

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

**ROTHSCHILD BROADCAST  
DISTRIBUTION SYSTEMS, LLC,**

**Plaintiff,**

**v.**

**ARLO TECHNOLOGIES, INC.,**

**Defendant.**

**CIVIL ACTION NO. \_\_\_\_\_**

**JURY TRIAL DEMANDED**

**COMPLAINT**

Plaintiff Rothschild Broadcast Distribution Systems, LLC (“Plaintiff” or “Rothschild Broadcast Distribution Systems”) files this complaint against Defendant Arlo Technologies, Inc. (“Defendant” or “Arlo”) for infringement of U.S. Patent No. 8,856,221 (hereinafter the “221 Patent”) and alleges as follows:

**PARTIES**

1. Plaintiff is a Texas limited liability company with an office at 1400 Preston Road, Suite 400, Plano, Texas 75093.
2. Defendant is a Delaware corporation with its principal office in the United States located at 3030 Orchard Parkway, San Jose, CA 95134. Upon information and belief, Defendant may be served with process through its registered agent, The Corporation Trust Company, at Corporation Trust Center, 1209 Orange St., Wilmington, DE 19801.

**JURISDICTION AND VENUE**

3. This action arises under the patent laws of the United States, 35 U.S.C. § 271 et seq. Plaintiff is seeking damages, as well as attorney fees and costs.
4. Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331 (Federal Question) and 1338(a) (Patents).
5. On information and belief, this Court has personal jurisdiction over Defendant because Defendant has committed, and continues to commit, acts of infringement in this District, has conducted business in this District, and/or has engaged in continuous and systematic activities in this District.
6. Upon information and belief, Defendant's instrumentalities that are alleged herein to infringe were and continue to be used, imported, offered for sale, and/or sold in the District.
7. Venue is proper in this District under 28 U.S.C. §1400(b) because Defendant is deemed to be a resident in this District.

**BACKGROUND**

8. On October 7, 2014, the United States Patent and Trademark Office ("USPTO") duly and legally issued the '221 Patent, entitled "System and Method for Storing Broadcast Content in an Cloud-Based Computing Environment" after the USPTO completed a full and fair examination. The '221 Patent is attached as Exhibit A.
9. Rothschild Broadcast Distribution Systems is currently the owner of the '221 Patent.
10. Rothschild Broadcast Distribution Systems possesses all rights of recovery under the '221 Patent, including the exclusive right to recover for past, present and future infringement.
11. The '221 Patent contains thirteen claims including two independent claims (claims 1 and 7) and eleven dependent claims.

**COUNT ONE**  
**(Infringement of United States Patent No. 8,856,221)**

12. Plaintiff refers to and incorporates the allegations in Paragraphs 1 - 11, the same as if set forth herein.

13. This cause of action arises under the patent laws of the United States and, in particular under 35 U.S.C. §§ 271, *et seq.*

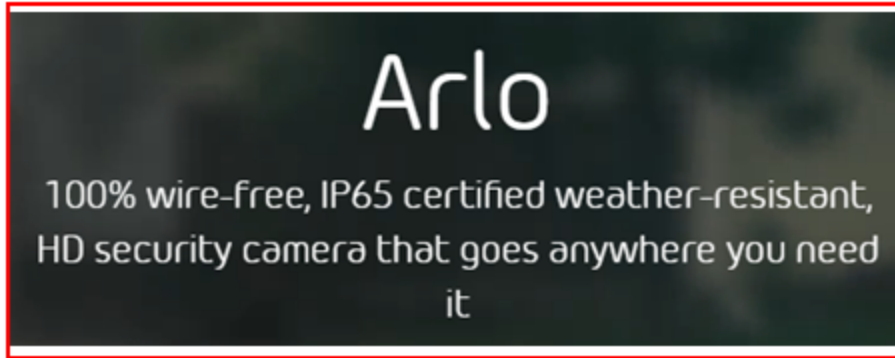
14. Defendant has knowledge of its infringement of the '221 Patent, at least as of the service of the present complaint.

15. Upon information and belief, Defendant has infringed and continues to infringe one or more claims, including at least Claim 1, of the '221 Patent by making, using, importing, selling, and/or offering for media content storage and delivery systems and services covered by one or more claims of the '221 Patent.

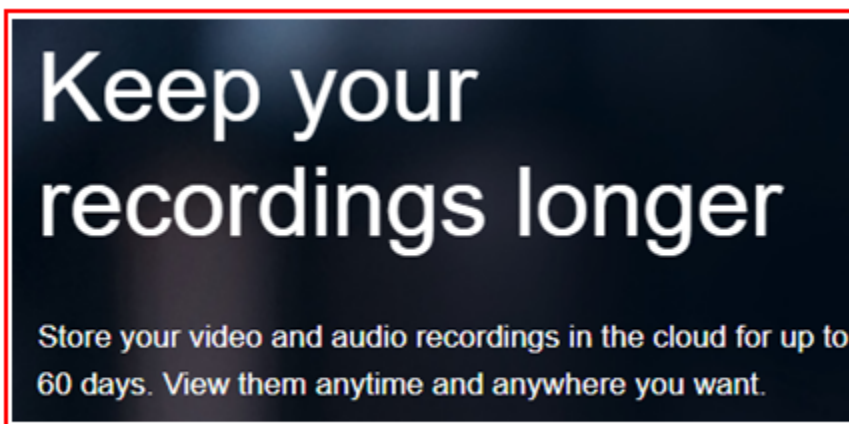
16. Accordingly, Defendant has infringed, and continues to infringe, the '221 Patent in violation of 35 U.S.C. § 271.

17. Defendant sells, offers to sell, and/or uses media content storage and delivery systems and services, including, without limitation, Arlo security cameras (such as the Arlo Ultra, Arlo Pro, Arlo Pro 2, Arlo, Arlo Q, Arlo Q Plus, and Arlo Go) together with the Arlo system and Arlo App, and any similar products ("Product"), which infringes at least Claim 1 of the '221 Patent.

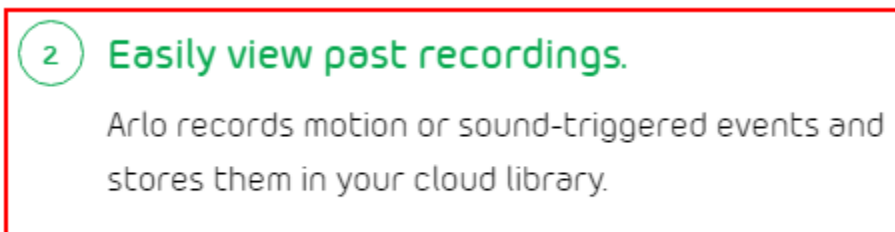
18. The Product practices a method of storing (e.g., cloud storage) media content (e.g. live and recorded video) and delivering requested media content (e.g. view live footage and recorded clips) to a consumer device. Certain aspects of these elements are illustrated in the screenshots below and/or in those provided in connection with other allegations herein.



Source: <https://www.arlo.com/en-us/products/arlo/default.aspx>



Source: <https://www.arlo.com/en-us/landing/arlosmart/>



Source: <https://www.arlo.com/en-us/products/arlo/default.aspx>

## Cloud Recording

With cloud recording, everything that the Arlo cameras record is sent to the cloud for secure storage in your library. Cloud recording is included in free and paid plans. Arlo cameras record when they detect motion or sound. Recordings are encrypted with the user name and password that you create. No one else can access your recordings.

Source: [https://www.arlo.com/en-us/images/Documents/Arlo\\_Wirefree/arlo\\_wirefree\\_um.pdf](https://www.arlo.com/en-us/images/Documents/Arlo_Wirefree/arlo_wirefree_um.pdf)

19. The Product necessarily includes at least one server for hosting and storing media content for customers. For example, the Product necessarily includes at least one server (e.g. cloud server) to store recorded security videos.

20. The at least one server necessarily includes a first receiver configured to receive a request message including data indicating requested media content (e.g., the server must have infrastructure to receive a request to store recorded security videos or to stream recorded video on a smartphone; additionally, the request message must contain data that identifies the video to be stored or streamed) and a consumer device identifier corresponding to a consumer device (e.g., the user credentials are used to tie a smartphone and user account to particular cameras and the videos they produce). In the accused product, the cloud services (including camera view from cloud) can be accessed from web/mobile application (e.g. Arlo) by just signing in with correct credentials. Certain aspects of these elements are illustrated in the screenshots below and/or in those provided in connection with other allegations herein.



Email

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Password [Forgot?](#)

Remember me

Log In

New to Arlo?

[Support](#)

Source: <https://arlo.netgear.com/#/login>

**1 Receive instant notifications.**  
Immediately know when motion or audio is detected at your home or office and watch live.

**2 Easily view past recordings.**  
Arlo records motion or sound-triggered events and stores them in your cloud library.

Source: <https://www.arlo.com/en-us/products/arlo/default.aspx>

21. The Product necessarily includes a processor to determine whether the consumer device identifier corresponds to the registered consumer device (e.g., the server must authenticate a

user's credentials to ensure that the credentials match those registered with a security camera which the user would like to access). In the accused product, a user must be a registered user to access Arlo cloud services. Certain aspects of these elements are illustrated in the screenshots provided in connection with other allegations herein.

22. The Product provides for both media downloads and/or storage, and media streaming. As per the information available, after successful login, a processor within the Product necessarily determines whether the request received from a customer is a request for storage (e.g., recording or storing content) or content (e.g., streaming of media content, live view). Certain aspects of these elements are illustrated in the screenshots below and/or in those provided in connection with other allegations herein.

## 2. View Your Content

Videos recorded by your camera are stored in a library. You can view your recordings, mark them as favorites, and search using the filter.

## Record Clips From Live Video

➤ To record clips from live video:


1. Tap the **Arlo** icon  on your mobile device.

If you are using a computer, enter [arlo.netgear.com](https://arlo.netgear.com) in the address bar of a browser.


The Devices page displays.

2. Tap or click **Live** in the camera feed image.

The camera feed icons display at the bottom of the camera feed image.

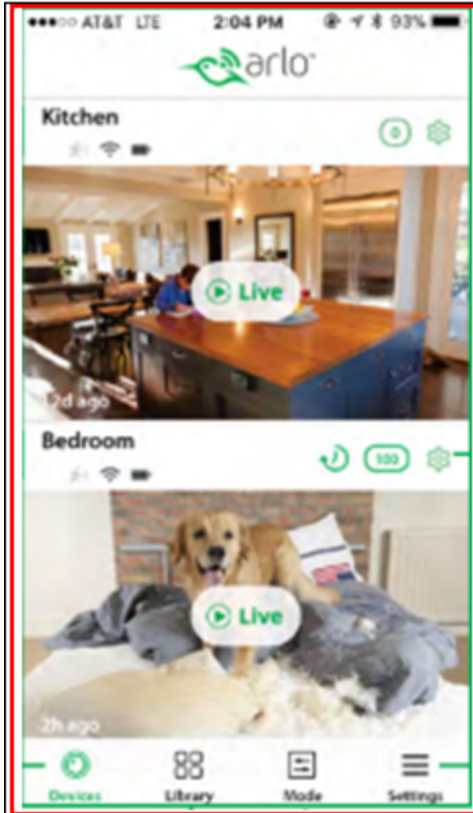
3. Tap or click **Record Video** .

This icon turns red to indicate that you are recording the live feed.

4. To stop recording, tap or click **Record Video** .

The recording is saved in your library.

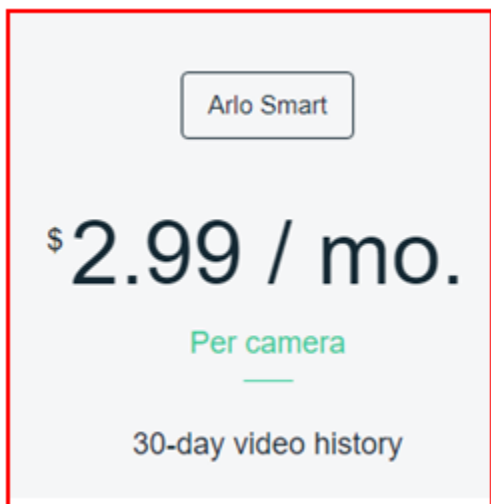




Source: [https://www.arlo.com/en-us/images/Documents/Arlo\\_Wirefree/arlo\\_wirefree\\_um.pdf](https://www.arlo.com/en-us/images/Documents/Arlo_Wirefree/arlo_wirefree_um.pdf)

23. The server verifies that media content identified in the media data of the storage request message (e.g., request to record content) is available for storage in order to prevent data errors that would result from attempting to store content that is not available for storage. The server must verify that the media content (e.g., specific recording from a specific camera) identified in the media data of the storage request message is available for storage in order to prevent data errors that would result from attempting to store content that is not available for storage (e.g., the server must verify that a particular security camera is adequately connected to the internet as to allow for video recording and storage on the cloud; additionally, a user's ability to store video is limited to a certain amount of memory usage based upon their subscription, thus media content may not be available for storage if a user is already above their memory limit or if the user has

not subscribed to any service.) Also, the number of cameras supported is based on the activated subscription pack. The subscription pack, for example can be Arlo Smart (\$2.99/mo. per camera), Arlo Smart Premier (\$9.99/mo. with up to 10 cameras), Arlo Smart Elite (\$14.99/mo. with up to 20 cameras), or Arlo Premium Video Recording (\$1.99/mo. per camera). A user can also schedule the recording as per their requirement. Only the events during the scheduled time are eligible for recording on the cloud storage. Certain aspects of these elements are illustrated in the screenshots below and/or in those provided in connection with other allegations herein.

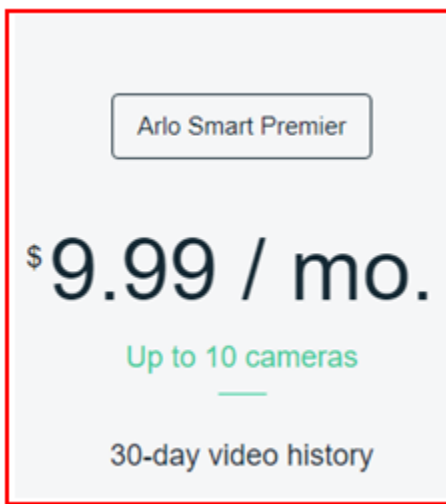


Arlo Smart

**\$ 2.99 / mo.**

Per camera

30-day video history

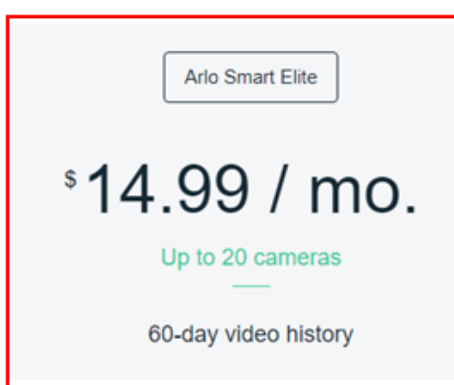


Arlo Smart Premier

**\$ 9.99 / mo.**

Up to 10 cameras

30-day video history

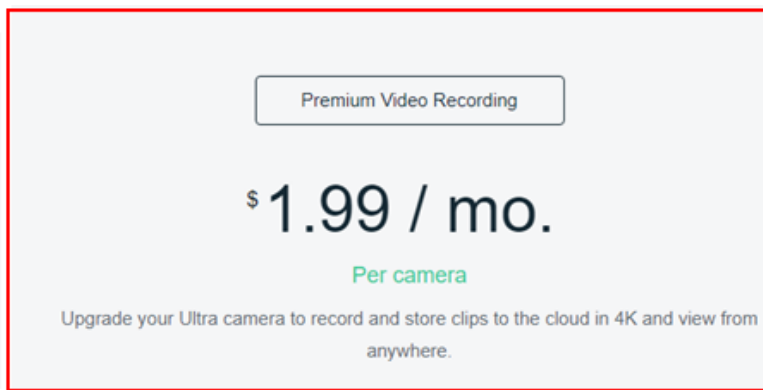


Arlo Smart Elite

**\$ 14.99 / mo.**

Up to 20 cameras

60-day video history



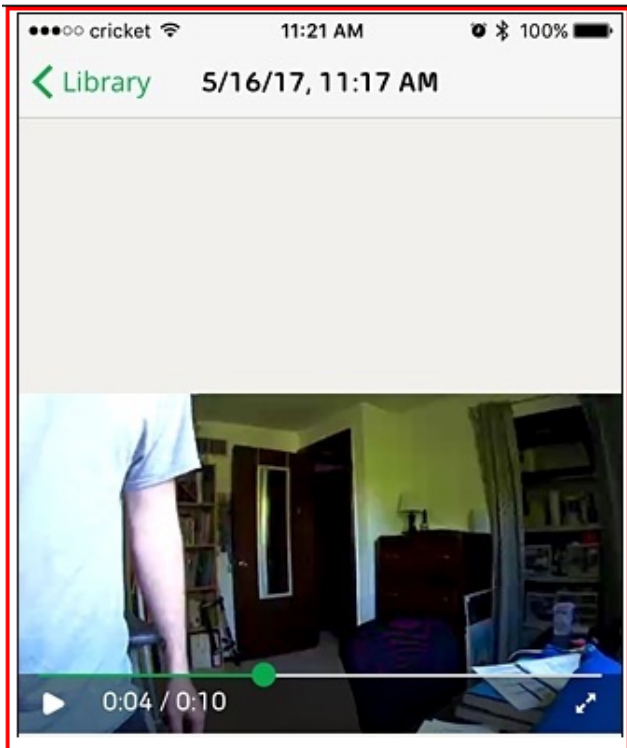
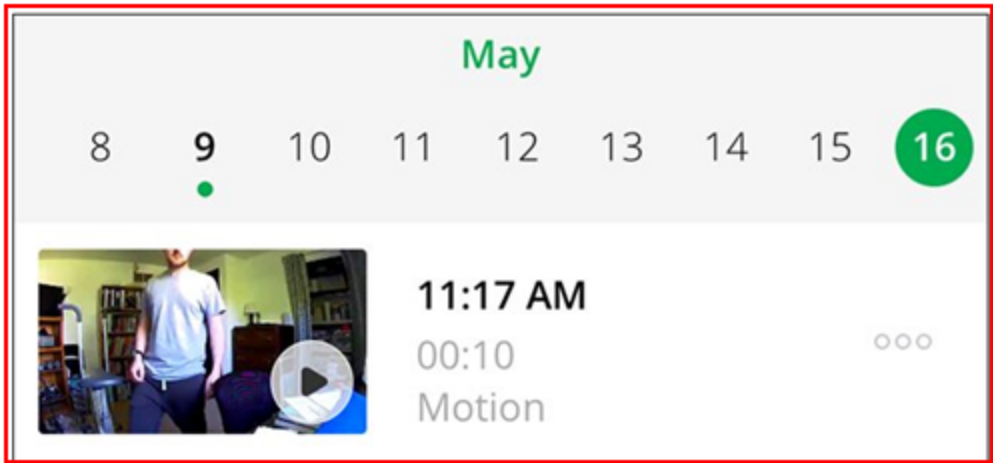
Premium Video Recording

**\$ 1.99 / mo.**

Per camera

Upgrade your Ultra camera to record and store clips to the cloud in 4K and view from anywhere.

Source: <https://www.arlo.com/en-us/landing/arlosmart/>



Source: <https://www.howtogeek.com/307643/how-to-download-recordings-from-your-netgear-arlo-cameras/>

24. If a customer requests content (e.g., live streaming of media content), then a processor within the Product necessarily initiates delivery of the content to the customer's device. The server will initiate delivery of the requested media content to the consumer device (e.g., stream live camera feed to a smartphone or tablet or desktop computer) if the request message is a

content request message (e.g., request for live streaming). Certain aspects of these elements are illustrated in the screen shots below and/or in screen shots provided in connection with other allegations herein.

## Record Clips From Live Video

➤ To record clips from live video:

1. Tap the **Arlo** icon  on your mobile device.

If you are using a computer, enter [arlo.netgear.com](http://arlo.netgear.com) in the address bar of a browser.


The Devices page displays.

2. Tap or click **Live** in the camera feed image.

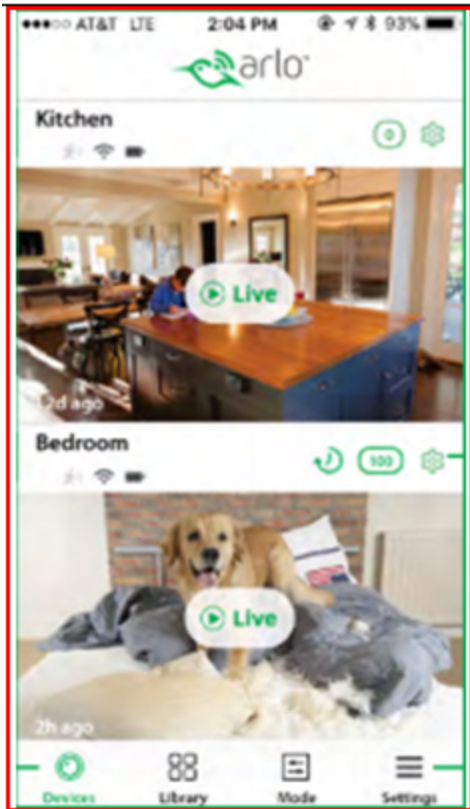
The camera feed icons display at the bottom of the camera feed image.

3. Tap or click **Record Video** .

This icon turns red to indicate that you are recording the live feed.

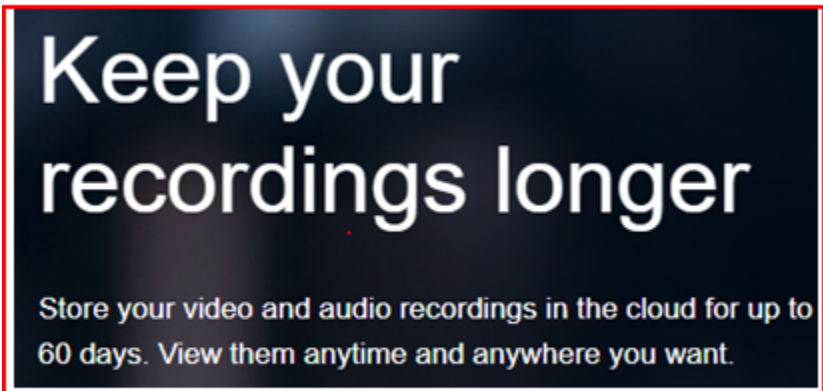
4. To stop recording, tap or click **Record Video** .

The recording is saved in your library.



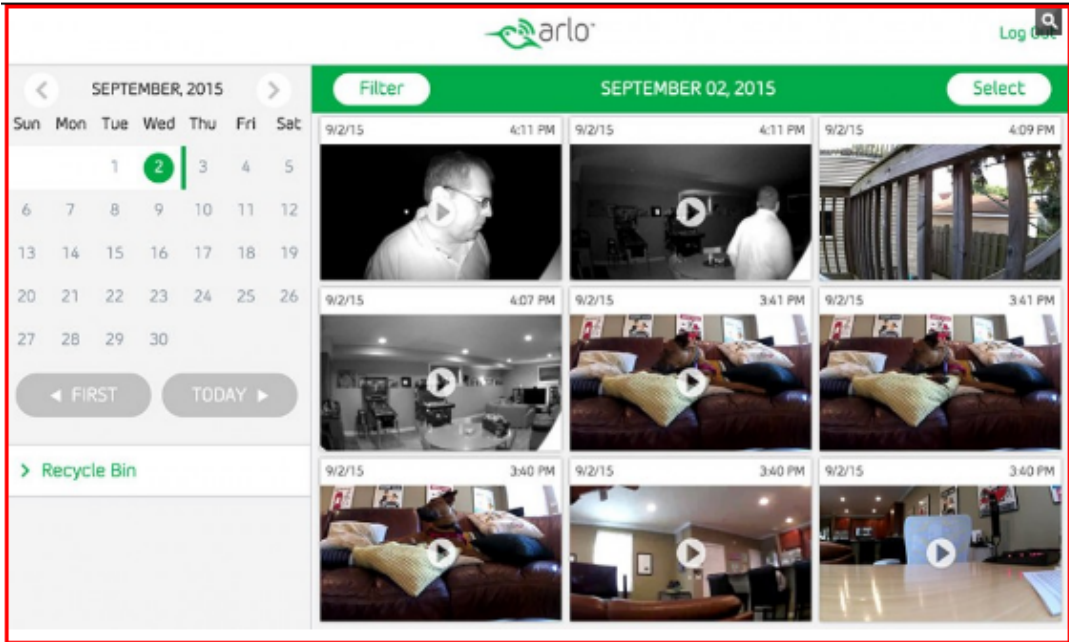
Source: [https://www.arlo.com/en-us/images/Documents/Arlo\\_Wirefree/arlo\\_wirefree\\_um.pdf](https://www.arlo.com/en-us/images/Documents/Arlo_Wirefree/arlo_wirefree_um.pdf)

25. The media data includes time data that indicates a length of time to store the requested media content (e.g., a user is allowed to store videos for maximum of 30 or 60 days as based upon their subscription level). Certain aspects of these elements are illustrated in the screenshots below and/or in those provided in connection with other allegations herein.



Source: <https://www.arlo.com/en-us/landing/arlosmart/>

Live streams are not automatically recorded, and you need to click the record button if you want to archive footage. You can also click the camera icon to grab a still. Once recorded (either as a live stream, or automatically detected), stream files can be viewed from the the Arlo Library, which organizes all clips by date and time. Files can be marked as favorites, shared or downloaded in MP4 format here.



Source: <https://technabob.com/blog/2015/09/02/netgear-arlo-wireless-home-security-monitoring-system/>

26. The server must first determine whether the requested media content exists prior to initiating delivery in order to prevent data errors that would result from attempting to transmit media content that does not exist (e.g., the server must verify that a particular security camera is adequately connected to the internet as to allow for video recording and streaming). Certain aspects of these elements are illustrated in the screenshots below and/or in those provided in connection with other allegations herein.

## How Arlo Works

Your camera works wire-free, powered by the battery. When your Arlo camera detects motion, it uses a WiFi link to the Arlo base station to stream video to your Arlo account in the cloud.

The appearance of the Arlo base station varies, as shown in the following illustrations.



Source: [https://www.arlo.com/en-us/images/Documents/Arlo\\_Wirefree/arlo\\_wirefree\\_um.pdf](https://www.arlo.com/en-us/images/Documents/Arlo_Wirefree/arlo_wirefree_um.pdf)

If your Arlo camera is offline, follow these troubleshooting steps:

1. If your camera is offline after you switched to a new router or made changes to your Internet network, press and release the **Sync** button on the Arlo SmartHub or Arlo base station.

The Internet LED blinks for 10 seconds, then your Arlo camera resumes normal operation.

3. Check the camera connectivity:

- Note the distance between the camera and the base station. You can place your Arlo camera a maximum of 300 feet (90 meters) from the base station. If your camera is farther away from the base station, it might be connecting and disconnecting because of the distance from the base station.
- Note the number of walls between the camera and the base station. Your camera might go offline if metal objects or thick walls and ceilings exist between the camera and the base station.
- Do you have an access point or other WiFi device close to the base station? If so, your Arlo system might be experiencing WiFi congestion. If possible, move the base station away from other WiFi devices.

Source: <https://kb.arlo.com/1133448/My-Arlo-wire-free-camera-is-offline-how-can-I-troubleshoot-it>

27. After the processor determines whether the requested media content is available, it determines whether there are restrictions associated with the requested media content (e.g., subscription level etc.). Certain aspects of these elements are illustrated in the screenshots below and/or in those provided in connection with other allegations herein.



	No Subscription (Arlo Ultra)	No Subscription (Wire-Free, Pro, Pro 2, Q, Q Plus, Go, Baby)	Arlo Smart (Per Camera)	Arlo Smart Premier	Arlo Smart Elite	Premium Video Add-on	Continuous Video Recording (CVR) Add-on
Number of cameras supported	5	5	Per-camera plan	10	20	Per-camera upgrade	Per-camera upgrade
Cloud recording (up to 1080p)	No	Rolling 7 days	Rolling 30 days	Rolling 30 days	Rolling 60 days	n/a	24x7 14 day or 30 day
4K cloud recording	No	No	No	No	No	Yes	n/a

Source: <https://kb.arlo.com/88/What-are-the-available-Arlo-subscription-plans-and-how-much-cloud-recording-is-available>

28. Defendant’s actions complained of herein will continue unless Defendant is enjoined by this Court.

29. Defendant’s actions complained of herein is causing irreparable harm and monetary damage to Plaintiff and will continue to do so unless and until Defendant is enjoined and restrained by this Court.

30. The `221 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

31. A copy of the `221 Patent, titled “System and Method for Storing Broadcast Content in a Cloud-based Computing Environment,” is attached hereto as Exhibit A.

32. By engaging in the conduct described herein, Defendant has injured Plaintiff and is liable for infringement of the `221 Patent, pursuant to 35 U.S.C. § 271.

33. Defendant has committed these acts of literal infringement, or infringement under the doctrine of equivalents of the `221 Patent, without license or authorization.

34. As a result of Defendant's infringement of the '221 Patent, injured Plaintiff has suffered monetary damages and is entitled to a monetary judgment in an amount adequate to compensate for Defendant's past infringement, together with interests and costs.

35. Plaintiff is in compliance with 35 U.S.C. § 287.

36. As such, Plaintiff is entitled to compensation for any continuing and/or future infringement of the '221 Patent up until the date that Defendant ceases its infringing activities.

**DEMAND FOR JURY TRIAL**

37. Rothschild Broadcast Distribution Systems, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of any issues so triable by right.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff asks the Court to:

- (a) Enter judgment for Plaintiff on this Complaint on all cases of action asserted herein;
- (b) Enter an Order enjoining Defendant, its agents, officers, servants, employees, attorneys, and all persons in active concert or participation with Defendant who receives notice of the order from further infringement of United States Patent No. 8,856,221 (or, in the alternative, awarding Plaintiff running royalty from the time judgment going forward);
- (c) Award Plaintiff damages resulting from Defendants infringement in accordance with 35 U.S.C. § 284;
- (d) Award Plaintiff such further relief to which the Court finds Plaintiff entitled under law or equity.

DATED August 28, 2019

Respectfully submitted,

/s/Stamatios Stamoulis

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