

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
DENVER DIVISION**

Cedar Lane Technologies Inc., Plaintiff, v. Starz Entertainment, LLC, Defendant.	Case No. _____ Patent Case Jury Trial Demanded
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COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Cedar Lane Technologies Inc. (“Cedar Lane”), through its attorneys, complains of Starz Entertainment, LLC (“Starz”), and alleges the following:

PARTIES

1. Plaintiff Cedar Lane Technologies Inc. is a corporation organized and existing under the laws of Canada that maintains its principal place of business at 560 Baker Street, Suite 1, Nelson, BC V1L 4H9.

2. Defendant Starz Entertainment, LLC is a corporation organized and existing under the laws of Colorado that maintains its principal place of business at 8900 Liberty Circle, Englewood, CO 80112.

JURISDICTION

3. This is an action for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code.

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

5. This Court has personal jurisdiction over Starz because it has engaged in systematic and continuous business activities in the District of Colorado and is incorporated in Colorado. As described below, Starz has committed acts of patent infringement giving rise to this action within this District.

VENUE

6. Venue is proper in this District under 28 U.S.C. § 1400(b) because Starz has committed acts of patent infringement in this District and is incorporated in the state of Colorado. In addition, Cedar Lane has suffered harm in this district.

PATENTS-IN-SUIT

7. Cedar Lane is the assignee of all right, title and interest in United States Patent Nos. 6,526,411 (the “’411 Patent”); 6,721,489 (the “’489 Patent”); and 8,745,529 (the “’529 Patent”) (collectively hereinafter “Patents-in-Suit”), including all rights to enforce and prosecute actions for infringement and to collect damages for all relevant times against infringers of the Patents-in-Suit. Accordingly, Cedar Lane possesses the exclusive right and standing to prosecute the present action for infringement of the Patents-in-Suit by Starz.

The ’411 Patent

8. The ’411 Patent is entitled “System and Method for Creating Dynamic Playlists,” and issued February 25, 2003. The application leading to the ’411 Patent was filed on November 15, 2000, which claims priority from provisional application number 60/166,039, filed on November 17, 1999; which claims priority from provisional application number 60/165,726, filed on November 15, 1999; which claims priority from provisional application number 60/165,727, filed on November 15, 1999. A true and correct copy of the ’411 Patent is attached hereto as Exhibit A and incorporated herein by reference.

9. The '411 Patent is valid and enforceable.

The '489 Patent

10. The '489 Patent is entitled "Play list manager," and issued April 13, 2004. The application leading to the '489 Patent was filed on March 8, 2000. A true and correct copy of the '489 Patent is attached hereto as Exhibit B and incorporated herein by reference.

11. The '489 Patent is valid and enforceable.

The '529 Patent

12. The '529 Patent is entitled "Graphic-information flow method and system for visually analyzing patterns and relationships," and issued June 3, 2014. The application leading to the '529 Patent was filed on November 3, 2008. A true and correct copy of the '529 Patent is attached hereto as Exhibit C and incorporated herein by reference.

13. The '529 Patent is valid and enforceable.

COUNT I: INFRINGEMENT OF THE '411 PATENT

14. Cedar Lane incorporates the above paragraphs herein by reference.

15. **Direct Infringement.** Starz has been and continues to directly infringe one or more claims of the '411 Patent in at least this District by making, using, offering to sell, selling and/or importing, without limitation, at least Starz Cable Boxes ("Exemplary Starz Products") that infringe at least exemplary claims 1, 3, 5-9, and 11 of the '411 Patent (the "Exemplary '411 Patent Claims") literally or by the doctrine of equivalence. On information and belief, numerous other devices that infringe the claims of the Patents-in-Suit have been made, used, sold, imported, and offered for sale by Starz and/or its customers.

16. The filing of this Complaint constitutes notice and actual knowledge of infringement as alleged here.

17. Despite such actual knowledge, Starz continues to make, use, test, sell, offer for sale, market, and/or import into the United States, products that infringe the '411 Patent. On information and belief, Starz has also continued to sell the Exemplary Starz Products and distribute product literature and website materials inducing end users and others to use its products in the customary and intended manner that infringes the '411 Patent. Thus, on information and belief, Starz is contributing to and/or inducing the infringement of the '411 Patent.

18. **Induced Infringement.** Starz actively, knowingly, and intentionally has been and continues to induce infringement of the '411 Patent, literally or by the doctrine of equivalence, by selling Exemplary Starz Products to their customers for use in end-user products in a manner that infringes one or more claims of the '411 Patent.

19. **Contributory Infringement.** Starz actively, knowingly, and intentionally has been and continues materially contribute to their own customers' infringement of the '411 Patent, literally or by the doctrine of equivalence, by selling Exemplary Starz Products to their customers for use in end-user products in a manner that infringes one or more claims of the '411 Patent. Moreover, the Exemplary Charter Products are not a staple article of commerce suitable for substantial noninfringing use.

20. Exhibit D includes charts comparing the Exemplary '411 Patent Claims to the Starz Cable Box. As set forth in these charts, this Exemplary Starz Product practices the technology claimed by the '411 Patent. Accordingly, the Exemplary Starz Products incorporated in these charts satisfy all elements of the Exemplary '411 Patent Claims.

21. Cedar Lane therefore incorporates by reference in its allegations herein the claim charts of Exhibit D.

22. Cedar Lane is entitled to recover damages adequate to compensate for Starz's infringement.

COUNT II: INFRINGEMENT OF THE '489 PATENT

23. Cedar Lane incorporates the above paragraphs herein by reference.

24. **Direct Infringement.** Starz has been and continues to directly infringe one or more claims of the '489 Patent in at least this District by making, using, offering to sell, selling and/or importing, without limitation, at least Starz Cable Boxes ("Exemplary Starz Products") that infringe at least exemplary claims 1, 2, 5, 6, 9, 11 of the '489 Patent (the "Exemplary '489 Patent Claims") literally or by the doctrine of equivalence. On information and belief, numerous other devices that infringe the claims of the Patents-in-Suit have been made, used, sold, imported, and offered for sale by Starz and/or its customers.

25. The filing of this Complaint constitutes notice and actual knowledge of infringement as alleged here.

26. Despite such actual knowledge, Starz continues to make, use, test, sell, offer for sale, market, and/or import into the United States, products that infringe the '489 Patent. On information and belief, Starz has also continued to sell the Exemplary Starz Products and distribute product literature and website materials inducing end users and others to use its products in the customary and intended manner that infringes the '489 Patent. Thus, on information and belief, Starz is contributing to and/or inducing the infringement of the '489 Patent.

27. **Induced Infringement.** Starz actively, knowingly, and intentionally has been and continues to induce infringement of the '489 Patent, literally or by the doctrine of equivalence,

by selling Exemplary Starz Products to their customers for use in end-user products in a manner that infringes one or more claims of the '489 Patent.

28. **Contributory Infringement.** Starz actively, knowingly, and intentionally has been and continues materially contribute to their own customers' infringement of the '489 Patent, literally or by the doctrine of equivalence, by selling Exemplary Starz Products to their customers for use in end-user products in a manner that infringes one or more claims of the '489 Patent. Moreover, the Exemplary Charter Products are not a staple article of commerce suitable for substantial noninfringing use.

29. Exhibit E includes charts comparing the Exemplary '489 Patent Claims to the Starz Cable Box. As set forth in these charts, this Exemplary Starz Product practices the technology claimed by the '489 Patent. Accordingly, the Exemplary Starz Products incorporated in these charts satisfy all elements of the Exemplary '489 Patent Claims.

30. Cedar Lane therefore incorporates by reference in its allegations herein the claim charts of Exhibit E.

31. Cedar Lane is entitled to recover damages adequate to compensate for Starz's infringement.

COUNT III: INFRINGEMENT OF THE '529 PATENT

32. Cedar Lane incorporates the above paragraphs herein by reference.

33. **Direct Infringement.** Starz has been and continues to directly infringe one or more claims of the '529 Patent in at least this District by making, using, offering to sell, selling and/or importing, without limitation, at least Starz Cable Boxes ("Exemplary Starz Products") that infringe at least exemplary claims 11 and 12 of the '529 Patent (the "Exemplary '529 Patent Claims") literally or by the doctrine of equivalence. On information and belief, numerous other

devices that infringe the claims of the Patents-in-Suit have been made, used, sold, imported, and offered for sale by Starz and/or its customers.

34. The filing of this Complaint constitutes notice and actual knowledge as alleged here.

35. Despite such actual knowledge, Starz continues to make, use, test, sell, offer for sale, market, and/or import into the United States, products that infringe the '529 Patent. On information and belief, Starz has also continued to sell the Exemplary Starz Products and distribute product literature and website materials inducing end users and others to use its products in the customary and intended manner that infringes the '529 Patent. Thus, on information and belief, Starz is contributing to and/or inducing the infringement of the '529 Patent.

36. **Induced Infringement.** Starz actively, knowingly, and intentionally has been and continues to induce infringement of the '529 Patent, literally or by the doctrine of equivalence, by selling Exemplary Starz Products to their customers for use in end-user products in a manner that infringes one or more claims of the '529 Patent.

37. **Contributory Infringement.** Starz actively, knowingly, and intentionally has been and continues materially contribute to their own customers' infringement of the '529 Patent, literally or by the doctrine of equivalence, by selling Exemplary Starz Products to their customers for use in end-user products in a manner that infringes one or more claims of the '529 Patent. Moreover, the Exemplary Charter Products are not a staple article of commerce suitable for substantial noninfringing use.

38. The filing of this Complaint constitutes notice and actual knowledge as alleged here.

39. Despite such notice, Starz continues to make, use, test, sell, offer for sale, market, and/or import into the United States, products that infringe the '529 Patent. On information and belief, Starz has also continued to sell the Exemplary Starz Products and distribute product literature and website materials inducing end users and others to use its products in the customary and intended manner that infringes the '529 Patent. Thus, on information and belief, Starz is contributing to and/or inducing the infringement of the '529 Patent.

40. Exhibit F includes charts comparing the Exemplary '529 Patent Claims to the Starz Cable Box. As set forth in these charts, this Exemplary Starz Product practices the technology claimed by the '529 Patent. Accordingly, the Exemplary Starz Products incorporated in these charts satisfy all elements of the Exemplary '529 Patent Claims.

41. Cedar Lane therefore incorporates by reference in its allegations herein the claim charts of Exhibit F.

42. Cedar Lane is entitled to recover damages adequate to compensate for Starz's infringement.

JURY DEMAND

43. Under Rule 38(b) of the Federal Rules of Civil Procedure, Cedar Lane respectfully requests a trial by jury on all issues so triable.

PRAYER FOR RELIEF

WHEREFORE, Cedar Lane respectfully requests the following relief:

- A. A judgment that the '529 Patent, the '411 Patent, and the '489 Patent are valid and enforceable.
- B. A judgment that Starz has infringed, contributorily infringed, and/or induced infringement of one or more claims of the '529 Patent;

- C. A judgment that Starz has infringed, contributorily infringed, and/or induced infringement of one or more claims of the '411 Patent;
- D. A judgment that Starz has infringed, contributorily infringed, and/or induced infringement of one or more claims of the '489 Patent;
- E. An accounting of all damages not presented at trial;
- F. A judgment that awards Cedar Lane all appropriate damages under 35 U.S.C. § 284 for Starz's past infringement, and any continuing or future infringement of the Patents-in-Suit, up until the date such judgment is entered, including pre- or post-judgment interest, costs, and disbursements as justified under 35 U.S.C. § 284 and, if necessary, to adequately compensate Cedar Lane for Starz's infringement, an accounting:
 - i. that this case be declared exceptional within the meaning of 35 U.S.C. § 285 and that Cedar Lane be awarded its reasonable attorneys' fees against Starz that it incurs in prosecuting this action;
 - ii. that Cedar Lane be awarded costs, and expenses that it incurs in prosecuting this action; and
 - iii. that Cedar Lane be awarded such further relief at law or in equity as the Court deems just and proper.

Dated: November 9, 2019

Respectfully submitted,

/s/ Isaac Rabicoff
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**Counsel for Plaintiff
Cedar Lane Technologies Inc.**