IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

JEDI TECHNOLOGIES, INC., an Arizona corporation, Plaintiff, v. CLOVER INC., an Ontario, Canada corporation, Defendant.	C.A. No. _____ **JURY TRIAL DEMANDED**

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Jedi Technologies, Inc. ("Jedi Technologies") complains of Defendant Clover Inc. ("Clover") as follows:

NATURE OF CASE

1. This is a claim for patent infringement that arises under the patent laws of the United States, Title 35 of the United States Code. This Court has original jurisdiction over the subject matter of this claim under 28 U.S.C. §§ 1331 and 1338(a).

2. Defendant Clover is in the business of owning and operating online dating services, including the Clover Android and iPhone mobile applications. This lawsuit concerns allegations that the operation and use of these mobile applications infringes a patent owned by Jedi Technologies.

PARTIES

3. Jedi Technologies is an Arizona corporation that has a principal place of business at 9971 E. Speedway Blvd., Suite 12101, Tucson, Arizona 85748.

4. Jedi Technologies owns and has standing to sue for, and to seek and obtain damages and other relief for, infringement of United States Patent No. 10,164,918 B2 (the "'918 patent"),

entitled "System and Method for the Automated Notification of Compatibility Between Real-Time Network Participants," which issued on December 25, 2018 (attached as **Exhibit A**).

5. Jedi Technologies is a privately held technology company founded in 2002 to design, develop, and provide social networking technologies and applications, including its Match Machine website at www.matchmachine.com. The company's technologies enable more efficient, effective, and successful online dating and social interaction websites.

6. Jedi Technologies' Match Machine website, which has operated in various development formats since 2002, is currently undergoing a rebuild to employ certain of Jedi Technologies' patented technologies, including the inventions of the '918 patent, and will continue to incorporate aspects of psychology and astrology to deliver a unique matchmaking experience.

7. Defendant Clover is an Ontario corporation organized and existing under the laws of Ontario, Canada, with offices at 1500 Don Mills Road, Suite 401, Toronto, Ontario M3B 3K4, Canada.

8. Clover owns an interactive online dating service called Clover, which it provides via the Clover Android and iPhone mobile applications.

9. Clover operates an interactive online dating service called Clover, which it provides via the Clover Android and iPhone mobile applications.

10. Clover controls the content of the Clover Android and iPhone mobile applications.

11. Clover operates servers and databases to provide the Clover Android and iPhone mobile applications.

12. The Clover Android and iPhone mobile applications are hosted, served and supported by servers located in the United States.

13. Clover promotes its mobile applications as having "The simplicity of Tinder with the science of Match.com."

14. In its press deck, Clover claims to be "[o]ne of the highest rated, top-grossing dating apps in the US."

15. Clover also states that "Millions have used Clover to chat, date, or find long-lasting relationships."

16. Clover has over one million users.

17. In an article detailing the "Best dating sites of 2019," CNET states that "Clover says it has nearly 6 million users." *See*, https://www.cnet.com/pictures/best-dating-apps/10/.

18. Datingscout.com claims that Clover has 3 million total users.

19. In its press deck, Clover claims that 80 percent of Clover's users are in major U.S. markets.

JURISDICTION AND VENUE

20. Clover provides its interactive online dating services throughout the United States and conducts substantial business in this judicial district, including providing the interactive online dating services, technologies, and methods accused of infringement to residents in this judicial district.

21. Clover has thousands of members in Chicago.

22. Clover has thousands of members throughout the State of Illinois.

23. Clover has several group chats directed at Chicago users, including "Chicago Dating," "Chicago Singles," "Chicago," "Chicago burbs," and "Chicago Social Club." Clover also has several group chats directed at Illinois users, including "Illinois," "Girls in Illinois," and "Central Illinois Singles."

24. Clover has provided and continues to provide interactive online dating services through its mobile applications knowing that its membership includes residents of Illinois and intending that residents of Illinois become members of its mobile applications.

25. Clover has solicited and continues to solicit paid subscriptions from its members, including residents of Illinois, via the Clover iPhone and Android mobile applications.

26. This Court has personal jurisdiction over Clover because Clover regularly conducts business in this judicial district, has purposefully availed itself of the privilege of conducting business in this judicial district, thereby invoking its benefits and protections, has established sufficient minimum contacts with the State of Illinois such that it should reasonably and fairly anticipate being brought into court in Illinois, and has purposefully reached out to and directed its activities at residents of Illinois. The patent infringement claims alleged herein arise out of or result from the foregoing activities.

27. Clover is a foreign corporation and, therefore, venue is proper in this district under 28 U.S.C. §§ 1391(b)-(d).

THE ‘918 PATENT

28. The ‘918 patent, which claims priority to at least February 29, 2000, is directed to, among other things, improvements over conventional real-time internet-based social networks for improving the manner and speed by which participants in an online chat-enabled social network establish interpersonal relationships.

29. The claimed methods solved and overcame the problems and shortcomings of the then-conventional internet-based online network systems by facilitating not only a determination of compatibility amongst a large pool of potentially compatible participants (e.g., 300,000 network

participants), but also the ability to display the information and the real-time availability of the compatible participants to communicate in a real-time network.

30. The claims of the of the ‘918 patent are practical applications directed to, among others, improved graphical user interfaces and specific manners of summarizing and presenting various information in electronic devices, particularly those with small screens, including by automatically displaying only a limited portion of a compatible participant's data, thereby increasing participants’ chances of communicating with compatible others in real-time.

31. The ‘918 patent covers methods for automated notifications of compatibility between network participants by providing an improved functionality to online service providers to match service users not actively engaged in (or logged into) the service and to increase those users’ opportunities to identify and communicate with compatible users by soliciting an auto-response prompt to a participant not engaged on the network about another participant. If selected, the auto-response enables the unengaged participant to view a portion of the other compatible participant’s data.

32. The ‘918 patent states that the disclosed methods are advantageous over prior art because “they significantly improve the functionality of traditional chat rooms, with little additional overhead.” ‘918 patent, column 8, lines 3-6.

33. The claimed methods recite practical applications that reduce the processing power, memory, and bandwidth required for conventional online chat systems by excluding irrelevant user profiles from the profiles provided to a user during an online session, thereby increasing efficiency and freeing otherwise required resources in a large, real-time, chat-enabled social network.

34. "[T]he techniques provide to chat rooms, the opportunity to easily identify compatible chatters, avoiding the tedious process of manually reviewing chatters' profiles," which will increase chat room and network participant satisfaction and the usage of chat rooms and networks employing aspects of the '918 patent invention. '918 patent, column 8, lines 6-13.

35. The '918 patent describes problems in the prior art, stating:

> Most Chat Room systems have functionality that allows a maximum number of chatters to chat in one room. For instance, the functionality may only allow up to twenty-five chatters to chat in one room at a time. This is a necessary limitation, as too much activity in a room may hinder the ability to comprehend or create fluidity in a conversation. Hypothetically, the theme of this room could be Politics. With this model, the Chat Room system software will automatically create a new room of the same theme (Politics) once the room reaches its limitation of 25 chatters within a room. This new room will accommodate any new chatters who wish to be in the Politics Room. Perhaps more important is the fact that when a new chatroom is created, a user who enters later may not know that other chatters he/she is accustomed to seeing are already participating in a filled chat room. The current invention eliminates such problems by showing (or paging) a user with characteristics of another person who may be in the same chat system, but in another room. For example, if there were 300,000 chatters that Yahoo has at any one time in the same room, there wouldn't be a need for paging, because one could see all of the characteristics that are shown in the room (Assuming that one has a visual display devise that will show all 300,000 chatters' names at once.) The limitation of the number of users in any particular chat room emphasize the advantages of a profile display or paging system as described herein.

'918 patent, column 4, line 47 to column 5, line 9.

36. Claim 1 of the '918 patent provides benefits over the prior art, for instance, by claiming practical applications including, among others, the following inventive and unconventional features that were not understood by those looking to implement at the time of the filing of the parent application of the '918 patent a method or a system on a large scale (e.g., with 300,000 network participants or more) that used preferences or characteristics to ascertain interpersonal compatibility between network or chat room participants based on their profile information:

> An improved method over traditional real-time internet-based communication networks for improving the ability for a participant to identify unknown yet compatible network participants to communicate in real-time where the network is configured to provide network services for at least 300,000 network participants and where at least a portion of the participants determined to be compatible use the

network in real-time at random times, the improved method comprising:

…

directing data for display in a window region of a graphical user-interface of a display device associated with a first compatible participant, including providing improved usability to participants by automatically directing for display only a portion of the sorted human participant specific data ….

37. Claim 4 of the '918 patent provides benefits over the prior art, for instance, by claiming practical applications including, among others, the following inventive and unconventional features that were not understood by those looking to implement at the time of the filing of the parent application of the '918 patent a method or a system on a large scale (e.g., with 300,000 network participants or more) that used preferences or characteristics to ascertain interpersonal compatibility between network or chat room participants based on their profile information:

A method for displaying a graphical user interface for increasing a real-time network participant's opportunities to identify and communicate, in real-time, with unknown yet interpersonally and geographically compatible participants of the network and improving the participant's usability of the network, where the unknown compatible participants interact with the real-time network at random times, where the graphical user interface is configured to display a visual representation of a compatible participant, an indication of the monitored location of the compatible participant, and the participant's immediate availability to chat within the network, the method comprising:

…

automatically directing data for display in a window region of a graphical user-interface of the second wireless device, the data including a visual representation of the first compatible participant, an indication of the first compatible participant's immediate availability to chat, and an indication of the monitored location of the first wireless device.

38. Claim 6 of the '918 patent provides benefits over the prior art, for instance, by claiming practical applications including, among others, the following inventive and unconventional features that were not understood by those looking to implement at the time of the filing of the parent application of the '918 patent a method or a system on a large scale (e.g., with 300,000 network participants or more) that used preferences or characteristics to ascertain

interpersonal compatibility between network or chat room participants based on their profile information:

> A method for the automated display of a prompt of unknown human participant-specific data of a compatible network participant engaged on a real-time network to a compatible network participant who is not engaged on the real-time network and increasing the opportunity to identify and communicate in the real-time network with a compatible participant, comprising:
>
> …
>
> providing improved functionality to participants by soliciting an auto-response prompt to the at least one other participant, at a time when the at least one other participant is not engaged on the network, wherein the auto-response, if selected, indicates a desire to view at least a portion of the first participant's collected data.

39. Claim 9 of the ‘918 patent provides benefits over the prior art, for instance, by claiming practical applications including, among others, the following inventive and unconventional features that were not understood by those looking to implement at the time of the filing of the parent application of the ‘918 patent a method or a system on a large scale (e.g., with 300,000 network participants or more) that used preferences or characteristics to ascertain interpersonal compatibility between network or chat room participants based on their profile information:

> A method for displaying a graphical user-interface for increasing a network participant's ability to identify other unknown but compatible network participants' availability to chat in a real-time network and improving usability of the network, where the network is configured to provide network services for at least 300,000 network participants and where at least a portion of the participants determined to be compatible use the network in real-time at random times, the method comprising:
>
> …
>
> providing improved functionality to participants by automatically directing data for display in a window region of a graphical user-interface of a display device in the network, the data including at least a portion of the sorted human participant specific data of a first compatible participant, for display to at least a second compatible participant in association with the network, wherein the displayed human participant specific data includes a graphical indication that said first participant is available to chat immediately.

40. An embodiment of the '918 patented invention as claimed and described in, among others, Claims 1, 4, 6 and 9 is shown in Figure 3, which is an exemplary practical application of a chat interface screen on a web browser:

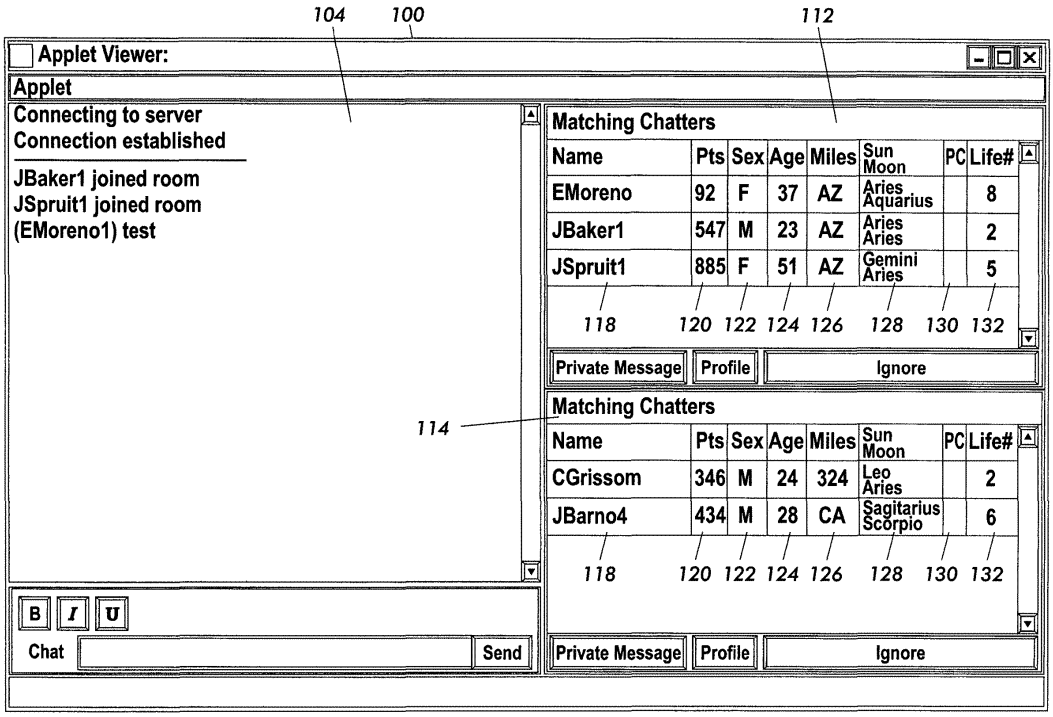


FIG. 3

41. A chat room window 104, a window 112 listing all "chatters" in the chat room (of 104), and a window 114 identifying a portion of "matching chatters" currently logged into the system as a whole, but not participating in the currently displayed chat room (104) are shown. Windows 112 and 114 automatically provide characteristics of chatters, such as name, age, and an indication of the distance between the chatter and another chatter, without requiring the chatter to click on links to find other chatters' profile information.

42. As shown in Figure 3, the system automatically processes compatibility and, after determining favorable compatibility, will automatically prompt or page the current users by placing their names in window 114 regardless of which chat room they may be participating in

within the system. This saves network resources and prevents chatters from missing opportunities to chat with other compatible participants by not requiring them to take time to navigate from webpage to webpage (room to room) to view the profiles of every chatter within the system to determine the compatibility of said chatters in a time sensitive environment (where potentially compatible chatters randomly log in and out). As a result, the usability of the network increases, as does the accuracy with which compatible participants are identified and presented to one another.

43. The specification of the '918 patent describes this aspect of the inventiveness of the claimed inventions of Claims 1, 4, 6 and 9 in detail. In the context of an embodiment shown in Figure 3, the specification teaches:

> Turning next to FIG. 3, there is shown another embodiment that will further illustrate aspects of the present invention. In particular, the figure depicts an exemplary chat interface screen **100** produced by an application program such as an applet as detailed in the computer programs listed in the Appendix, preferably running in association with a browser. The screen includes a chat window **104**, a window **112** listing all chatters in the room, and a window **114** listing all "matching" chatters logged in to the system. As implemented in the embodiment of FIG. **3**, *IDPP is a proactive and automated process for identifying "compatible" chatters as previously described.*
>
> …
>
> For example, in the chat room of FIG. **3**, *the IDPP system might indicate that the two chatters in window **114** are compatible, thereby indicating their names and data in the window.* As a result of the compatibility comparison, the IDPP system determines that the compatibility score is favorable for interpersonal compatibility, and automatically prompts or pages the current users by placing their names in window **114**. It will be further appreciated that window **114** may be updated automatically, or manually in response to a user selection, in order to display still further chatters that are determined by the IDPP system to be compatible.
>
> *This novel prompting or paging process is further intended to solve the problem of overcrowded Chat Room systems.* For example, large Internet Portals such as America Online and Yahoo may have hundreds or thousands of chatters within the system at any given time. *It is impossible for a user to view every profile of the other chatters (via a link to a profile display) who were logged into the Chat Room*

> *system at that given time; people log in and out of the system randomly. More specifically, the IDPP may be employed to notify a user of other chatters' characteristics without having to click on links to find other chatters' profile information.* If the IDPP's system logic determines that two or more people are compatible (using Compatibility Criteria), the profile information for the compatible chatter(s) may be automatically displayed. This saves chatters time by not requiring them to click on the profiles of every chatter within the system to determine the compatibility of said chatters.

'918 patent, Column 10, line 28 to Column 11, line 18 (emphasis added).

44. During prosecution of the '918 patent, the examiner extensively considered, among other things, subject matter eligibility under 35 U.S.C. § 101 and the Supreme Court's *Alice Corp. v. CLS Bank International* decision.

45. Prosecution included non-final and final rejections by the examiner, as well as amendments and arguments by Jedi Technologies that specifically responded to the examiner's Section 101 rejections.

46. Following the examiner's final rejection under Section 101 and an examiner interview to discuss the same, Jedi amended the claims to incorporate additional inventive aspects from the specification.

47. Jedi described the inventiveness of the '918 patent claims, which, as described in the specification, solved the problem of missed opportunities for users of a very large Internet-based network system to communicate with other compatible users by improving the accuracy of finding compatible participants in a fast-changing Internet environment explaining in part:

> As a result of the presently-claimed features, the user is able to be presented with only the information of compatible participants and, even in the case of a single compatible participant, only a portion of the compatible participant's data is automatically directed for display in the window. The features solve several of the problems that Applicant identified in the Specification at the time of filing. For example, Applicant noted at paragraphs 0017 and 0025 that in systems with large numbers of participants, thousands of chatters, it would be "impossible" to view the characteristics of that many logged in chatters at once. Thus, part of a solution is finding a way to reduce the number of participants that would be suitable for a

> participant to review further. Moreover, doing so in a time sensitive environment, such as a real-time network, requires that the system be capable of reacting in a timely manner – before participants who are potentially compatible log off; or as soon as other potentially compatible participants log in.
>
> Applicant's claimed solution reduces missed opportunities to communicate with compatible others by improving the accuracy of finding compatible participants (chatters), in a time sensitive, Internet-based environment (compatible chatters randomly log in and out), and it solves the problems of displaying large amounts of information on displays, particularly small display screens – by processing and displaying only a portion of the compatible chatter data.
>
> Furthermore, similar amendments are found relative to remaining independent claims 33, 35 and 38 such that the claims specifically set forth limitations that not only use data to identify compatible participants, but which facilitate at least one participant being able to easily review other unknown yet compatible participants on a large network. Notably, at least two independent claims (33, 38) recite a method for displaying a graphical user interface. Thus, the rejected claims are not simply directed to an abstract concept, but to a specific implementation of a solution to a problem in the software arts.

48. The examiner subsequently allowed the claims, citing Jedi Technologies' arguments as persuasive reasons for allowance.

PRIOR DEALINGS BETWEEN THE PARTIES

49. On September 17, 2019, Jedi Technologies sent Clover a letter asking whether Clover was interested in obtaining a license under the '918 patent. Jedi Technologies attached a detailed, 50-page claim chart to the September 17, 2019 letter demonstrating Clover's infringement of the '918 patent.

50. After receiving no response, Jedi Technologies again contacted Clover on November 15, 2019 as a follow up to its September 17, 2019 letter. Jedi Technologies requested a timely response.

51. To date, Clover has not responded to the September 17, 2019 or November 15, 2019 letters; nor has it taken a license to the '918 patent.

52. Clover has been aware of Jedi Technologies' '918 patent at least since receiving Jedi Technologies' September 17, 2019 letter.

53. Clover has not made any changes to the Clover iPhone or Android mobile applications to avoid infringement of the '918 patent.

CLAIMS FOR PATENT INFRINGEMENT

COUNT I – INFRINGEMENT OF U.S. PATENT NO. 10,164,918 B2

54. Jedi Technologies realleges and incorporates by reference the allegations of paragraphs 1 through 53 as if fully set forth herein.

55. The Clover iPhone and Android mobile applications provide methods over traditional real-time internet-based communication networks for improving the ability for participants to identify unknown yet compatible network participants to communication in real-time.

56. The Clover iPhone and Android mobile applications are each configured to provide network service for at least 300,000 network participants.

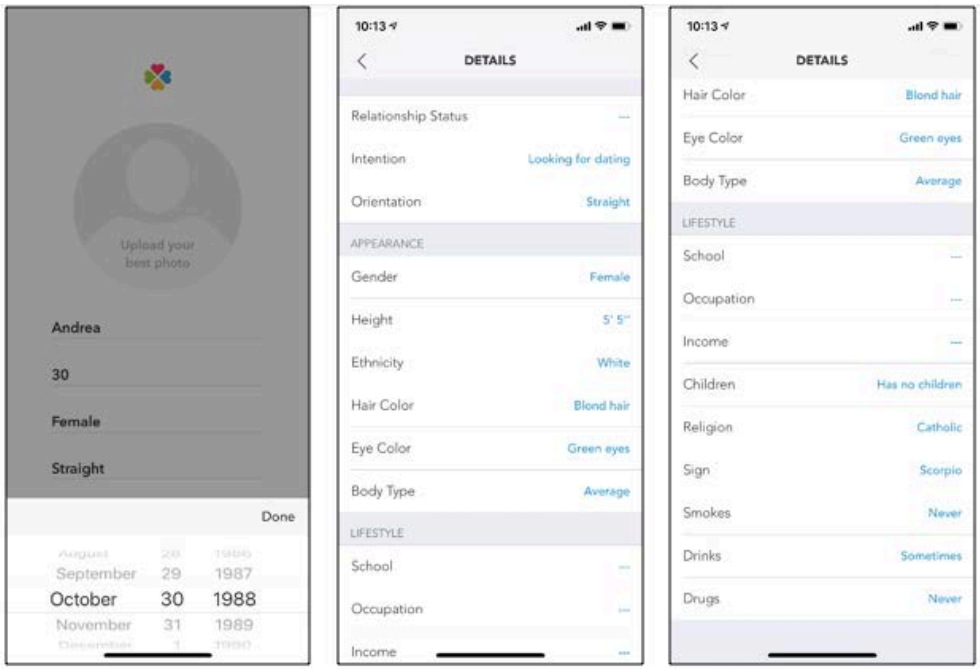
57. The Clover iPhone and Android mobile applications have over 300,000 registered members.

58. At least some members of the Clover iPhone and Android mobile applications use the network in real-time.

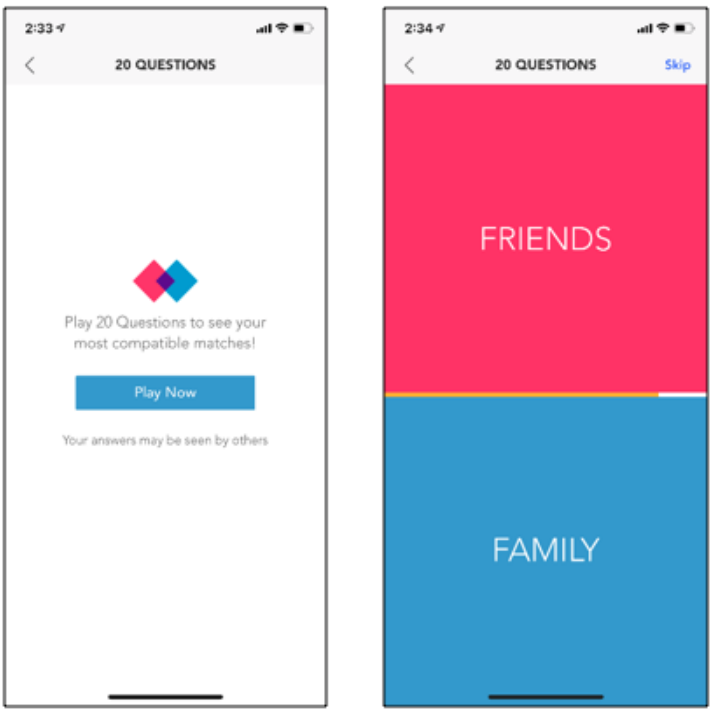
59. Through the Clover iPhone and Android mobile applications, Clover collects data from members.

60. Through the Clover iPhone and Android mobile applications, Clover presents an online survey to members comprising a plurality of questions.

61. Through the Clover iPhone and Android mobile applications, Clover collects a member's date of birth, physical characteristics, and lifestyle attributes, among other things:



62. Clover also presents an online survey comprising "20 Questions to see your most compatible matches":



63. Clover's Privacy Policy states that:

> **Information You Provide.** We may collect personal information from you when you voluntarily provide it to us through a number of features available on the Clover Software. For example, when you register, use, pay to use or subscribe to any of our Clover Services or take part in any interactive features of the Clover Services (such as any contests, games, promotions, quizzes, surveys, research or other services or features), we collect a variety of personal information directly from you or when you authorize us to access certain Facebook account information.

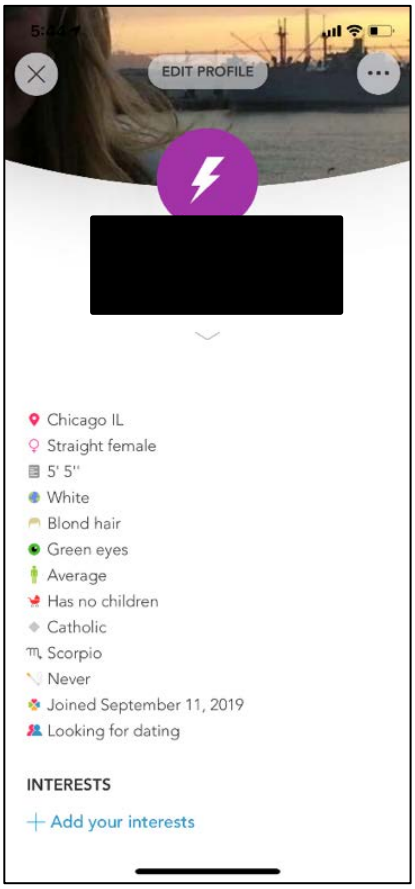
64. Through the Clover iPhone and Android mobile applications, Clover stores in memory the data collected from members.

65. The Clover Privacy Policy confirms that Clover saves members' accounts, registration, profile data and other information.

66. The Clover Privacy Policy states:

> **4. Our retention of your personal information**
>
> We retain personal information for only as long as required to fulfill the identified purposes for which it was collected, and for a reasonable time thereafter, or as requires by law.

67. The profile page from the Clover mobile applications confirms human participant specific data has been stored, as shown in the Clover iPhone mobile application below[1]:



68. Through the Clover iPhone and Android mobile applications, Clover uses compatibility criteria to determine interpersonal compatibility between members.

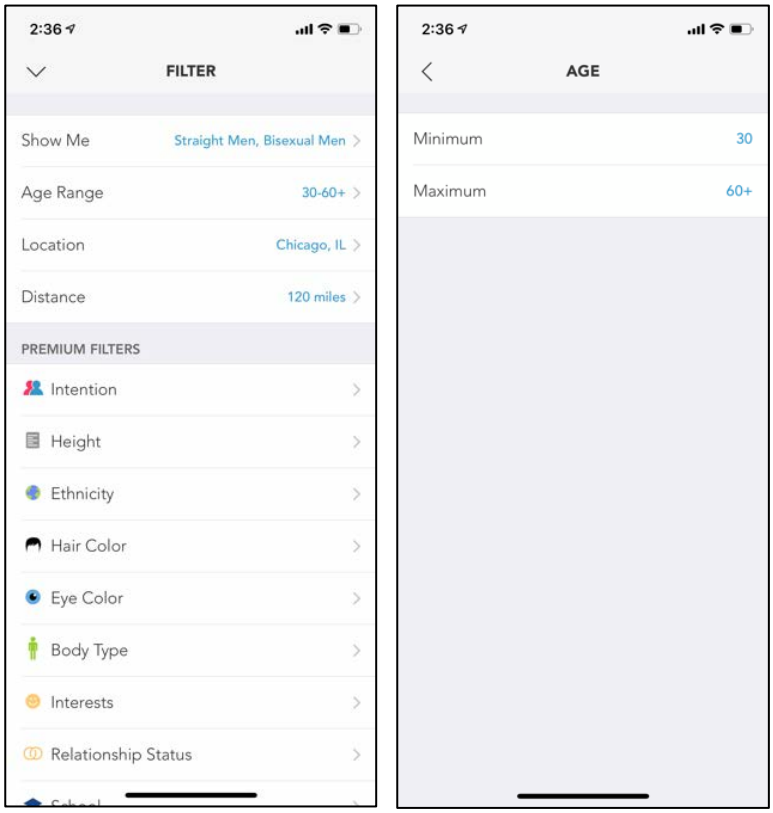
69. Clover claims that its mobile applications use "powerful search filters to find [a user's] match."

70. Clover also states that users can "[l]imit contact from specific age ranges and locations."

[1] Certain screenshots included herein have been redacted to protect personally identifiable information and photos of members of the accused dating platforms.

71. Through the Clover iPhone and Android mobile applications, Clover processes its users' stored sexual preferences, such as via "Show Me," e.g., "Straight Men/Women," "Bisexual Men/Women," or "Gay Men/Women," to determine interpersonal compatibility of the users.

72. Through the Clover iPhone and Android mobile applications, Clover also processes users' preferred age ranges to determine interpersonal compatibility of the members, as shown in the following iPhone screenshots:



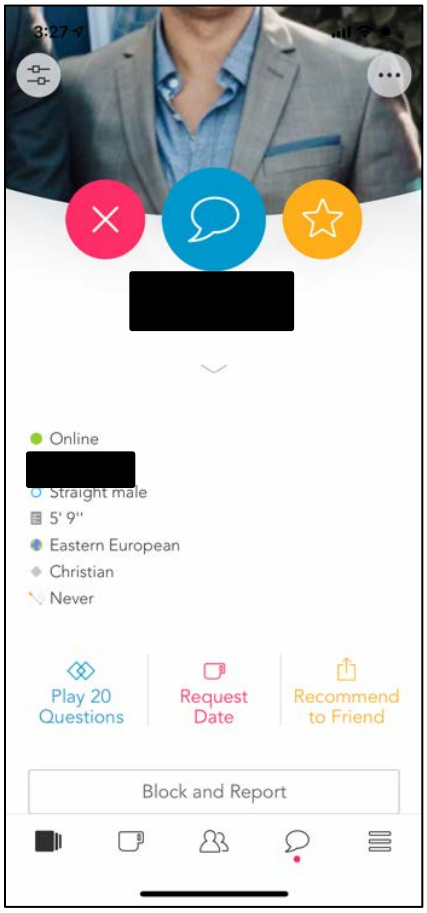
73. The Clover Privacy Policy confirms Clover processes participants' personal data and preferences to provide the "Requested Clover Services."

74. The Clover Privacy Policy states:

> **Providing the Requested Clover Services:** We use your personal information to administer and maintain your Clover Account and Generally provide the functions and features that are part of the Clover Services (including providing communications as described below).

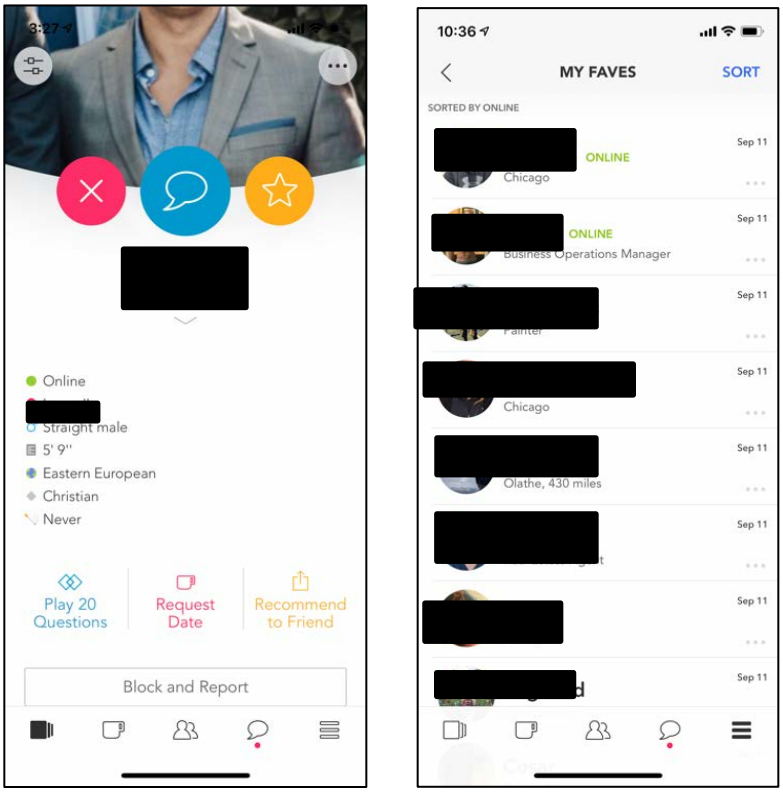
75. Through the Clover Android and iPhone mobile applications, Clover sorts the members determined to meet the compatibility criteria from the members whose corresponding data does not meet the compatibility criteria.

76. Through the Clover Android and iPhone mobile applications, Clover displays to members only a portion of compatible members' data, as shown in the following screenshots from the Clover iPhone mobile application:



77. Through the Clover Android and iPhone mobile applications, Clover displays photos of compatible participants, as shown in the above screenshot at paragraph 76.

78. Through the Clover Android and iPhone mobile applications, Clover identifies members that are currently using the network and available to chat with an "Online" designation, as shown in the iPhone application screenshots below.



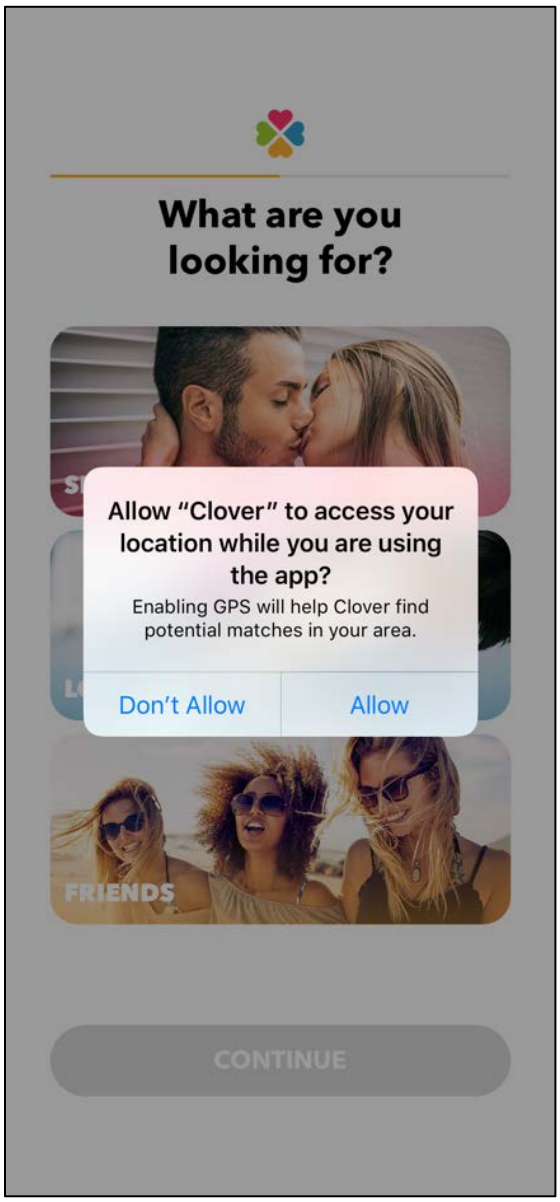
79. Through the Clover iPhone and Android mobile applications, Clover collects and records whether a Clover member has indicated a wireless device that is capable of generating real-time positional information.

80. Clover collects its members' location information from the members' mobile devices.

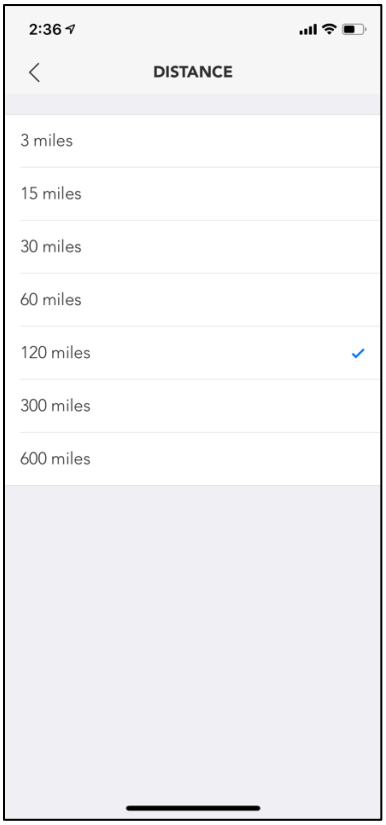
81. Through the Clover iPhone and Android mobile applications, Clover accesses the positions of wireless devices associated with Clover members via GPS.

82. Clover utilizes Clover members' locations to help identify other Clover members in their area.

83. As shown in the iPhone screenshot below, Clover asks members whether they will "[a]llow 'Clover' to access your location while you are using the app?" Clover also states that "Enabling GPS will help Clover find potential matches in your area."



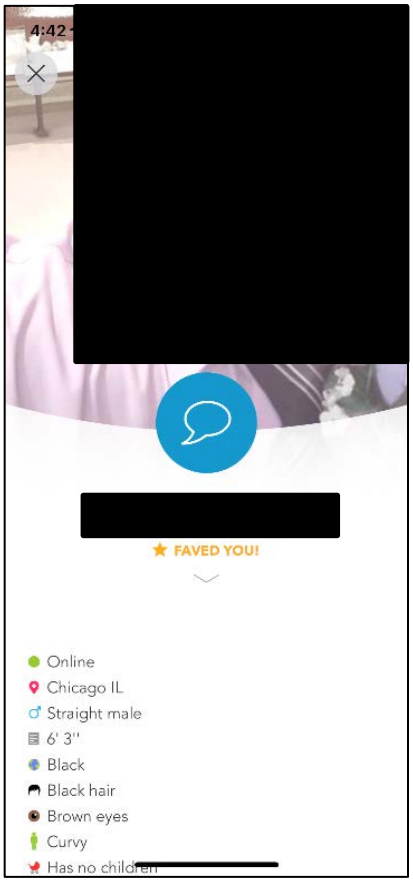
84. Clover calculates a distance between two Clover members based on the location of the members' mobile devices to determine whether the members are within a proximity threshold specified by the members, as shown in the iPhone screenshot below:



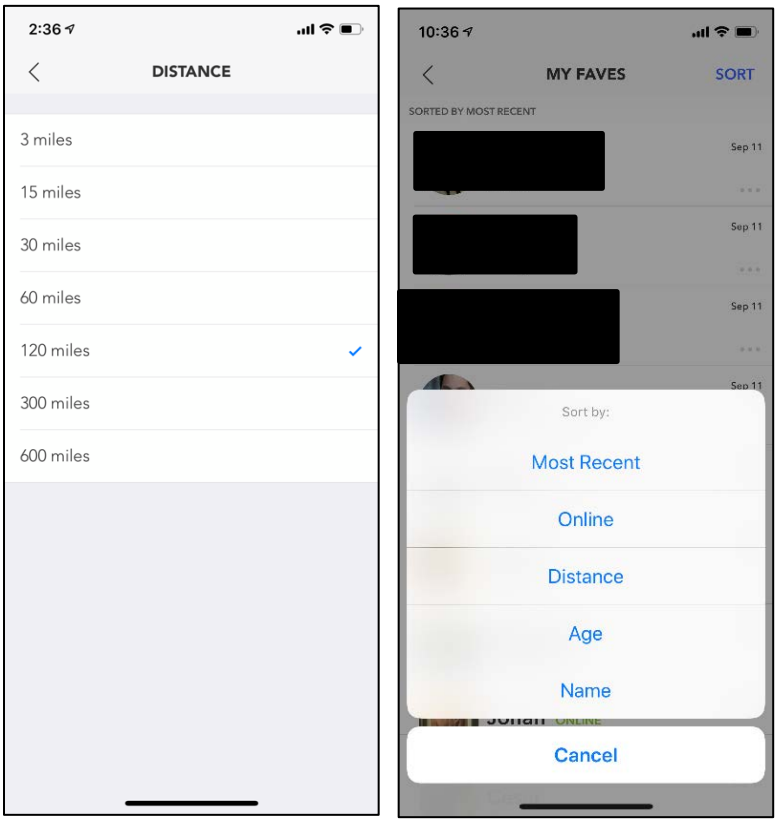
85. Clover's Privacy Policy states:

> When you use the Clover Services, we will collect your location information to determine your distance from other Users ("Distance Information") through GPS, Wi-Fi and other cellular technology in your mobile device or through an Internet Protocol ("IP address") address (which is a number that is automatically assigned to your computer or mobile device when you use the Internet, which may vary from session to session). Your last known location is stored on our servers for the purpose of calculating Distance Information between you and other Users. We will also collect your mobile device's geographic location data (including GPS) or your computer's geographic location data while the Clover Service is actively running.

86. Through the Clover iPhone and Android mobile applications, Clover displays the monitored location of a compatible member, as shown in the screenshots below.



87. The Clover iPhone and Android mobile applications sort compatible participants based on the proximity of their wireless devices, as shown in the iPhone screenshots below.



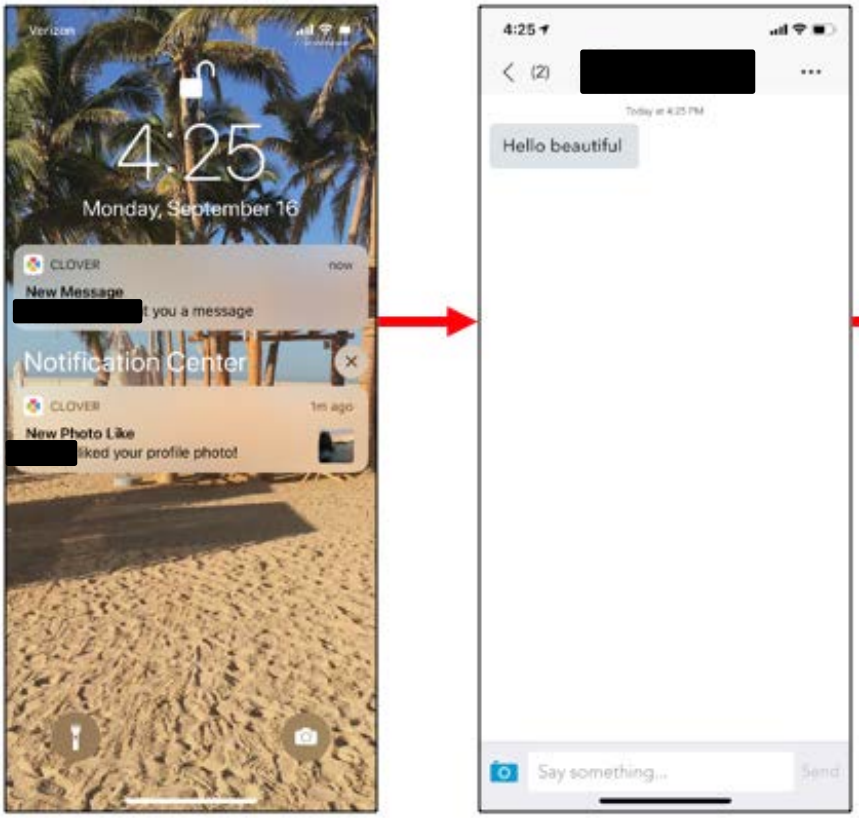
88. Through the Clover iPhone and Android mobile applications, Clover determines a first member's desire to be introduced to another compatible member when the first member sends a message, "faves" another member, or likes another member's profile photo.

89. Through the Clover iPhone and Android mobile applications, Clover solicits an auto-response prompt to a member not engaged on the network about another compatible member, allowing the unengaged participant to view a portion of the other compatible participant's data.

90. Through the Clover iPhone and Android mobile applications, Clover sends a "notification" to a member not engaged on the network, notifying the member that another compatible member sent a message, "faved" them, or liked their profile photo which, when

selected, automatically directs data for display of at least a portion of the compatible member's data.

91. After a member selects a "notification" indicating that another compatible member sent a message, the Clover mobile application launches directly into a chat medium. An example of a notification that launches to a chat medium on the Clover iPhone mobile application is shown below:



92. Clover generates and collects revenue through the ownership and operation of the Clover Android and iPhone mobile applications.

93. Clover profits from the ownership and operation of the Clover Android and iPhone mobile applications.

94. Although Clover claims to offer a free version of its mobile applications, many features are only available through a "Premium" subscription including the following: See Who's Interested, Multimedia Chat, Send Unlimited Gifts, Advanced Filters, Read Receipts, and Quick Sorting.

95. Clover's Premium subscription costs: $14.99 USD/week, $29.99 USD/month, $59.99 USD/3 months, or $119.99 USD/year.

96. Clover also collects fees from users of the Clover Android and iPhone mobile applications by charging for "Boosts," which purportedly maximize the exposure of a user's profile to other users.

97. Clover has infringed and continues to infringe claims of the '918 patent by, among other activities, providing, operating, and using systems in the United States related to the Clover Android and iPhone mobile applications, in a manner which is covered by claims 1, 2, and 4-11 of the '918 patent pursuant to 35 U.S.C. § 271(a).

98. To the extent required by law, Jedi Technologies has complied with the provisions of 35 U.S.C. § 287 with respect to the '918 patent.

99. The acts of infringement of the '918 patent by Clover has injured Jedi Technologies, and Jedi Technologies is entitled to recover damages adequate to compensate it for such infringement from Clover, but, in no event less than a reasonable royalty. Further, the acts of infringement of the '918 patent by Clover has injured and will continue to injure Jedi Technologies unless and until this Court enters an injunction prohibiting further infringement of the '918 patent.

100. Clover's infringement of the '918 patent has been and continues to be willful, wanton, malicious, in bad faith, deliberate, consciously wrongful and flagrant. Specifically, Clover has provided, operated, and used systems in the United States relating to the Clover Android and

iPhone mobile applications, even though it knew that its actions would constitute and result in infringement of the '918 patent. Accordingly, this constitutes an egregious case of infringement typified by willful misconduct.

101. This is an "exceptional case" under 35 U.S.C. § 285 because it stands out from others with respect to the lack of substantive strength of Clover's positions and actions. Accordingly, Jedi Technologies is entitled to an award of its attorneys' fees with respect to the '918 patent.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Jedi Technologies respectfully asks this Court to enter judgment against Clover and against its subsidiaries, successors, parents, affiliates, officers, directors, agents, servants, employees, and all persons in active concert or participation with it, jointly and severally, granting the following relief:

a. The entry of judgment in favor of Jedi Technologies and against Clover;

b. An award of damages adequate to compensate Jedi Technologies for the infringement that has occurred, but in no event less than a reasonable royalty as permitted by 35 U.S.C. § 284, as well as increased damages up to three times the amount found or assessed, together with prejudgment interest from the date the infringement began;

c. A finding that this case is exceptional and an award to Jedi Technologies of its reasonable attorneys' fees and costs as provided by 35 U.S.C. § 285;

d. A permanent injunction prohibiting further infringement of the '918 patent; and

e. Such other relief that Jedi Technologies is entitled to under law, and any other and further relief that this Court or a jury may deem just and proper.

JURY DEMAND

Jedi Technologies demands a trial by jury on all issues presented in this Complaint.

Dated: December 6, 2019

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