

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

**BROWSE3D LLC,**

Plaintiff

v.

**BOOKING HOLDINGS INC.,**

Defendant

**Case No. 6:20-cv-00547**

**JURY TRIAL DEMANDED**

**CHECK FOR HIGHLIGHTS**

**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff Brwose3D LLC (“Browse3D” or “Plaintiff”) files this Complaint for patent infringement against Defendant Booking Holdings Inc. (“Defendant”), and alleges as follows:

**NATURE OF THE ACTION**

1. This is an action for patent infringement arising under 35 U.S.C. § 1 *et seq.*

**PARTIES**

2. Browse3D is a limited liability company organized and existing under the laws of the State of Texas with its principal place of business 108 Wild Basin Rd South, Suite 250, Austin, Texas 78746.

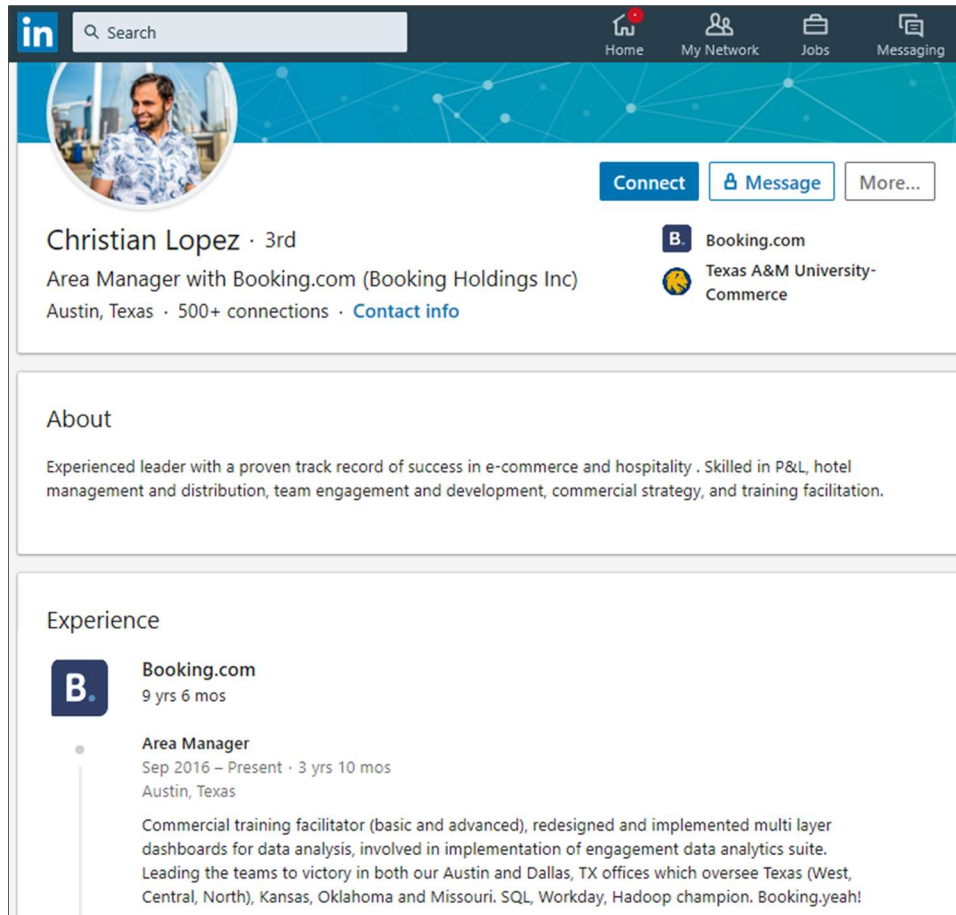
3. Defendant is a Delaware corporation with a principal place of business at 28 Liberty Street, Floor 29, New York, NY 10005. Defendant may be served via its registered agent: CSC-Lawyers Incorporating Service Company, 211 E. 7<sup>th</sup> Street, Suite 620, Austin, Texas 78701.

**JURISDICTION AND VENUE**

4. This Court has original jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1391 and 1400.

5. Upon information and belief, Defendant is subject to personal jurisdiction of this Court based upon it having regularly conducted business, including the acts complained of herein, within the State of Texas and this judicial district and/or deriving substantial revenue from goods and services provided to individuals in Texas and in this District.

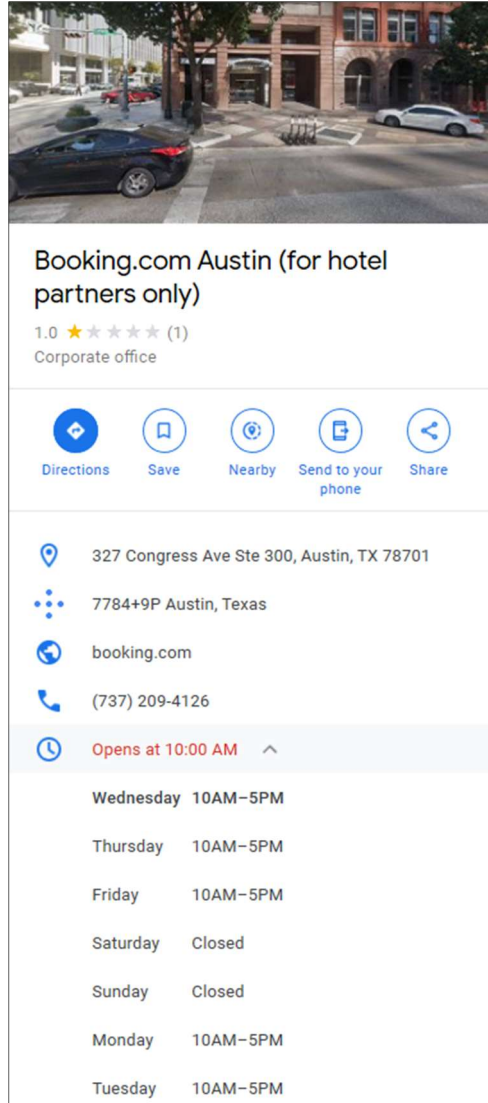
6. On information and belief Defendant maintains a regular place business in this District. In particular, from statements from Defendant's employees, Defendant has an office in Austin, Texas.



<https://www.linkedin.com/in/christianlopez1/>

7. More specifically, on information and belief, Defendant maintains a regular place of business at 327 Congress Ave, Suite 300, Austin, Texas 78701.

8. Venue is proper in this District under 28 U.S.C. §§ 1391 and 1400 because Defendants have committed acts of infringement and have regular and established places of business in this judicial district.



**COUNT I**  
**(Infringement of U.S. Patent No. 10,031,897)**

9. Browse3D incorporates paragraphs 1 through 8 as though fully set forth herein.

10. Plaintiff is the owner, by assignment, of U.S. Patent No. 10,031,897 (the “897 Patent”), entitled SYSTEM AND METHOD FOR WEB BROWSING, which issued on July 24, 2018. A copy of the ’897 Patent is attached as Exhibit A.

11. The '897 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

12. Defendant hosts and provides an interactive website at <https://www.booking.com/> for advertising and promoting the sale of items to users of the website (the "Accused Product"). In use, Defendant tracks user behavior when interacting with the website, including selection of individual hyperlinks. Defendant uses the user behavior information to customize the rendering of webpages to present information to the user. The Defendant's system for hosting and operating the website is the Accused Instrumentality that infringes the '897 Patent.

13. At least by hosting, promoting, and publishing the website, Defendant encourages its customers, potential customers, and users of the website to use the website and practice the claimed methods, which Defendant controls the use of and derives a direct benefit and profit from.

14. Upon information and belief, Defendant has infringed and continues to infringe one or more claims, including Claim 10, of the '897 Patent by making and using Defendant's interactive website in the United States without authority. Defendant has infringed and continues to infringe the '897 Patent either directly or through the acts of inducement in violation of 35 U.S.C. § 271. Defendant has been on notice of the '897 Patent at least as early as the date it received service of this complaint.

15. Claim 10: A method for web browsing comprising:  
over a plurality of browsing sessions, monitoring browsing activity of a  
user at a particular web page that comprises a plurality of  
hyperlinks for hyperlinking from the particular web page;

determining a pattern of hyperlink usage of the user based on the monitored browsing activity;

determining a prioritized list of hyperlinks based on the determined pattern of hyperlink usage, wherein the prioritized list of hyperlinks comprises a subset of said plurality of hyperlinks, and wherein each hyperlink on the prioritized list links to a respective web page;

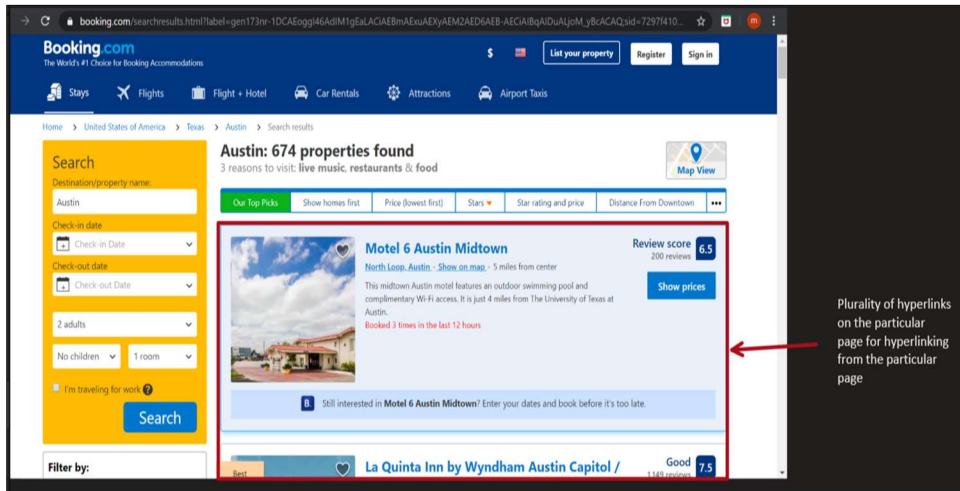
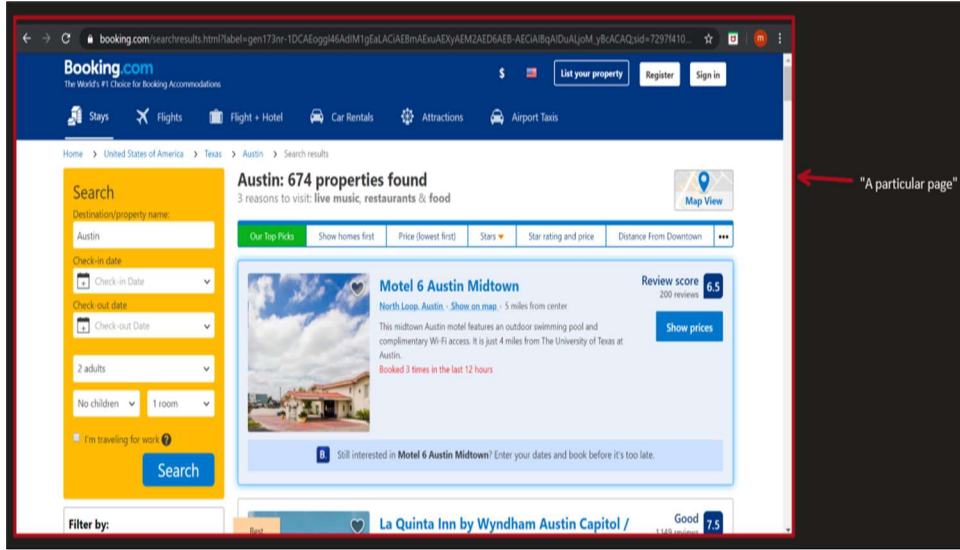
in an other browsing session, presenting a window that comprises a first area and a second area;

in the other browsing session, presenting the particular web page in the first area of the window;

in the other browsing session, automatically requesting web page data for the respective web pages; and

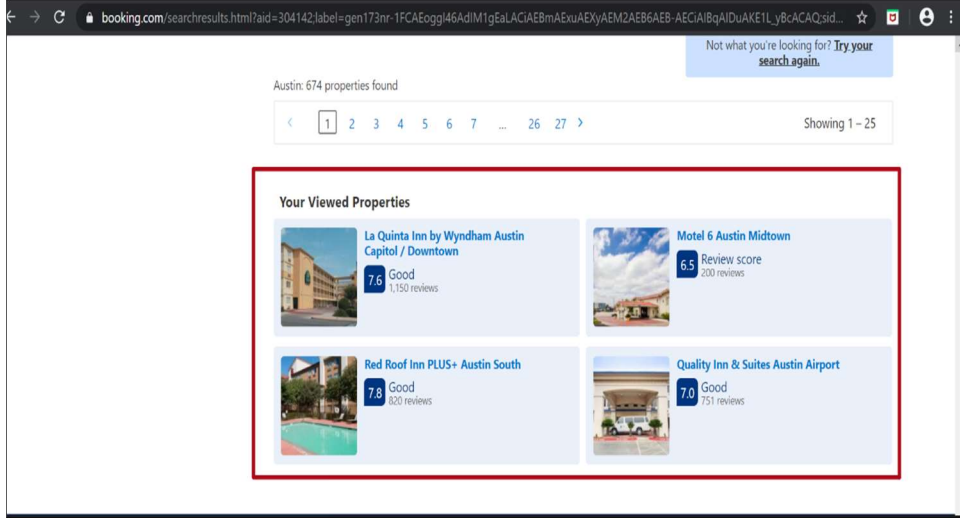
in the other browsing session, presenting in the second area each hyperlink in the prioritized list of hyperlinks, wherein the presented hyperlinks are positioned according to prioritization of the prioritized list, and wherein the presented hyperlinks are presented as reduced size images rendered using said requested web page data.

16. Booking.com's website monitors the browsing activity of a user at a particular webpage. As shown below the Austin Properties page constitutes a particular webpage. The page comprises a plurality of hyperlinks for hyperlinking from the particular page.

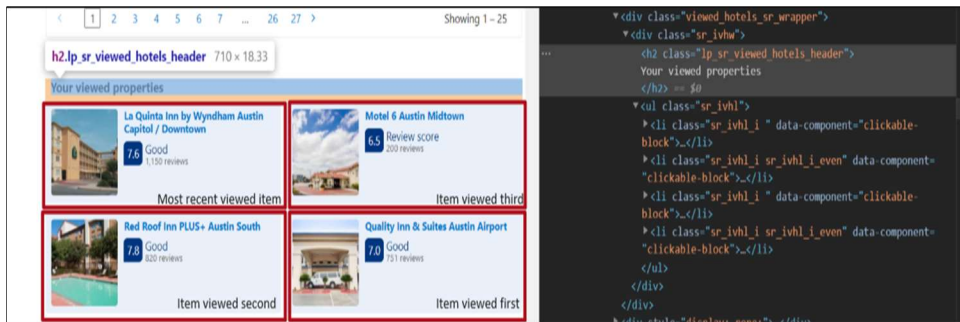
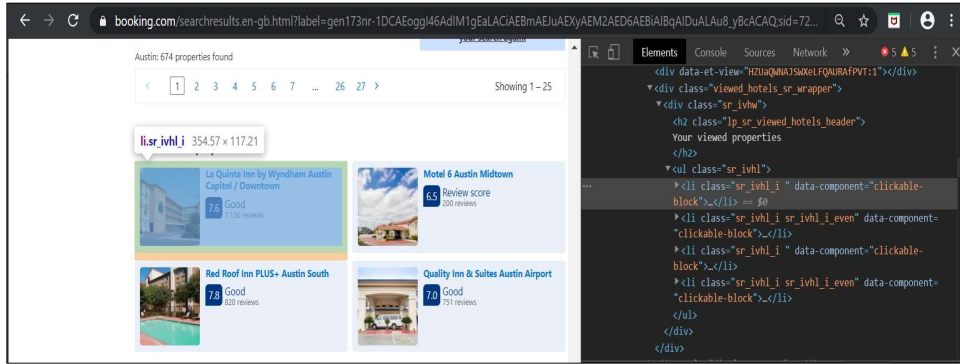


17. The Booking.com website determines a pattern of hyperlink usage based on monitored browsing activity (e.g.

Your viewed properties comprises hyperlinks user has recently viewed):

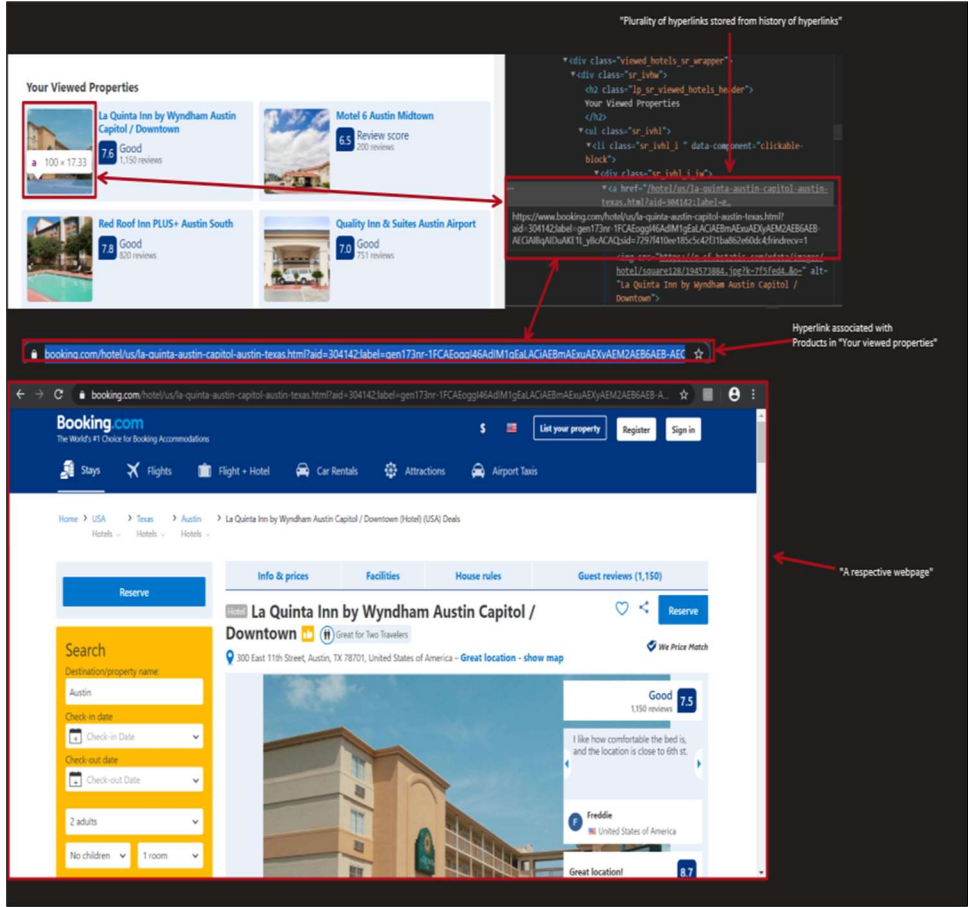


18. The hyperlinks, displayed in the “Your viewed properties” section, are prioritized by when the user visited the page:



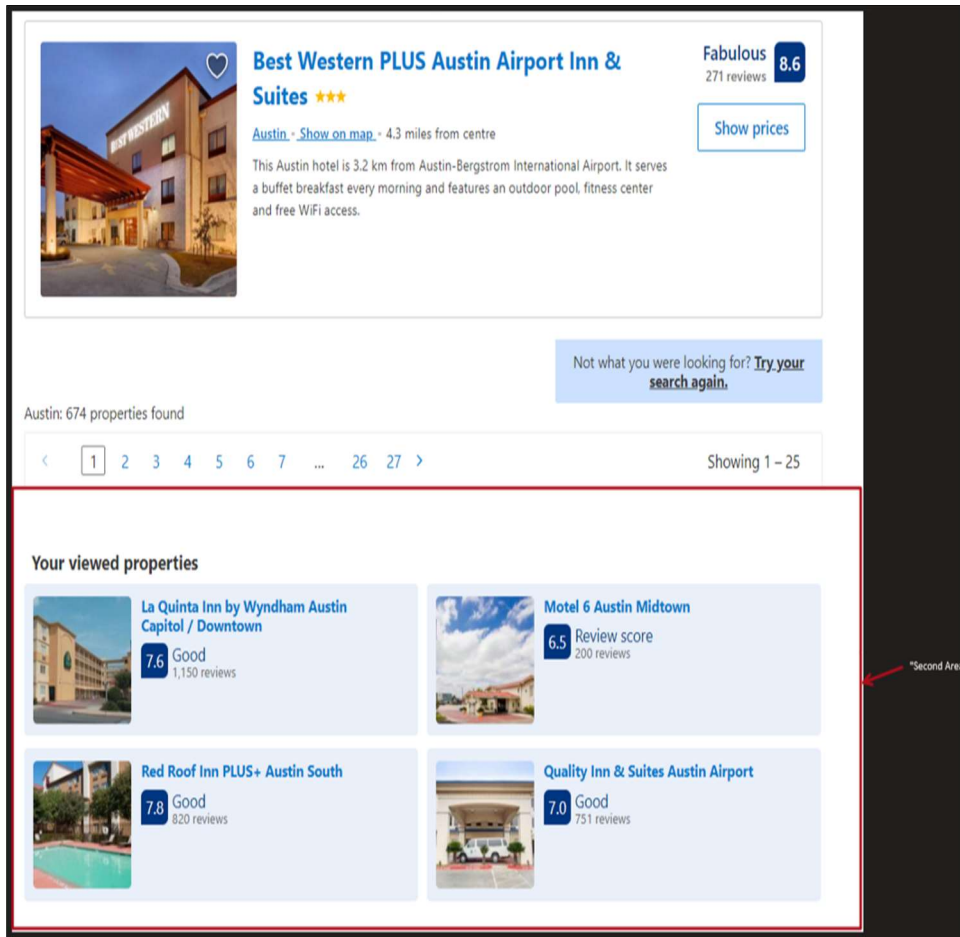
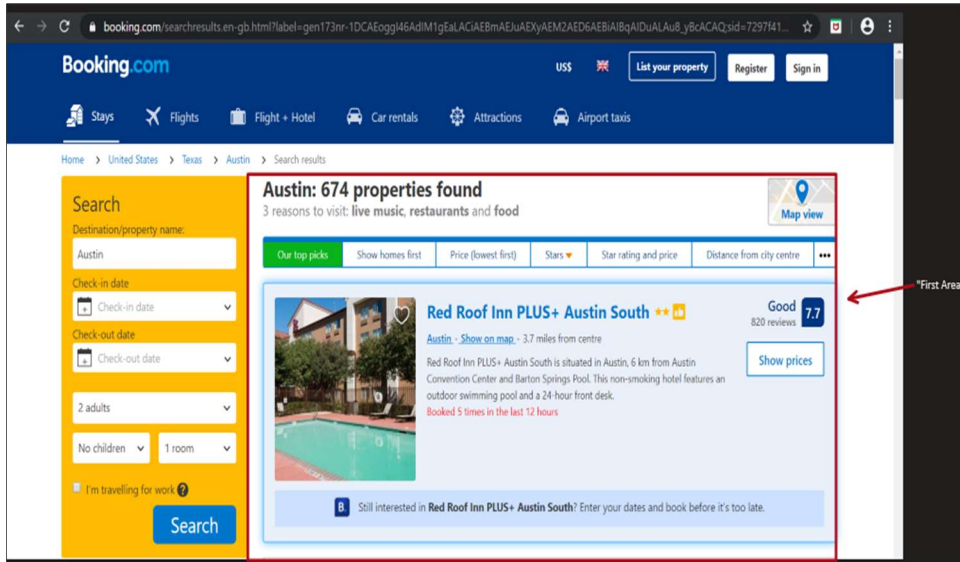
19. Each hyperlink from the prioritized list link to a respective webpage:



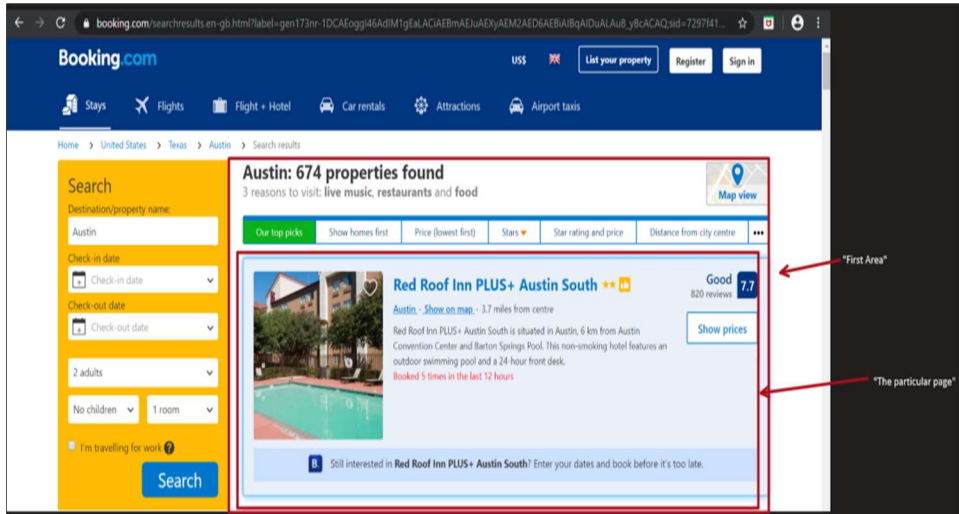


20. After the user closed the first browsing session and returned to the computer an hour later the Austin Properties page displayed the following

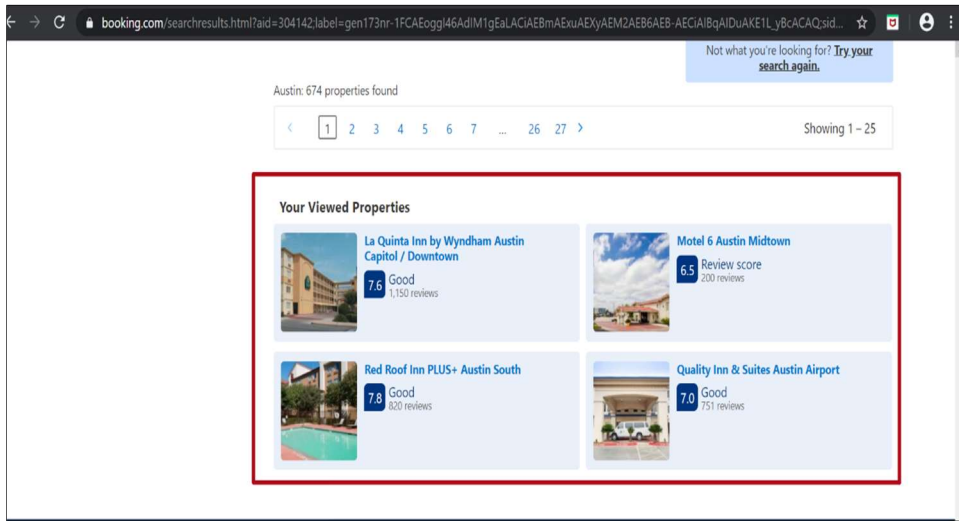
New browsing session:



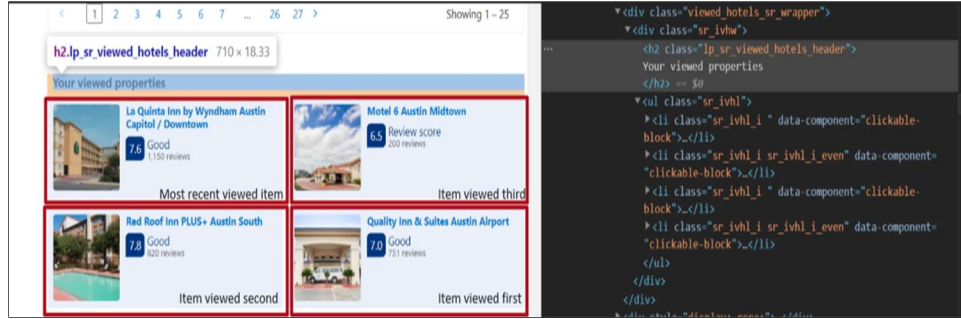
21. In the other browsing session, the website presents a particular page in the first area of the window.



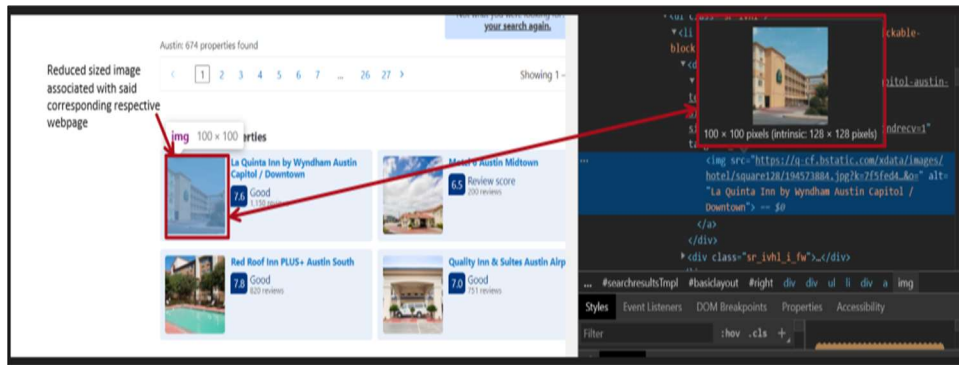
22. The page automatically request the browsing activity which was captured and stored by Booking.com’s Website:



23. The hyperlinks, displayed in the “Your viewed properties” section, are prioritized by when the user visited the page:



24. The images presented are reduced sized images rendered using the webpage data.



25. Browse3D has been damaged by Defendant's infringing activities.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully requests the Court enter judgment against Defendant:

1. declaring that the Defendant has infringed the '897 Patent;
2. awarding Plaintiff its damages suffered as a result of Defendant's infringement of the '897 Patent;
3. awarding Plaintiff its costs, attorneys' fees, expenses, and interest; and
4. granting Plaintiff such further relief as the Court finds appropriate.

**JURY DEMAND**

Plaintiff demands trial by jury, Under Fed. R. Civ. P. 38.

Dated: June 17, 2020

Respectfully submitted,

*/s/ Raymond W. Mort, III*

Raymond W. Mort, III  
Texas State Bar No. 00791308  
raymort@austinlaw.com

**THE MORT LAW FIRM, PLLC**  
100 Congress Ave, Suite 2000  
Austin, Texas 78701  
Tel/Fax: (512) 865-7950

**ATTORNEYS FOR PLAINTIFF  
BROWSE3D LLC**