining a user interface (UI) object for presentation on the display, where the UI object corresponds to a web component included in a registry of one or more web components selected from a group consisting of an input of a web service and an output of the web service, where each web component includes a plurality of symbolic names of inputs and outputs associated with each web service, and

1 where the registry includes: a) symbolic names required for evoking one or more web components
2 each related to a set of inputs and outputs of the web service obtainable over a network, where the
3 symbolic names are character strings that do not contain either a persistent address or pointer to an
4 output value accessible to the web service, and b) an address of the web service, and where each
5 defined UI object is either: 1) selected by a user of an authoring tool; 2) automatically selected by a
6 system as a preferred UI object corresponding to a symbolic name of the web component selected by
7 the user of the authoring tool.

8 126. The Accused Instrumentalities infringe claim 15 of the '287 patent through a
9 combination of features which collectively practice each limitation of claim 15. By way of example,
10 the method is for displaying content on a display of a device and the Accused Instrumentalities
11 include a WordPress-compatible browser which content as a WordPress webpage on a display of a
12 device.

13 127. The Accused Instrumentalities feature a Player, where the Player is a device-
14 dependent code. The device has a Player (*see*, for example, <https://codex.wordpress.org/CSS>,
15 https://codex.wordpress.org/Using_Javascript, <https://developer.wordpress.org/rest-api/>) in the form
16 of a runtime player that is a device dependent code. WordPress produces a device dependent file,
17 which is wrapped inside a runtime file. In order for a site to display on different devices through a
18 browser or through responsive capabilities, there is device dependent code. (*See*, for example,
19 <https://torquemag.io/2017/08/make-wordpress-website-mobile-friendly/>;
20 <https://wordpress.org/themes/ultra/>.)

21 128. The Accused Instrumentalities include defining a user interface (UI) object for
22 presentation on the display, where the defined UI object corresponds to a web component included
23 in the registry of one or more web components, where the web component is selected from a group
24 consisting of an input of a web service and an output of the web service. WordPress defines a UI
25 object for presentation on display, where the UI object corresponds to a web component included in
26 the non-volatile computer memory selected from a group consisting of an input of a web service and
27 an output of the web service by JSON data formatting. (*See*, for example,
28 <https://developer.wordpress.org/rest-api/>, <https://developer.wordpress.org/rest-api/reference/>,

1 https://codex.wordpress.org/WordPress_Widgets, https://codex.wordpress.org/Plugin_API, and
2 https://codex.wordpress.org/Plugin_Resources.) JSON names are strings that only represent the
3 symbolic 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 interface makes a
5 UI element request a JSON request is sent to the Server and a JSON data response is provided to the
6 Interface. (*See*, for example, <https://developer.wordpress.org/rest-api/>,
7 https://codex.wordpress.org/WordPress_Widgets, https://codex.wordpress.org/Plugin_Resources,
8 https://codex.wordpress.org/Plugin_API.)

9 129. Each web component includes a plurality of symbolic names of inputs and outputs
10 associated with each web service. The plurality of symbolic names of inputs and outputs associated
11 with each web service is a feature of their JSON formatting characteristics. Each symbolic name has
12 an associated data format class type corresponding to a subclass of UI objects that supports the data
13 format type of the symbolic name, and has a preferred UI object as demonstrated by the presence of
14 JSON formatting in conjunction with WordPress' WYSIWYG and widget capabilities. (*See*, for
15 example, <https://developer.wordpress.org/rest-api/>, <https://developer.wordpress.org/rest-api/>,
16 https://codex.wordpress.org/WordPress_Widgets, https://codex.wordpress.org/Plugin_API, and
17 https://codex.wordpress.org/Plugin_Resources.)

18 130. The registry includes: a) symbolic names required for evoking one or more web
19 components each related to a set of inputs and outputs of a web service obtainable over a network,
20 where the symbolic names are character strings that do not contain either a persistent address or
21 pointer to an output value accessible to the web service. The registry and WordPress MySQL
22 database contain symbolic names required for evoking one or more web components each related to
23 a set of inputs and outputs of a web service obtainable over a network as demonstrated by the
24 formatting in conjunction with WordPress's WYSIWYG visual effects editor widget, and plugin
25 authoring tools. JSON names are strings that only represent the symbolic names that are bound both
26 to a web service input and/or output and to a UI object. All JSON names in the name/value pairs are
27 character strings. When the WordPress interface makes a UI element request a JSON request is sent
28 to the Server and a JSON data response is provided to the Interface. (*See*, for example,

1 <https://developer.wordpress.org/rest-api/>, https://codex.wordpress.org/WordPress_Widgets,
2 https://codex.wordpress.org/Plugin_Resources, https://codex.wordpress.org/Plugin_API.)

3 131. The registry also includes b) an address of the web service. Because WordPress
4 contains web services, it contains the corresponding web addresses. Because WordPress contains
5 web services, both as a library of Widgets (*see* https://codex.wordpress.org/Widgets_API) and Plug-
6 ins (*see* https://codex.wordpress.org/Plugin_API), it contains the corresponding addresses of the web
7 services. All web services are represented as a wsdl (Web Service Description Language) and wsdls
8 have URLs to point to the internet location that receives the web service's inputs and returns the web
9 service's outputs (*see* <https://www.soapui.org/soap-and-wsdl/working-with-wsdls.html>).

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

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

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

9 134. The Accused Instrumentalities include associating the selected symbolic name with
10 the defined UI object.

11 135. The Accused Instrumentalities include producing an Application including the
12 selected symbolic name of the defined UI object, where the Application is a device-independent
13 code. WordPress produces an Application included in the symbolic name of the defined UI object.
14 (*See*, for example, <https://developer.wordpress.org/rest-api/>, <https://developer.wordpress.org/rest-api/reference/>,
15 https://codex.wordpress.org/WordPress_Widgets,
16 https://codex.wordpress.org/Plugin_API, and https://codex.wordpress.org/Plugin_Resources.)

17 136. The Accused Instrumentalities feature a system where the Application and Player are
18 provided to the device and executed on the device and when the user of the device provides one or
19 more input values associated with an input symbolic name to an input of the defined UI object.
20 Because the Accused Instrumentalities incorporate a system that includes WordPress, when a user of
21 the device provides one or more input values associated with an input symbolic name, using JSON
22 formatting characteristics, to an input of the defined UI object, the device provides the user provided
23 one or more input values and corresponding input symbolic name, using JSON formatting
24 characteristics, to the web service. (*See*, for example, <https://developer.wordpress.org/rest-api/>,
25 <https://developer.wordpress.org/rest-api/reference/>, https://codex.wordpress.org/Widgets_API,
26 https://codex.wordpress.org/Plugin_Resources, and https://codex.wordpress.org/Plugin_API.)

27 137. The Accused Instrumentalities feature a system where the device provides the user
28 provided one or more input values and corresponding input symbolic name to the web service.

1 Because the Accused Instrumentalities incorporate a system that includes WordPress, the web
2 service utilizes the input symbolic name and the user provided one or more input values for
3 generating one or more output values having an associated output symbolic name. The defined UI
4 object output value corresponds to the output symbolic name based on its JSON formatting
5 characteristics. (See, for example, <https://developer.wordpress.org/rest-api/>,
6 <https://developer.wordpress.org/rest-api/reference/>, https://codex.wordpress.org/Widgets_API,
7 https://codex.wordpress.org/Plugin_Resources, and https://codex.wordpress.org/Plugin_API.)

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

15 139. The Accused Instrumentalities feature a system where the Player receives the output
16 symbolic name and corresponding one or more output values and provides instructions for the
17 display of the device to present an output value in the defined UI object. The runtime player within
18 WordPress receives the output name, output value, and provides instructions for a display as shown
19 by the fact that the defined UI object are ultimately rendered. (See, for example,
20 <https://developer.wordpress.org/rest-api/>, <https://developer.wordpress.org/rest-api/reference/>,
21 https://codex.wordpress.org/Widgets_API, https://codex.wordpress.org/Plugin_Resources, and
22 https://codex.wordpress.org/Plugin_API.)

23 140. The presence of the above referenced features is demonstrated, by way of example,
24 by reference to publicly available information. Regarding WordPress, *see, e.g.*,
25 <http://themeforest.net/category/wordpress>; <http://codex.wordpress.org/Templates>;
26 http://codex.wordpress.org/Template_Hierarchy;
27 http://codex.wordpress.org/Function_Reference/the_title;
28 http://codex.wordpress.org/Function_Reference/the_content;

1 <https://www.wpbeginner.com/glossary/database/>; <https://codex.wordpress.org/Pages>;
2 <http://codex.wordpress.org/Templates>; http://codex.wordpress.org/Template_Tags/get_the_title; and
3 http://codex.wordpress.org/Query_Overview.

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

7 142. The Accused Instrumentalities infringe claim 16 of the '287 patent through a
8 combination of features which collectively practice each limitation of claim 16. By way of example,
9 the Accused Instrumentalities include definitions of input and output related to a web service as
10 based on their JSON formatting characteristics and the defined UI object functionality. *See, e.g.*,
11 <https://developer.wordpress.org/rest-api/>; <https://developer.wordpress.org/rest-api/reference/>;
12 <https://developer.wordpress.org/rest-api/reference/posts/> [https://developer.wordpress.org/rest-](https://developer.wordpress.org/rest-api/reference/posts/#schema-title)
13 [api/reference/posts/#schema-title](https://developer.wordpress.org/rest-api/reference/posts/#schema-title) https://codex.wordpress.org/Widgets_API;
14 https://codex.wordpress.org/Plugin_Resources; and https://codex.wordpress.org/Plugin_API;
15 https://codex.wordpress.org/WordPress_Widgets.

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

19 144. The Accused Instrumentalities infringe claim 17 of the '287 patent through a
20 combination of features which collectively practice each limitation of claim 17. By way of example,
21 the Accused Instrumentalities feature web components including web chat, Reuters RSS feed,
22 Calendar image, and map image widgets.

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

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

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

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

7 149. Claim 25 of the '287 patent recites a method of displaying content on a display that
8 includes all the elements of claim 15, additionally where the method includes providing the
9 Application and Player over the network.

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

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

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19
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21
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23 The stored data in the wp_posts table for the "WordPress Info" web page includes information
24 corresponding to user selected settings such as, for example, the color red ("#ff0000") for "manages
25 22%". Other user selections shown in stored database data below include, for ex-ample, the image
26 filename for the image (<http://localhost/wordpress/wp-content/uploads/2013/03/icon21.png>), the
27 image alignment (class="wp-image-24 aligncenter"), and a selected paragraph style (h3) for
28 "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, manages 22% of all new websites. WordPress is currently the most popular blogging system in use on the Web.</p> <p>&nbsp;</p> <p style="text-align: center;"><a ><="" ><img="" a><="" alt="icon2" class="wp-image-24 aligncenter" height="36" href="http://localhost/wordpress/wp-content/uploads/2013/03/icon21.png" p="" p><="" src="http://localhost/wordpress/wp-content/uploads/2013/03/icon21.png" width="136"> <p>&nbsp;</p> <p>As of December 2011, WordPress version 3.0 had been downloaded over 65 million times.</p> <p>&nbsp;</p> </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.

151. 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.

152. 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.)

153. 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.

154. 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 distributing the Accused Instrumentalities and providing instruction materials, training, and services regarding the Accused Instrumentalities. *See, e.g.*,

1 https://www.martindale.com/Products_and_Services/Product_Terms_and_Conditions/#web-series.

2 On information and belief, Defendant has engaged in such actions with specific intent to cause
3 infringement or with willful blindness to the resulting infringement because Defendant has had
4 actual knowledge of the '287 patent and knowledge that its acts were inducing infringement of the
5 '287 patent since at least the date MH received notice that such activities infringed the '287 patent.

6 155. Upon information and belief, Defendant is liable as a contributory infringer of the
7 '287 patent under 35 U.S.C. § 271(c) by offering to sell, selling and importing into the United States
8 website authoring tools to be especially made or adapted for use in an infringement of the '287
9 patent. The Accused Instrumentalities are a material component for use in practicing the '287 patent
10 and are specifically made and are not a staple article of commerce suitable for substantial non-
11 infringing use.

12 156. Defendant was made aware of the '287 patent and its infringement thereof at least as
13 early as the filing of this Complaint.

14 157. Since the date of the filing of this Complaint, Defendant's infringement of the '287
15 patent has been willful.

16 158. Within the past six years, Plaintiff has not sold any product nor offered a
17 service within the scope of any claim of the '287 patent. In addition, prior to August
18 12, 2015, no license to the '287 patent had been granted.

19 159. Plaintiff has been harmed by Defendant's infringing activities.

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

21 160. The allegations set forth in the foregoing paragraphs 1 through 159 are incorporated
22 into this Fourth Claim for Relief.

23 161. The allegations set forth in the foregoing paragraphs 1 through 138 are incorporated
24 into this Fourth Claim for Relief.

25 162. On March 27, 2018, U.S. Patent No. 9,928,044 ("the '044 patent"), entitled "*Systems*
26 *and Methods for Programming Mobile Devices*," was duly and legally issued by the United States
27 Patent and Trademark Office. A true and correct copy of the '044 patent is attached as Exhibit G.

28

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

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

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

20 166. The technology claimed in the '044 patent does not preempt all ways for the
21 computerized generation of content on a display of a device, such as a mobile device, nor preempt
22 the use of all authoring tools or Players for the computerized generation of content on a display of a
23 device, such as a mobile devices, nor preempt any other well-known or prior art technology.

24 167. Accordingly, each claim of the '044 patent recites a combination of elements
25 sufficient to ensure that the claim in practice amounts to significantly more than a patent on an
26 ineligible concept.

27
28

1 168. Plaintiff is the assignee and owner of the right, title and interest in and to the '044
2 patent, including the right to assert all causes of action arising under the patents and the right to any
3 remedies for infringement of them.

4 169. Upon information and belief, Defendant has and continues to directly infringe at least
5 claims 1-5, 11, 12, 15-19, 25 and 26 of the '044 patent by a system which includes a computer
6 memory and an authoring tool or Player configured to define a User Interface (“UI”) object for
7 display on the device, where the 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 preferred UI
9 object corresponding to a symbolic name of the web component. Additionally, the computer
10 memory and the authoring tool or Player are configured to build an Application consisting of one or
11 more web page views to provide for the display of at least a portion of one or more of the web pages
12 (the “Accused Instrumentalities”). The Accused Instrumentalities include platforms that enable the
13 functionality described above and include but are not limited to, for example, WordPress. *See, e.g.*,
14 https://www.martindale.com/Products_and_Services/Product_Terms_and_Conditions/#web-series.

15 170. In particular, claim 1 of the '044 patent recites a system for generating code to
16 provide content on a display of a device, the system comprising: computer memory storing: a)
17 symbolic names required for evoking one or more web components each related to a set of inputs
18 and outputs of a web service obtainable over a network, where the symbolic names are character
19 strings that do not contain either a persistent address or pointer to an output value accessible to the
20 web service, where each symbolic name has an associated data format class type corresponding to a
21 subclass of User Interface (UI) objects that support the data format type of the symbolic name, and
22 where each symbolic name has a preferred UI object, and b) an address of the web service; an
23 authoring tool configured to: define a UI object for presentation on the display, where the defined UI
24 object corresponds to a web component included in the computer memory selected from a group
25 consisting of an input of the web service and an output of the web service, where each defined UI
26 object is either: 1) selected by a user of the authoring tool; or 2) automatically selected by the system
27 as the preferred UI object corresponding to the symbolic name of the web component selected by the
28 user of the authoring tool, access the computer memory to select the symbolic name corresponding

1 to the web component of the defined UI object, associate the selected symbolic name with the
2 defined UI object, where the selected symbolic name is only available to UI objects that support the
3 defined data format associated with that symbolic name, store information representative of the
4 defined UI object and related settings in a database; retrieve the information representative of the
5 one or more the UI object settings stored in the database; and build an Application consisting of one
6 or more web page views from at least a portion of the database utilizing at least one Player, where
7 the Player utilizes information stored in the database to generate for the display of at least a portion
8 of the one or more web pages, wherein when the Application and Player are provided to the device
9 and executed on the device, and when the user of the device provides one or more input values
10 associated with an input symbolic name to an input of the defined UI object, the device provides the
11 user provided one or more input values and corresponding input symbolic name to the web service,
12 the web service utilizes the input symbolic name and the user provided one or more input values for
13 generating one or more output values having an associated output symbolic name, and the Player
14 receives the output symbolic name and corresponding one or more output values and provides
15 instructions for the display of the device to present an output value in the defined UI object.

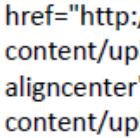
16 171. The Accused Instrumentalities infringe claim 1 of the '044 patent through a
17 combination of features which collectively practice each limitation of claim 1. By way of example,
18 the Accused Instrumentalities feature a system for generating code to provide content on a display of
19 a device. The system includes a WordPress server, which provides WordPress's WYSIWYG visual
20 effects editor and a WordPress-compatible browser. WordPress's WYSIWYG visual effects editor
21 generates code, such as JavaScript or HTML code for such as options for defining title, text, images,
22 videos and paragraph styles, while the browser displays the resulting content as a WordPress
23 webpage on a display of a device, such as a computer display.

24 172. For example, on information and belief, WordPress uses a variety of databases in its
25 technology stack including MySQL. Data from the wp_options table for the website header and the
26 data from the wp_posts table for the "WordPress Info" web page extracted directly from the Bitnami
27 WordPress server-side database using MySQL Workbench. The stored data in the wp_options table
28

1 includes the website's url, the website's title (blogname), the website's tagline (blogdescription), and
2 the active template (style sheet).

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

7
8 The stored data in the wp_posts table for the "WordPress Info" web page includes information
9 corresponding to user selected settings such as, for example, the color red ("#ff0000") for "manages
10 22%". Other user selections shown in stored database data below include, for ex-ample, the image
11 filename for the image (<http://localhost/wordpress/wp-content/uploads/2013/03/icon21.png>), the
12 image alignment (class="wp-image-24 aligncenter"), and a selected paragraph style (h3) for
13 "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, manages 22% of all new websites. WordPress is currently the most popular blogging system in use on the Web.</p> <p>&nbsp;</p> <p style="text-align: center;"> icon2</p> <p>&nbsp;</p> <p>As of December 2011, WordPress version 3.0 had been downloaded over 65 million times.</p> <p>&nbsp;</p>	WordPress Info	page

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

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

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

23 175. Furthermore, each symbolic name has an associated data format class type
24 corresponding to a subclass of UI objects that supports the data format type of the symbolic name,
25 and has a preferred UI object as demonstrated by the presence of JSON formatting characteristics in
26 conjunction with WordPress' WYSIWYG visual effects editor and widget authoring tools. JSON
27 names are strings that only represent the symbolic names that are bound both to a web service input
28 and/or output and to a UI object. All JSON names in the name/value pairs are character strings.

1 WordPress' WYSIWYG visual effects editor includes elements for defining the layout for placement
2 of the defined UI objects. Widgets, plug-ins and other elements correspond to the defined UI objects
3 and are the product of the JSON formatting. (*See*, for example,
4 https://codex.wordpress.org/WordPress_Lessons#Template_Files,
5 https://codex.wordpress.org/WordPress_Widgets, https://codex.wordpress.org/Plugin_Resources,
6 and https://codex.wordpress.org/Plugin_API.)

7 176. The computer memory also stores b) an address of the web service. Because
8 WordPress contains web services, it contains the corresponding addresses for the web services. (*See*,
9 for example, <https://developer.wordpress.org/rest-api/>,
10 https://codex.wordpress.org/WordPress_Widgets, https://codex.wordpress.org/Plugin_Resources,
11 and https://codex.wordpress.org/Plugin_API.)

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

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

23 179. Each defined UI object is either: 1) selected by a user of the authoring tool; or 2)
24 automatically selected by the system as the preferred UI object corresponding to the symbolic name
25 of the web component selected by the user of the authoring tool. WordPress's UI objects are
26 automatically selected by the system as the preferred UI object corresponding to the symbolic name
27 of the web component selected by the user of the authoring tool, *i.e.*, a UI object selected by a user is
28 automatically selected. When a Widget is selected in the WordPress Widget selection list (*See*

1 https://codex.wordpress.org/WordPress_Widgets) steps 1 to 5 under “Displaying Widgets“, the
2 widget UI will automatically displayed in the Web Page Sidebar. (See, for example,
3 https://codex.wordpress.org/WordPress_Widgets, https://codex.wordpress.org/Plugin_Resources,
4 https://codex.wordpress.org/Plugin_API.)

5 180. The authoring tool is configured to access the computer memory to select the
6 symbolic name corresponding to the web component of the defined UI object based on its JSON
7 formatting characteristics.

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

18 182. The authoring tool is configured to store information representative of the defined UI
19 object and related settings in a database. For example, WordPress’s computer memory is configured
20 to store information representative of defined UI objects. (See, for example,
21 <https://developer.wordpress.org/rest-api/> and https://codex.wordpress.org/Widgets_API.)

22 183. The authoring tool is also configured to retrieve the information representative of the
23 one or more the UI object settings stored in the database based on the JSON strings. (See, for
24 example, <https://developer.wordpress.org/rest-api/>, <https://developer.wordpress.org/rest-api/reference/>,
25 https://codex.wordpress.org/Plugin_Resources,
26 https://codex.wordpress.org/Plugin_API, and https://codex.wordpress.org/Widgets_API.)

27 184. The WordPress authoring tool is configured to build an Application consisting of one
28 or more web page views from at least a portion of the database utilizing at least one Player, where

1 the Player utilizes information stored in the database to generate for the display of at least a portion
2 of the one or more web pages. WordPress builds an Application including the symbolic name of the
3 defined UI object. (*See*, for example, https://codex.wordpress.org/Widgets_API,
4 https://codex.wordpress.org/Plugin_Resources, https://codex.wordpress.org/Plugin_API,
5 <https://developer.wordpress.org/rest-api/>, <https://developer.wordpress.org/rest-api/reference/>.) It is a
6 feature of the Accused Instrumentalities that WordPress also contains at least one Player in the form
7 of a runtime player, such that the Application and the Player are provided to the device and executed
8 on the device. (*See*, for example, <https://codex.wordpress.org/CSS>,
9 https://codex.wordpress.org/Using_Javascript; and <https://developer.wordpress.org/rest-api/>.)

10 185. The Accused Instrumentalities feature a system where the Application and Player are
11 provided to the device and executed on the device.

12 186. When the user of the device provides one or more input values associated with an
13 input symbolic name to an input of the defined UI object the device provides the user provided one
14 or more input values and corresponding input symbolic name to the web service. Because the
15 Accused Instrumentalities incorporate a system that includes WordPress, when a user of the device
16 provides one or more input values associated with an input symbolic name, using JSON formatting
17 characteristics, to an input of the defined UI object, the device provides the user provided one or
18 more input values and corresponding input symbolic name, using JSON formatting characteristics, to
19 the web service. (*See*, for example, <https://developer.wordpress.org/rest-api/>,
20 <https://developer.wordpress.org/rest-api/reference/>, https://codex.wordpress.org/Widgets_API,
21 https://codex.wordpress.org/Plugin_Resources, and https://codex.wordpress.org/Plugin_API.)

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

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

9 189. The presence of the above referenced features is demonstrated, by way of example,
10 by reference to publicly available information. Regarding WordPress, *see, e.g.*,
11 <http://themeforest.net/category/wordpress>; <http://codex.wordpress.org/Templates>;
12 http://codex.wordpress.org/Template_Hierarchy;
13 http://codex.wordpress.org/Function_Reference/the_title;
14 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>; http://codex.wordpress.org/Template_Tags/get_the_title; and
17 http://codex.wordpress.org/Query_Overview. .

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

22 191. The Accused Instrumentalities infringe claim 2 of the '044 patent through a
23 combination of features which collectively practice each limitation of claim 2. By way of example,
24 the registry includes definitions of input and output related to a web service as evidenced by
25 WordPress's JSON formatting characteristics of the defined UI objects. (*See*, for example,
26 <https://developer.wordpress.org/rest-api/>; <https://developer.wordpress.org/rest-api/reference/>;
27 <https://developer.wordpress.org/rest-api/reference/posts/> <https://developer.wordpress.org/rest-api/reference/posts/#schema-title> https://codex.wordpress.org/Widgets_API;

1 https://codex.wordpress.org/Plugin_Resources; and https://codex.wordpress.org/Plugin_API;
2 https://codex.wordpress.org/WordPress_Widgets.)

3 192. Claim 3 of the '044 patent recites a system for generating code to provide content on
4 a display of a device that includes all the elements of claim 1, additionally where the web
5 component is a text chat, a video chat, an image, a slideshow, a video, or an RSS feed.

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

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

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

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

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

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

27 199. The Accused Instrumentalities infringe claim 11 of the '044 patent through a
28 combination of features which collectively practice each limitation of claim 11. WordPress sends all

1 files over a network using a variety of databases in its technology stack including MySQL. These
 2 backend capabilities provided the code over a network. By way of example, data from the
 3 wp_options table for the website header and from the wp_posts table for the “WordPress Info” web
 4 page are extracted directly from the Bitnami WordPress server-side database using MySQL
 5 Workbench. The stored data in the wp_options table includes the website’s url, the website’s title
 6 (blogname), the website’s tagline (blogdescription), and the active template (style sheet).

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

12 The stored data in the wp_posts table for the “WordPress Info” web page includes information
 13 corresponding to user selected settings such as, for example, the color red (“#ff0000”) for “manages
 14 22%”. Other user selections shown in stored database data below include, for ex-ample, the image
 15 filename for the image (<http://localhost/wordpress/wp-content/uploads/2013/03/icon21.png>), the
 16 image alignment (class=“wp-image-24 aligncenter”), and a selected paragraph style (h3) for
 17 “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, manages 22% of all new websites. WordPress is currently the most popular blogging system in use on the Web.</p> <p>&nbsp;</p> <p style="text-align: center;"></p></p> <p>&nbsp;</p> <p><h3>As of December 2011, WordPress version 3.0 had been downloaded over 65 million times.</h3></p> <p>&nbsp;</p>	WordPress Info	page

1
2 WordPress's HTML, CSS, Java, and JSON coding capabilities further are shown, for example by
3 <http://codex.wordpress.org/Templates>, <https://codex.wordpress.org/CSS>,
4 <https://developer.wordpress.org/rest-api/> and https://codex.wordpress.org/Widgets_API).

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

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

12 202. The Accused Instrumentalities infringe claim 15 of the '044 patent through a
13 combination of features which collectively practice each limitation of claim 15. By way of example,
14 the Accused Instrumentalities feature a method of displaying content on a display of a device having
15 a Player, in the form of a runtime player and a non-volatile computer memory storing the WordPress
16 MySQL database functionality on the device. The non-volatile computer memory stores symbolic
17 names required for evoking one or more web components each related to a set of inputs and outputs
18 of a web service obtainable over a network, where the symbolic names are character strings that do
19 not contain either a persistent address or pointer to an output value accessible to the web service.
20 The WordPress MySQL database contains symbolic names required for evoking one or more web
21 components each related to a set of inputs and outputs of a web service obtainable over a network as
22 demonstrated by the formatting in conjunction with WordPress's WYSIWYG visual effects editor,
23 widget, and plugin authoring tools.

24 203. Furthermore, each symbolic name has an associated data format class type
25 corresponding to a subclass of UI objects that supports the data format type of the symbolic name,
26 and has a preferred UI object as demonstrated by the presence of JSON formatting in conjunction
27 with WordPress' WYSIWYG visual effects editor and widget authoring tools.
28

1 204. The computer memory also stores an address of the web service. Because WordPress
2 contains web services, both as a library of Widgets (*see* https://codex.wordpress.org/Widgets_API)
3 and Plug-ins (*see* https://codex.wordpress.org/Plugin_API), it contains the corresponding addresses
4 of the web services. All web services are represented as a wsdl (Web Service Description
5 Language) and wsdl's have URLs to point to the internet location that receives the web service's
6 inputs and returns the web service's outputs (*see* [https://www.soapui.org/soap-and-wsdl/working-
7 with-wsdl.html](https://www.soapui.org/soap-and-wsdl/working-with-wsdl.html)).

8 205. The Accused Instrumentalities include defining a UI object for presentation on the
9 display, where the UI object corresponds to a web component included in the computer memory,
10 where the web component is selected from a group consisting of an input of a web service and an
11 output of the web service. WordPress defines a user interface object, *i.e.*, an element/UI component,
12 for presentation on display, where the UI object corresponds to a web component included in the
13 non-volatile computer memory selected from a group consisting of an input of a web service and an
14 output of the web service (as evidenced by JSON data formatting)..

15 206. Each defined UI object is either: 1) selected by a user of an authoring tool; or 2)
16 automatically selected by the system as the preferred UI object corresponding to the symbolic name
17 of the web component selected by the user of the authoring tool. When a Widget is selected in the
18 WordPress Widget selection list (See https://codex.wordpress.org/WordPress_Widgets) steps 1 to 5
19 under "Displaying Widgets", the widget UI will automatically displayed in the Web Page Sidebar.
20 WordPress contains an authoring tool in the form of the WYSIWYG visual effects editor, widgets,
21 and plug-in authoring tools.

22 207. The Accused Instrumentalities include selecting the symbolic name corresponding to
23 the web component (*i.e.* WordPress Widget or Plug-in) of the defined UI object and associating the
24 selected symbolic name with the defined UI object, where the selected symbolic name is only
25 available to UI objects that support the defined data format associated with that symbolic name.
26 WordPress accesses the non-volatile memory to select the symbolic name corresponding to the web
27 component of the defined UI object (as evidenced by JSON data formatting), associate the selected
28 symbolic name with the defined UI object (the JSON element corresponding to an element), where

1 the selected symbolic name is only available to UI objects that support the defined data format
2 associated with that symbolic name (the element associated with at JSON string).

3 208. The Accused Instrumentalities also include retrieving the information representative
4 of the one or more the UI object settings stored in the database based on the JSON formatting
5 characteristics.

6 209. The Accused Instrumentalities include building an Application consisting of one or
7 more web page views from at least a portion of the database utilizing the Player, where the Player
8 utilizes information stored in the database to generate for the display of at least a portion of the one
9 or more web pages. WordPress builds an Application included in the symbolic name of the defined
10 UI object.

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

28

1 211. The presence of the above referenced features is demonstrated, by way of example,
2 by reference to publicly available information. Regarding WordPress, see, e.g.,
3 <http://themeforest.net/category/wordpress>; <http://codex.wordpress.org/Templates>;
4 http://codex.wordpress.org/Template_Hierarchy;
5 http://codex.wordpress.org/Function_Reference/the_title;
6 http://codex.wordpress.org/Function_Reference/the_content;
7 <https://www.wpbeginner.com/glossary/database/>; <https://codex.wordpress.org/Pages1>
8 <http://codex.wordpress.org/Templates>; http://codex.wordpress.org/Template_Tags/get_the_title; and
9 http://codex.wordpress.org/Query_Overview.

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

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

22 214. Claim 17 of the '044 patent recites a method of displaying content on a display that
23 includes all the elements of claim 15, additionally where the method additionally where the web
24 component is a text chat, a video chat, an image, a slideshow, a video, or an RSS feed.
25

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

1 the Accused Instrumentalities feature web components additionally including web chat, Reuters RSS
2 feed, Calendar image, and map image widgets.

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

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

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

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

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

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

21 222. Claim 26 of the '044 patent recites a method of displaying content on a display that
22 includes all the elements of claim 15, additionally where the UI object corresponds to a widget.
23 The Accused Instrumentalities infringe claim 26 of the '044 patent through a combination of features
24 which collectively practice each limitation of claim 26. By way of example, the Accused
25 Instrumentalities employ WordPress which includes widgets. See, e.g.,
26 https://codex.wordpress.org/Widgets_API.

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

4 224. In particular, Defendant's actions that aid and abet others such as its partners,
5 customers, clients, and/or end users to infringe include advertising and distributing the Accused
6 Instrumentalities and providing instruction materials, training, and services regarding the Accused
7 Instrumentalities. *See, e.g.*,
8 https://www.martindale.com/Products_and_Services/Product_Terms_and_Conditions/#web-series.
9 On information and belief, Defendant has engaged in such actions with specific intent to cause
10 infringement or with willful blindness to the resulting infringement because Defendant has had
11 actual knowledge of the '044 patent and knowledge that its acts were inducing infringement of the
12 '044 patent since at least the date MH received notice that such activities infringed the '044 patent.

13 225. Upon information and belief, Defendant is liable as a contributory infringer of the
14 '044 patent under 35 U.S.C. § 271(c) by offering to sell, selling and importing into the United States
15 website authoring tools to be especially made or adapted for use in an infringement of the '044
16 patent. The Accused Instrumentalities are a material component for use in practicing the '044 patent
17 and are specifically made and are not a staple article of commerce suitable for substantial non-
18 infringing use.

19 226. Defendant was made aware of the '044 patent and its infringement thereof at least as
20 early as the filing of this Complaint.

21 227. Since the date of the filing of this Complaint, Defendant's infringement of the '044
22 patent has been willful.

23 228. Within the past six years, Plaintiff has not sold any product nor offered a
24 service within the scope of any claim of the '044 patent. In addition, prior to August
25 12, 2015, no license to the '044 patent had been granted.

26 229. Plaintiff has been harmed by Defendant's infringing activities.
27
28

JURY DEMAND

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Plaintiff demands a trial by jury on all issues triable as such.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff demands judgment for itself and against Defendant as follows:

A. An adjudication that Defendant has infringed the '397, '168, '287, and '044 patents;

B. An award of damages to be paid by Defendant adequate to compensate Plaintiff for Defendant's past infringement of the '397, '168, '287, and '044 patents, and any continuing or future infringement through the date such judgment is entered, including interest, costs, expenses and an accounting of all infringing acts including, but not limited to, those acts not presented at trial;

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

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

Dated: June 13, 2019

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