

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

DIGI PORTAL LLC,

Plaintiff,

v.

**HILTON WORLDWIDE HOLDINGS
INC.,**

Defendant.

C.A. NO. _____

JURY TRIAL DEMANDED

PATENT CASE

ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Digi Portal LLC files this Original Complaint for Patent Infringement against Hilton Worldwide Holdings Inc. and would respectfully show the Court as follows:

I. THE PARTIES

1. Plaintiff Digi Portal LLC (“Digi Portal” or “Plaintiff”) is a Texas limited liability company with its principal place of business at 101 E. Park Blvd, Suite 600, Plano, Texas 75074.

2. On information and belief, Defendant Hilton Worldwide Holdings Inc. (“Defendant”) is a corporation organized and existing under the laws of Delaware, with a place of business at 7930 Jones Branch Dr., Ste 1100, McLean, VA, 22102-3313. Defendant has a registered agent at Corporation Service Company, 251 Little Falls Drive, Wilmington, DE 19808.

II. JURISDICTION AND VENUE

3. This action arises under the patent laws of the United States, Title 35 of the United States Code. This Court has subject matter jurisdiction of such action under 28 U.S.C. §§ 1331 and 1338(a).

4. On information and belief, Defendant is subject to this Court’s specific and general personal jurisdiction, pursuant to due process and the Delaware Long-Arm Statute, due

at least to its business in this forum, including at least a portion of the infringements alleged herein. Furthermore, Defendant is subject to this Court's specific and general personal jurisdiction because Defendant is a Delaware corporation.

5. Without limitation, on information and belief, within this state, Defendant has used the patented inventions thereby committing, and continuing to commit, acts of patent infringement alleged herein. In addition, on information and belief, Defendant has derived revenues from its infringing acts occurring within Delaware. Further, on information and belief, Defendant is subject to the Court's general jurisdiction, including from regularly doing or soliciting business, engaging in other persistent courses of conduct, and deriving substantial revenue from goods and services provided to persons or entities in Delaware. Further, on information and belief, Defendant is subject to the Court's personal jurisdiction at least due to its sale of products and/or services within Delaware. Defendant has committed such purposeful acts and/or transactions in Delaware such that it reasonably should know and expect that it could be haled into this Court as a consequence of such activity.

6. Venue is proper in this district under 28 U.S.C. § 1400(b). On information and belief, Defendant is incorporated in Delaware. Under the patent venue analysis, Defendant resides only in this District. On information and belief, from and within this District Defendant has committed at least a portion of the infringements at issue in this case.

7. For these reasons, personal jurisdiction exists and venue is proper in this Court under 28 U.S.C. § 1400(b).

III. COUNT I
(PATENT INFRINGEMENT OF UNITED STATES PATENT NO. 8,352,854)

8. Plaintiff incorporates the above paragraphs herein by reference.

9. On January 8, 2013, United States Patent No. 8,352,854 (“the ‘854 Patent”) was duly and legally issued by the United States Patent and Trademark Office. The ‘854 Patent is titled “Dynamic Page Generator.” The ‘854 patent is not subject to a terminal disclaimer and its term is extended under 35 U.S.C. 154(b) by 1270 days. (Ex. A). A true and correct copy of the ‘854 Patent is attached hereto as Exhibit A and incorporated herein by reference.

10. Digi Portal is the assignee of all right, title and interest in the ‘854 patent, including all rights to enforce and prosecute actions for infringement and to collect damages for all relevant times against infringers of the ‘854 Patent. Accordingly, Digi Portal possesses the exclusive right and standing to prosecute the present action for infringement of the ‘854 Patent by Defendant.

11. The application leading to the ‘854 patent is a continuation of U.S. application Ser. No. 11/656,636, filed Jan. 22, 2007, which is a continuation of U.S. application Ser. No. 09/393,718, filed Sep. 10, 1999, which is a continuation of U.S. application Ser. No. 08/873,975, filed Jun. 12, 1997. (Ex. A at cover). The ‘854 patent was first assigned to Yahoo! Inc. (*Id.*).

12. The invention in the ‘854 Patent relates to the field of customized information presentation on the web; more specifically, providing customized pages that are quickly served and scalable to handle many users simultaneously. (*Id.* at col. 1:26-30).

13. Web servers for serving static web pages were well known in the global Internet. (*Id.* at col. 1:31-32). Such static web pages are useful in many applications whether the information presented to each requesting user is the same. (*Id.* at col. 1:32-34). However, some applications require customization to appeal to users. (*Id.* at col. 1:34-35). One example is presenting news to users. (*Id.* at col. 1:35-37). When static pages are used, a user will often have to scroll through many topics not of interest to that user to get to the information of interest.

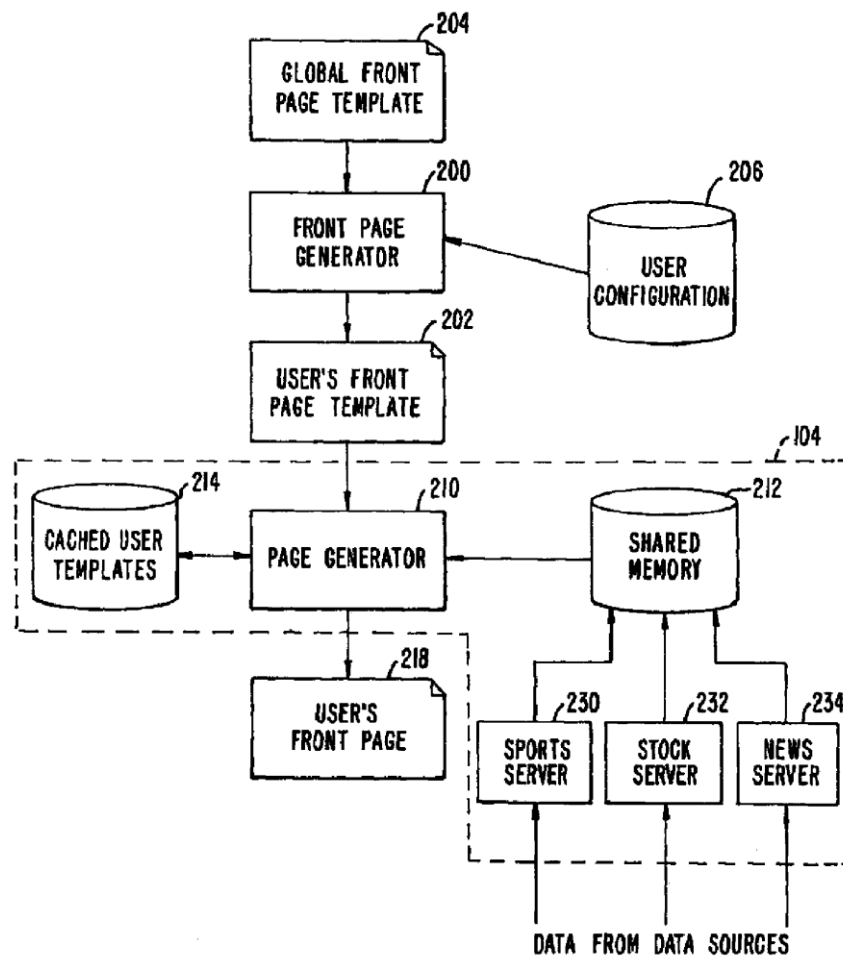
(*Id.* at col. 1:37-40). However, when presenting news to users, customized web pages present news that is more relevant to the requesting user than static pages because the information is filtered according to each user's interest. (*Id.* at col. 1:35-37, 40-41).

14. Customizing a server response based on the requester is known; however, known systems do not scale well. (*Id.* at col. 1:42-43). One method of serving custom pages is to execute a script, such as a Common Gateway Interface (CGI) script or other program to collect the information necessary to generate the custom page. (*Id.* at col. 1:43-47). For example, if the custom page is a news page containing stock quotes, sports scores and weather, the script might poll a quote server to obtain the quotes of interest, poll a sports score server to obtain the scores of interest and poll a weather server to obtain the weather. (*Id.* at col. 1:47-51). With this information, the server generates the custom page and returns it to the user. (*Id.* at col. 1:51-52). This approach is only useful where there are not many requesters and where the attendant delay associated with polling various servers to obtain the requested information is acceptable to users. (*Id.* at col. 1:53-54). Growing impatience with waiting will turn users away from such servers, especially as use increases. (*Id.* at col. 1:54-58).

15. One approach that was used in the prior art to avoid long waits is to transfer the custom information in non-real-time, so that the information is stored local to the user as it arrives and is presented to the user on request. (*Id.* at col. 1:59-62). A disadvantage of such a system is that the networks used by the user become clogged with data continually streaming to the user and require large amounts of local storage. (*Id.* at col. 1:62-65). Another disadvantage is that the locally stored information will become out of date as the server receives new data. (*Id.* at col. 1:65-67).

16. The inventors therefore recognized that there was a need to dynamically generate customized pages in an unconventional manner that solved the technical problems in the prior art of long transfer times to obtain the requested information or having to rely on continually transferring custom information in non-real time which can clog the data network in addition to providing outdated information. (*Id.* at col. 1:42 to col. 2:2).

17. The following is a discussion of non-limiting examples of the claimed invention discussed in the specification of the '854 patent. The '854 patent provides a non-limiting exemplary diagram of the generation of a custom page for a user, using a front-page generator (200) and page server (104) (*Id.* at col. 3:58-60):



(Ex. A at Fig. 2). Front page generator (200) generates a user template (202) from a global front page template (204) and a user configuration record (206). (*Id.* at col. 3:58-62). A non-limiting example of a global front page template is provided in the '854 patent:

```

<html>
<head>
<title>My Yahoo! news summary for <!-- login --></title>
</head>
<body>

<center>
<!-- banner:sum -->

<!-- ad -->
<!-- nav bar --> ~ 302
</center>

<table border=1 cellpadding=4 cellspacing=0 width=100%>
<tr><td align=center valign=top width="1%">
<!-- leftside:nsum --> ~ 302
<p></td>
<td align=center valign=top width="100%">
<!-- mode bar:"FRONT PAGE" -->
<!-- channel:nsum --> ~ 302

</td></tr>
</table>

<center>
<table border=1 cellpadding=2 cellspacing=0 width=100%>
<!-- motd:motn.html -->
</table>
</center>
<!-- search -->

<!-- copyright:sum -->

</body>
</html>

```

204

(Ex. A at Fig. 3). The global user template (204) is an HTML (HyperText Markup Language) document with additional tags as placeholders for live data. (*Id.* at col. 5:16-19). Several placeholders (302) are shown in the code. (*Id.* at col. 5:19).

18. A user configuration record (206) is a record selected from user configuration database (116). (*Id.* at col. 3:63-64). User configuration information includes user demographic information, such as sex, age, location, stock quotes, favorite sports teams, news topics, etc. (*Id.*

at col. 2:13-14, col. 5:45-50, col. 6:37-39, 46-48, 52-56). The user configuration information in the example may not change until the user changes his or her preferences. (*Id.* at col. 5:33-35).

19. The '854 patent provides an illustration of a user template (202) as might be generated from global user template (204) and a user configuration record (206):

202

```

<!-- timezone:-8,PT 0 -->
<!-- ad:M,85,95035,T,* 792 -->
<!-- portfolio:Quotes,pf_1,1,^DJI,^NYA,^IXIC,^SPX,^XAX,YHOO,NSCP,IOM,NSCP,YHOO
2836 -->
<!--
404 { scoreboard:NCAAFSSC,NHLSAN,MLSSAN,NCAAFSSS,ALOAK,NBAGSW,NFLOAK,NCAAFCCD,NFLSFO
,NLSFO 3803 -->
<!-- weather:f,30901,uk_londo,94601,95101 4368 -->
<!--
mode_bar:"FRONT_PAGE",.hier=News+Summary%3aEdit&.done=http://my.yahoo.com/news
/summary2:3,rt,rw,z0000,mlb,re,vf 4597 -->
<!-- motd:us_motn.html 4696 -->
<html>
<head>
<title>My Yahoo! news summary for ash802</title>
</head>
<body>

...

</body>
</html>

```

(Ex. A at Fig. 4). The user template is unique because it is built based on user demographic information provided by the user, as opposed to generically chosen dynamic information or based on information provided by the server. Exemplary demographic information is shown in line 2 of Fig. 4 (“:M,85,95035,T,*”) indicating that the user is a male, age 85, located in zip code 95035, etc. (*Id.* at col. 5:42-45). The '854 patent includes a full listing of the non-limiting exemplary user template of Fig. 4 in Appendix A. (Ex. A at col. 2:57-58; col. 5:22-23).

Listing of a User Template

```

<!-- timezone: -8,PT 0 -->
<!-- ad:M,85,95035,T,* 792 -->
<!--
portfolio:Quotes,pf_1,1, DJI, NYA, IXIC, SPX, XAX, YHOO, NSCP, IOM, NSCP, YHOO
2836 -->
<!--
scoreboard:NCAAFSSC, NHL SAN, MLSSAN, NCAAFSSS, ALOAK, NBAGSW, NFLOAK, NCAAFCCD, NF
LSFO, NLSFO 3803 -->
<!-- weather:f,30901,uk_londo,94601,95101 4368 - - >
<!--
mode_bar:"FRONT_PAGE1",.hier=News+Summary%3aEdit&.done=http://my.yahoo.com/
news/summary.html?v 4538 -->
<!-- summary2:3,rt,rw,z0000,mlb,re,vf 4597 -->
<!-- motd:us_motn.html 4696 -->
<html>
<head>
<title>My Yahoo!news summary for ash802</title>
</head>
<body>

<center>
<map name="top"><area shape=rect coords="0,0,45,66"
href="/news/summary.html?v"><area shape=rect coords="45,0,90,66"
href="/internet/directory.html?v"><area shape=rect coords="90,0,135,66"
href="/contacts/white_pages.html?v"><area shape=rect coords="135,0,346,66"
href="/myHome"><area shape=rect coords="346,0,389,66"
href="/help/news/summary.html"><area shape=rect coords="389,0,431,66"
href="http://edit.my.yahoo.com/config/eval_profile"><area shape=rect
coords="431,0,477,66" href="http://edit.my.yahoo.com/config/tofill">
</map>
<center><a href="/bin/top_menu"></a></center>

<p>
<center><form action="http://search.my.yahoo.com/search/my"> <font
size="-2">[ <a
href="http://edit.my.yahoo.com/config/set_attr?attr=sloc&value=b&.done=ht
p://my.yahoo.com/news/summary.html?v">move to bottom</a> ] </font><input
size=25 name=p> <font size="-1">&nbsp;&nbsp; <input type=submit
value=Search<input type=hidden name=n value="25"> &nbsp;&nbsp; <a
href="http://search.my.yahoo.com/search/my/options">Options</a></font></fo
rm></center><p>
<center>
<table border=0 cellspacing=0 cellpadding=2>
<tr>
<td align=center><font
color="#000000"><b>Sections:</b>&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;</font></td>
<td align=center bgcolor="#dcdcdc"><font
color="#000000"><b>Front&nbsp;&nbsp;&nbsp;Page</b></font></td>
<td>&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;</td>
<td align=center><a href="/news/business/summary.html?v">Business</a></td>
<td>&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;</td>
<td align=center><a
href="/news/portfolio_summary.html?v">Portfolios</a></td>
<td>&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;</td>
<td align=center><a
href="/news/entertainment/summary.html?v">Entertainment</a></td>
<td>&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;</td>
<td align=center><a href="/news/sports/summary.html?v">Sports</a></td>
<td>&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;&nbsp;</td>
<td align=center><a
href="/news/technology/summary.html?v">Technology</a></td>
</tr>
</table>
</center>
</center>
<table border=1 cellpadding=4 cellspacing=0 width="100%">
<tr><td align=center valign=top width="1%">
<a
href="http://edit.my.yahoo.com/config/eval_left?mode=left_nsum&.done=http%
3a%2f%2fmy%2eyahoo%2ecom%2fnews%2fsummary%2ehtml%3fv"></a>
<table border=0 cellpadding=1 cellspacing=0 width="100%">
<tr bgcolor="#dcdcdc"><td colspan=4 width="100%"><table border=0
cellpadding=2 cellspacing=0 width="100%"><tr><td width="100%"><b><font
size="+1">P<font size="+0">ORTFOLIOS</font></b></td></tr></table>

```



```

src="http://www.yahoo.com/images/my/logout.gif" alt="Change
User"></a></td>
</tr>
</table>
</center>
<map name=logout>
<area coords="0,0,50,68" href="/my/?http://www.yahoo.com/">
<area coords="51,0,100,68"
href="http://edit.my.yahoo.com/config/login?logout=1">
</map>

</body>
</html>

```

(Ex. B at Col. 7-11).

20. As shown in Fig. 2 of the '854 patent, the user template does not need to be generated each time and instead can be generated and stored. (Ex. A at col. 4:49-51, col. 5:23-32). One benefit of the claimed invention that speeds up the operation of the dynamic page generation is that the page can be stored in multiple locations that are based on the frequency by which the user requests the customized page based on the user template. (*Id.* at col. 5:37-38, col. 6:49-59). Some users might choose to access their user page infrequently, while others might choose to access their front page hourly. (*Id.* at col. 6: 52-54). For infrequent users, the user template is stored in a user configuration database, whereas for frequent users the user template may also be stored in cache. (*Id.* at col. 5:37-38, col. 6:51-59). Caching reduces the time to respond to a request for a page and is more effective where the typical user makes several requests in a short time span and then doesn't make any requests for a long period of time. (*Id.* at col. 5:29-32).

21. When the user template stored in cache, it may be stored long enough to be reused and may also be flushed from cache if the user page has been inactive for several days. (*Id.* at col. 6:49-52, 59-60). Even if it is flushed from cache, the user template can be maintained in the user configuration database, which can then be quickly accessed and stored in cache in the event a user may start to access the user page quickly. (*Id.*).

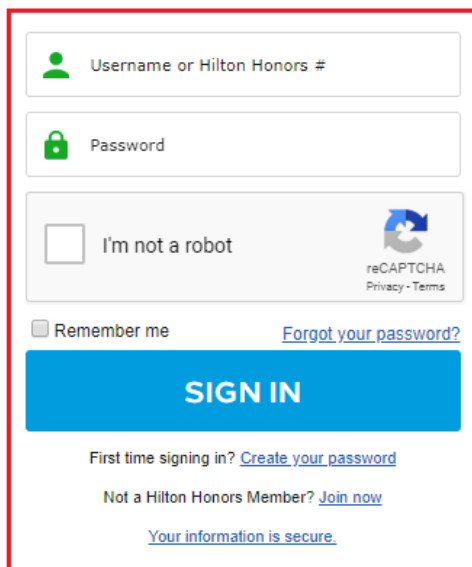
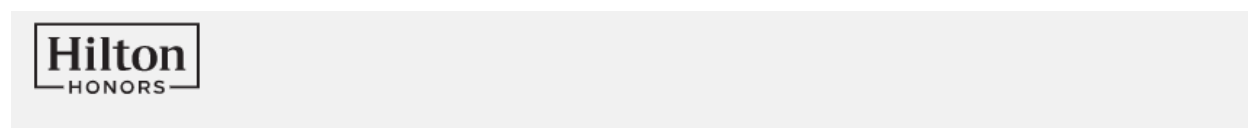
22. The custom user page can also include an advertisement that is selected based on the user demographic information. (*Id.* at col. 5:39-42). For example, using the demographic information “:M,85,95035,T,*”, an advertisement can be selected that is targeted for a male user, age 85, located in zip code 95035, etc. (*Id.* at col. 5:39-45).

23. Appendix B of the ‘854 patent is an HTML source code listing of an HTML page created from an executed user template that is used to generate a user customized browser web page. (Ex. B at col. 11 – col. 19).

24. As explained the ‘854 patent and prosecution history, there are unconventional and non-generic features of the claimed invention which are technical improvements that make the generation of dynamic web pages quicker, more efficient, and use less resources. By storing the user customized template program in two locations in which the location is determined by frequency, the system is more efficient and allows for a quicker response than the prior art. For example, by storing the user customized template in user configuration database and in cache, the dynamic generation of a user customized web page is more efficient and uses less resources of the server, database, and network, and allows for a quicker generation of the dynamic web page thereby allowing the server to scale in order to handle substantially more requests for user customized dynamic web pages. (*See* Ex. A at col. 1:42-67, col. 4:49-col. 5:15, col. 5:23-32). Furthermore, by caching the user template, the page can be generated entirely within a page server, thus conserving network and database resources. (*See id.* at col. 4:10-11, col. 5:23-32). By also storing the user customized template in a user configuration database, even if the cache is cleared, the template already exists in the database which then prevents having to regenerate a new user customized page from a global page template using a user configuration record thus saving database and server resources and more quickly generating the requested web page from





27. **Direct Infringement.** Upon information and belief, Defendant has been directly infringing at least claims 1-2, 8-9, and 15 of the '854 patent in Delaware, and elsewhere in the United States, by performing the claimed method, using the claimed computer-readable non-transitory medium storing computer instructions, and/or making and/or using the claimed system at Hilton.com (“Accused Instrumentality”).

28. The Accused Instrumentality performs the step of receiving a user request for a customized page. For example, Hilton.com receives a user request for a user customized page:

A screenshot of the Hilton Honors login page, enclosed in a red rectangular border. The page features a white background with a blue "SIGN IN" button. Above the button are input fields for "Username or Hilton Honors #" and "Password", a reCAPTCHA "I'm not a robot" checkbox, and a "Remember me" checkbox. There are also links for "Forgot your password?", "Create your password", "Join now", and "Your information is secure".

(E.g., <https://secure3.hilton.com/en/hh/customer/login/index.htm>).

Join Hilton Honors
Every member gets these benefits right away:

 Lowest price anywhere*  Free WiFi**  Digital check-in  Points toward free nights

All fields are required unless marked optional.

First name

Last name

Phone +1 ▼

Email

Country/Region USA ▼

Address

Address 2 Optional

Zip

Password

*Must be between 0 and 99 characters. **Contains one lowercase letter.

<https://www.hilton.com/en/hilton-honors/join/>

29. The Accused Instrumentality performs the step of receiving a template program (e.g., software instructions and data used for rendering a particular user’s Hilton.com page such as a JavaScript page) that is unique to the user and based on user configuration information (e.g., a user can customize the content of their templates and what will be rendered and displayed using said templates by entering information such as their location). The user configuration information is supplied by the user (e.g., a user defines the information their template will display by inputting information such as their location) and used to build the template program that is unique to the user (e.g., user profile and user configuration information is used to modify

templates, create instructions, and designate appropriate data retrieval for rendering the user's specific page).

Search terms initially stored in variables

```

▼ <p id="all_search_input" class="oneBox oneBoxWithJS">
  <span class="labelTop" id="search_one_search_label">Where are you going?</span>
  ▼ <span class="spanTextInput">
    ▶ <label class="labelOneBoxHint over" for="hotelSearchOneBox" style="display: block;
      ">...</label>
      <input id="hotelSearchOneBox" name="searchQuery" class="text" aria-autocomplete=
        "both" aria-haspopup="true" type="text" value role="combobox" maxlength="100"
        autocomplete="off" autocorrect="off">
      <span class="ariaNoResultText hidden" aria-hidden="true">No search results found.
        </span>
      <span class="ariaResultText hidden" aria-hidden="true">results were found. Press up
        and down key to select.</span>
      <span class="ariaResult hidden" aria-live="polite" role="alert"></span>
    </span>
  </p>
  <!-- dates check in out -->
  ...

```

(E.g., <https://hiltonhonors3.hilton.com/en/index.html> (for a particular user)).

```

{f([g,n],function(b){for(var c=0;c<b.length;c++){var
d=b.key(c);0===d.indexOf(p)&&a(b,d)}}}function e(a,b){var c=(new
Date).getTime();if((b=JSON.parse(b))&&b.e&&b.e<c)localStorage.removeItem(a);else return
b&&b.v}c=Q[c]||c||"def";var p=a+"."+c+".",d=this,
g=sessionStorage,n=localStorage;d.get=function(a){if(!a){var c={},d=p.length;b(function(a,b)
{c[b.substring(d)]=e(b,a.getItem(b))});return c}a=p+a;var
f=g.getItem(a)||n.getItem(a);return e(a,f)};d.set=function(a,b,c){a=p+a;if(M(b)){var e=c?
n:g;b=JSON.stringify({v:b,e:c?H(c).getTime():C});e.setItem(a,b)}else
g.removeItem(a),n.removeItem(a);return d};d.removeAll=function(){b(function(a,b)
{a.removeItem(b)});return d}}function ha(a){var c=this,b=arguments;c.get=function(a){if(!a)
{for(var c=b[0].get(),

```

(E.g., https://service.maxymiser.net/cdn/hilton/hilton_com/js/mmcore.js (for a particular user)).

```

t=D.createPrefixedLogger(r.displayName),a=ne(r.hostedLibFilesBaseUrl,d.minified),o=
{buildInfo:d,getDataElementValue:c,getExtensionSettings:e,getHostedLibFileUrl:a,getSharedMod
ule:m,logger:t,propertySettings:u,replaceTokens:i};Object.keys(r.modules).forEach(function(a
){var e=r.modules[a],t=De(function(e){var t=ie(a,e);return
s.getModuleExports(t)});s.registerModule(a,e,n,t,o)}),s.hydrateCache()}return
s},Ve=function(e,t,a,n,r){var o=D.createPrefixedLogger("Custom Script");e.track=function(e)
{D.log(''+e+' does not match any direct call identifiers.')},e.getVisitorId=function()
{return null},e.property=
{name:t.property.name},e.company=t.company,e.buildInfo=t.buildInfo,e.logger=o,e.notify=funct

```

(E.g., <https://assets.adobedtm.com/launch-EN02272261e0b845508227acf3ca0c37de.min.js> (for a particular user)).

30. The user configuration information supplied by the user to build the template program includes user demographic information (*e.g.*, a user's profile information and/or configuration information may contain their location and age, amongst other information). (*E.g.*, <https://hiltonhonors3.hilton.com/en/policy/global-privacy-statement/index.html>).

31. The template program is received from one of at least two locations (*e.g.*, the data and templates comprising a user's page may be retrieved from a main server/disk storage), the location determined from the frequency of the user request for the customized Hilton.com page (*e.g.*, based on the frequency at which a user logs in or accesses their Hilton.com page, the data comprising the users page may be stored at a main server). On information and belief, the accused instrumentality uses the template program that is unique to the user which is generated using customization information unique to the user and a global template that is generic to a plurality of users. On information and belief, template information that is part of the template program is stored for less frequently accessed files in the main storage and for more frequently accessed files in local storage on the user's computer. On information and belief, running the template program (page generation code, tiles, containers, and user data) creates the customized webpage. When a user signs-up or performs a login, the code takes the user template information and stores it in a site JavaScript object that is used in logic to display various available hotels and other site logic-based conditions. The user information is stored in multiple locations, which can include, (1) at runtime, in a Javascript object with the data structure called ContextData; (2) within browser local storage; and (3) browser cookies. The JavaScript code shown below from the front-facing publicly available code, demonstrates that the sign-in is handled via JavaScript. The actual JS file is served from a CDN.


```
{r(".item[n].productInfo.ratePlan")}}catch(s){r(".item[n].productInfo.ratePlan")}}catch(s)
{r("")}if(n)return 0<n.length?n:""},BookNowSearchLocation:
{storageDuration:"pageview",modulePath:"core/src/lib/dataElements/customCode.js",settings:
{source:function(){var e,t="bookNow";try{if(e=digitalData.event)for(var a=e.length-1;0<=a;a-
-){if(e[a].eventInfo.eventAction==t&&e[a].attributes.propertySearchLocation)return
e[a].attributes.propertySearchLocation}catch(n){myConsole("")}}}},OnsiteSearchTerm:
{storageDuration:"pageview",modulePath:"core/src/lib/dataElements/customCode.js",settings:
{source:function(){var e,t,a,n=function(e){logIt('The "digitalData.page'+e+'"' object does
not exist',4,"Data
Element","OnsiteSearchTerm")};try{e=digitalData.page;try{t=e.pageInfo;try{a=t.onSiteSearchTe
```

(E.g., <https://assets.adobedtm.com/launch-EN02272261e0b845508227acf3ca0c37de.min.js> (for a particular user)). The code below shows that some portions of the template program may be pulled from local browser cache as opposed to the main server.

```
{f([g,n],function(b){for(var c=0;c<b.length;c++){var
d=b.key(c);0===d.indexOf(p)&&a(b,d)}})function e(a,b){var c=(new
Date).getTime();if((b=JSON.parse(b))&&b.e&&b.e<c)localStorage.removeItem(a);else return
b&&b.v}c=Q[c]||c||"def";var p=a+"."+c+".",d=this,
g=sessionStorage,n=localStorage;d.get=function(a){if(!a){var c={},d=p.length;b(function(a,b)
{c[b.substring(d)]=e(b,a.getItem(b))});return c}a=p+a;var
f=g.getItem(a)||n.getItem(a);return e(a,f)};d.set=function(a,b,c){a=p+a;if(M(b)){var e=c?
n:g;b=JSON.stringify({v:b,e:c?H(c).getTime():C});e.setItem(a,b)}else
g.removeItem(a),n.removeItem(a);return d};d.removeAll=function(){b(function(a,b)
{a.removeItem(b)});return d}}function ha(a){var c=this,b=arguments;c.get=function(a){if(!a)
{for(var c=b[0].get(),
```

(E.g., <https://service.maxymiser.net/cdn/hilton/hilton.com/js/mmcore.js> (for a particular user)).

```
t=D.createPrefixedLogger(r.displayName),a=ne(r.hostedLibFilesBaseUrl,d.minified),o=
{buildInfo:d,getDataElementValue:c,getExtensionSettings:e,getHostedLibFileUrl:a,getSharedMod
ule:m,logger:t,propertySettings:u,replaceTokens:i};Object.keys(r.modules).forEach(function(a)
){var e=r.modules[a],t=De(function(e){var t=ie(a,e);return
s.getModuleExports(t)});s.registerModule(a,e,n,t,o)}}},s.hydrateCache()}return
s},Ve=function(e,t,a,n,r){var o=D.createPrefixedLogger("Custom Script");e.track=function(e)
{D.log(''+e+' does not match any direct call identifiers.'),e.getVisitorId=function()
{return null},e.property=
{name:t.property.name},e.company=t.company,e.buildInfo=t.buildInfo,e.logger=o,e.notify=funct
```

(E.g., <https://assets.adobedtm.com/launch-EN02272261e0b845508227acf3ca0c37de.min.js> (for a particular user)).

32. The Accused Instrumentality performs the step of receiving an advertisement selected in accordance to the user demographic information (e.g., Hilton.com provides

advertisements to a user based on demographic information such as location and age, etc.). (*E.g.*, <https://hiltonhonors3.hilton.com/en/policy/global-privacy-statement/index.html>). For example, the Accused Instrumentality has targeted advertising to users based on a user's geography and interest. (*Id.*).

33. The Accused Instrumentality performs the step of executing the template program that is unique to the user (*e.g.*, JavaScript templates) using the selected advertisement (*e.g.*, an advertisement selected based on a user's demographic information) to generate the customized page (*e.g.*, a user's Hilton.com page, with the advertisement integrated).

34. The Accused Instrumentality performs the step of providing the customized page to the user (*e.g.*, a user's Hilton.com page with integrated advertisements).

35. Plaintiff has been damaged as a result of Defendant's infringing conduct. Defendant is thus liable to Plaintiff for damages in an amount that adequately compensates Plaintiff for such Defendant's infringement of the '854 patent, *i.e.*, in an amount that by law cannot be less than would constitute a reasonable royalty for the use of the patented technology, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

36. On information and belief, Defendant has had at least constructive notice of the '854 patent by operation of law, and there are no marking requirements that have not been complied with.

IV. COUNT II
(PATENT INFRINGEMENT OF UNITED STATES PATENT NO. 5,983,227)

37. Plaintiff incorporates the above paragraphs herein by reference.

38. On November 9, 1999, United States Patent No. 5,983,227 ("the '227 Patent") was duly and legally issued by the United States Patent and Trademark Office. The '227 Patent

is titled “Dynamic Page Generator.” A true and correct copy of the ‘227 Patent is attached hereto as Exhibit B and incorporated herein by reference.

39. Digi Portal is the assignee of all right, title and interest in the ‘227 patent, including all rights to enforce and prosecute actions for infringement and to collect damages for all relevant times against infringers of the ‘227 Patent. Accordingly, Digi Portal possesses the exclusive right and standing to prosecute the present action for infringement of the ‘227 Patent by Defendant.

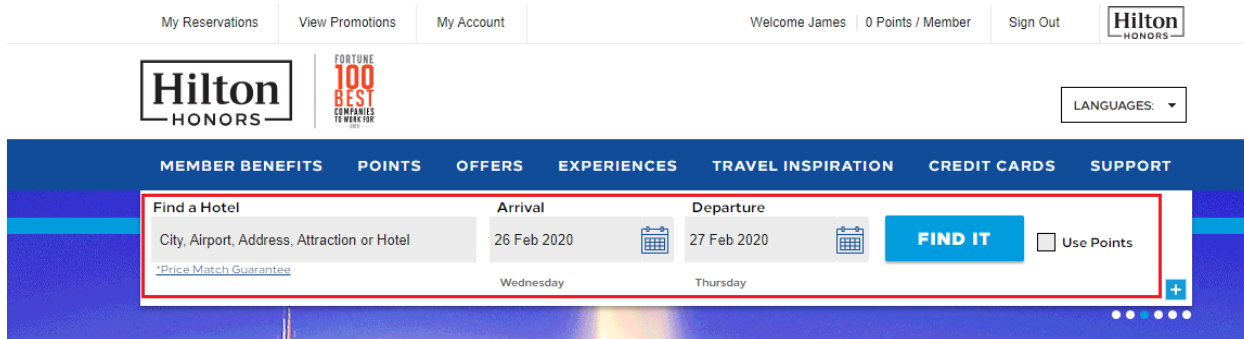
40. The application leading to the ‘227 patent was filed June 12, 1997. (Ex. B at cover). The ‘227 patent was first assigned to Yahoo! Inc. (*Id.*).

41. The invention in the ‘227 Patent relates to the field of customized information presentation on the web; more specifically, providing customized pages that are quickly served and scalable to handle many users simultaneously. (*Id.* at col. 1:14-18).

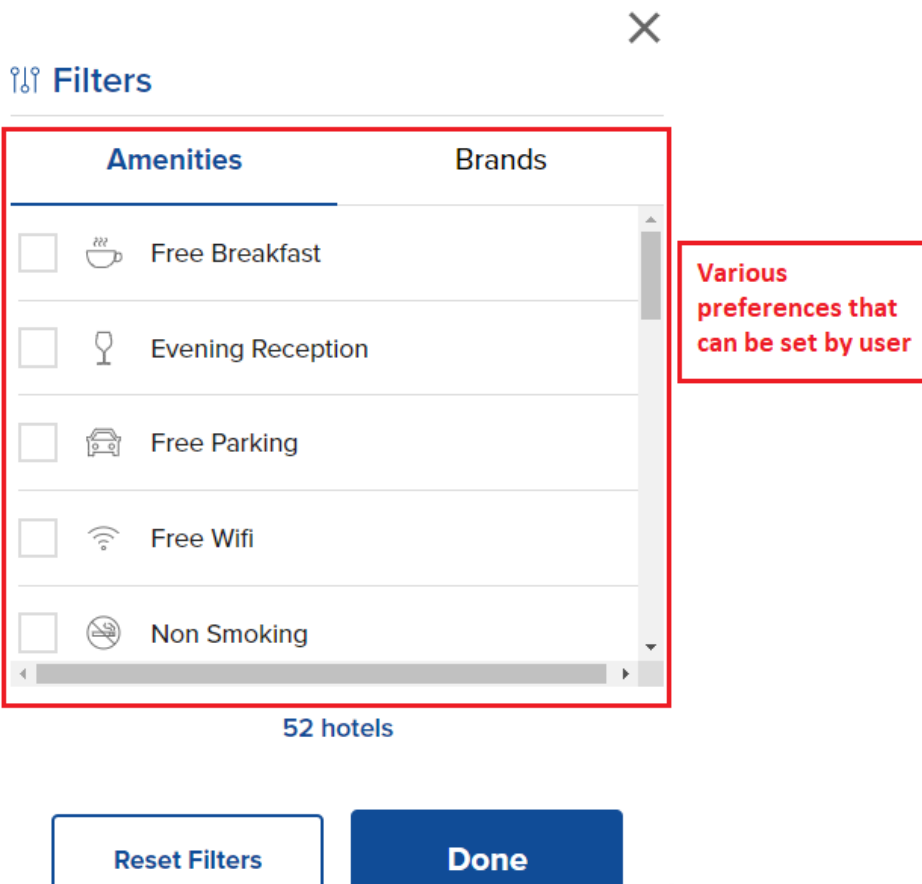
42. The ‘227 Patent shares the identical specification as the ‘854 patent and therefore Digi Portal incorporates the background and discussion of the invention in Paragraphs 13-25. Furthermore, as show in the prosecution history of the ‘227 Patent, it was unconventional to download real-time information into a server and use a template for the static data as opposed to linking directly to real-time information. (Ex. E at 5, Ex. F at 2).

43. **Direct Infringement.** Upon information and belief, Defendant has been directly infringing at least claim 2 of the ‘227 patent in Delaware, and elsewhere in the United States, by performing actions comprising using or performing the claimed method of providing real-time responses to user requests for customized pages, including without limitation through the method implemented of providing a user’s Hilton.com page (“Accused Instrumentality”). (*E.g.*, <https://www.hilton.com/en/>; <https://secure3.hilton.com/en/hh/customer/login/index.htm>).

44. The Accused Instrumentality performs the step of obtaining user preferences (e.g., location,), wherein a user's user preferences indicate items of interest to that user (e.g., preferences set by user for hotels search). For example, users can customize their location on their Hilton.com page to find hotels near their location:

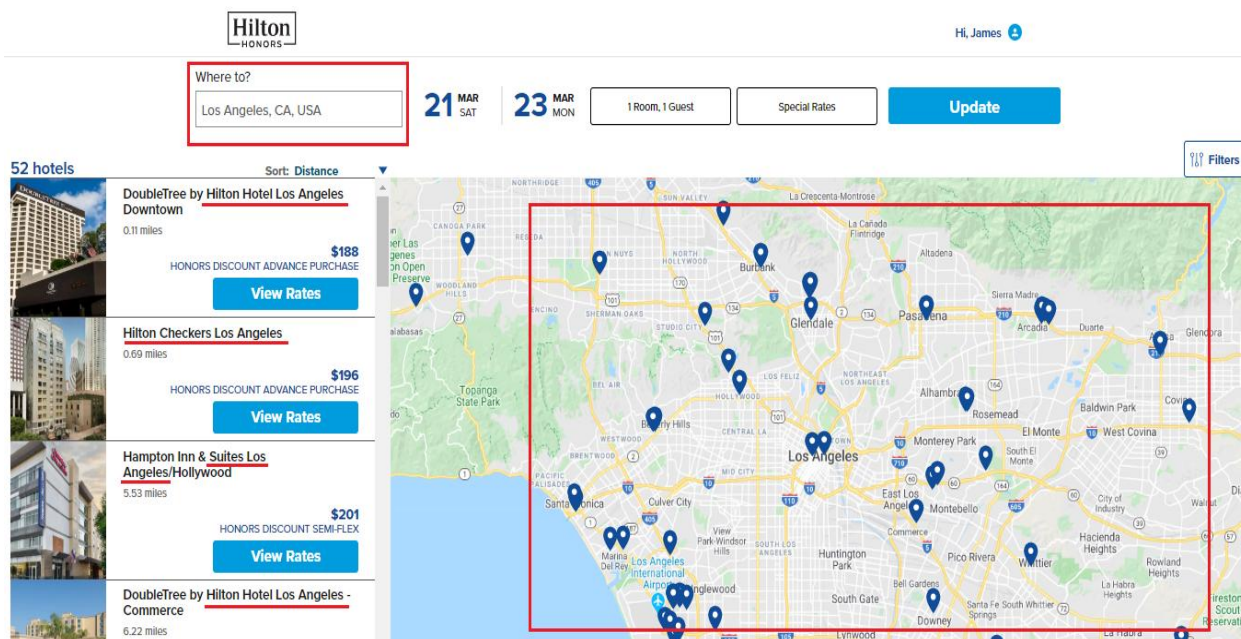


(<https://hiltonhonors3.hilton.com/en/index.html> (for a particular user)).



<https://www.hilton.com/en/search/hilton-honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03-21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1> (for a particular user)).

45. On information and belief, the Accused Instrumentality performs obtaining real-time information (e.g., currently available hotels information) from information sources (e.g., Hilton.com's servers/databases which store real-time hotel listings) and storing the real-time information in a storage device (e.g., currently available hotels information will be pulled from information source and stored, at least temporarily, on an Hilton.com web/API server).



<https://www.hilton.com/en/search/hilton-honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03-21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1> (for a particular user)).

```

</li>
<li class="sc-emmjRN iseggm">
  <div data-testid="hotel-card" class="sc-dujcnx inFlHM">
    <div data-testid="imageUrl" data-e2e="listViewPropertyImage" class="sc-e1lVro iDwWg"></div>
    <div class="sc-eerKOB kvBMHR">
      <p data-e2e="listViewPropertyName" aria-hidden="true" class="sc-krvtoX gskth">Embassy Suites by Hilton Los Angeles Glendale</p>
      <p data-e2e="milesText" aria-hidden="true" class="sc-gRboQg bCUOzQ">7.34 miles</p>
      <p aria-hidden="true" class="sc-CtffT kDPtcc">$175</p>
      <span data-e2e="ratePlanName" class="sc-rBLzX cPQdRq">HONORS DISCOUNT ADVANCE PURCHASE</span>
      <a href="https://secure3.hilton.com/en_US/hh/reservation/book.htm?ctyhocn=BUR_hvDeeplinking=true&cid=8WT_mc_id=&gclid=8dclid=8AMC=&toAvailCalendar=false" aria-label="Embassy Suites by Hilton Los Angeles Glendale, 7.34 miles from city center, $175, HONORS DISCOUNT ADVANCE PURCHASE, Select" class="sc-HMftBS sc-cpmLHU cHMepu T472-shown">view rates</a>
    </div>
  </div>
</li>
<li class="sc-emmjRN iseggm">
  <div data-testid="hotel-card" class="sc-dujcnx inFlHM">
    <div data-testid="imageUrl" data-e2e="listViewPropertyImage" class="sc-e1lVro bNLUVA"></div>
    <div class="sc-eerKOB kvBMHR">
      <p data-e2e="listViewPropertyName" aria-hidden="true" class="sc-krvtoX gskth">Hilton Los Angeles North/Glendale & Executive Meeting Ctr</p>
      <p data-e2e="milesText" aria-hidden="true" class="sc-gRboQg bCUOzQ">7.4 miles</p>
      <p aria-hidden="true" class="sc-CtffT kDPtcc">$165</p>
      <span data-e2e="ratePlanName" class="sc-rBLzX cPQdRq">HONORS DISCOUNT ADVANCE PURCHASE</span>
      <a href="https://secure3.hilton.com/en_US/hh/reservation/book.htm?ctyhocn=BUR_hvDeeplinking=true&cid=8WT_mc_id=&gclid=8dclid=8AMC=&toAvailCalendar=false" aria-label="Hilton Los Angeles North/Glendale & Executive Meeting Ctr, 7.4 miles from city center, $165, HONORS DISCOUNT ADVANCE PURCHASE, Select" class="sc-HMftBS sc-cpmLHU cHMepu T472-shown">view rates</a>
    </div>
  </div>
</li>
<li class="sc-emmjRN iseggm">
  <div data-testid="hotel-card" class="sc-dujcnx inFlHM">
    <div data-testid="imageUrl" data-e2e="listViewPropertyImage" class="sc-e1lVro kb0dCE"></div>
    <div class="sc-eerKOB kvBMHR">
      <p data-e2e="listViewPropertyName" aria-hidden="true" class="sc-krvtoX gskth">Hilton Los Angeles/San Gabriel</p>
      <p data-e2e="milesText" aria-hidden="true" class="sc-gRboQg bCUOzQ">8.29 miles</p>
      <p aria-hidden="true" class="sc-CtffT kDPtcc">$126</p>
      <span data-e2e="ratePlanName" class="sc-rBLzX cPQdRq">HONORS DISCOUNT ADVANCE PURCHASE</span>
      <a href="https://secure3.hilton.com/en_US/hh/reservation/book.htm?ctyhocn=LAX_hvDeeplinking=true&cid=8WT_mc_id=&gclid=8dclid=8AMC=&toAvailCalendar=false" aria-label="Hilton Los Angeles/San Gabriel, 8.29 miles from city center, $126, HONORS DISCOUNT ADVANCE PURCHASE, Select" class="sc-HMftBS sc-cpmLHU cHMepu T472-shown">view rates</a>
    </div>
  </div>
</li>
<li class="sc-emmjRN iseggm">

```

Currently available hotels information retrieved from information source

([https://www.hilton.com/en/search/hilton-honors/?query=Los% 20Angeles,% 20CA&placeId=&sessionToken=&fromDate=2020-03-21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1](https://www.hilton.com/en/search/hilton-honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03-21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1) (for a particular user)).

46. On information and belief, the Accused Instrumentality performs the step of combining the user preferences for the user (e.g., the search terms input by a user such as preferences set by user for hotels search) and a template (e.g., generic template) to form a template program specific to the user (e.g., the code for the entire webpage that utilizes a generic template and user's inputted search terms to create a webpage that is customized to display a user's search results).

Where to?
Los Angeles, CA, USA

21 MAR SAT 23 MAR MON 1 Room, 1 Guest Special Rates Update

52 hotels Sort: Distance

- DoubleTree by Hilton Hotel Los Angeles Downtown**
0.11 miles
HONORS DISCOUNT ADVANCE PURCHASE
\$188
View Rates
- Hilton Checkers Los Angeles**
0.69 miles
HONORS DISCOUNT ADVANCE PURCHASE
\$196
View Rates
- Hampton Inn & Suites Los Angeles/Hollywood**
5.53 miles
HONORS DISCOUNT SEMI-FLEX
\$201
View Rates
- DoubleTree by Hilton Hotel Los Angeles - Commerce**
6.22 miles

(<https://www.hilton.com/en/search/hilton-honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03-21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1> (for a particular user)).

```
<!doctype html>
<html lang="en">
  <head>...</head>
  <body style>
    <div id="lightningjs-usabilla_live" style="display: none;">...</div>
    <div id="__next">
      <main data-testid="SearchPageContainer" class="sc-jk1Te hgBhVN">
        <div aria-hidden="false" class="sc-hMqMXs dSDir">
          <div class="sc-eNQAEJ dYVBDC">
            <header data-testid="HeaderContainer" class="sc-caSCKo fzUrA">
              <header data-testid="HeaderWithLogin" class="sc-iELTVK bjWjCH">
                <div class="sc-cmTdd inqCqM">...</div>
              </header>
              <span class="sc-kjoXOD fnkFQV">Return to Hilton.com</span>
            </header>
            <div class="sc-bYSBpT fAeNmt">...</div>
            <h1 class="sc-lhVmIH XpOWH">Los Angeles, CA, USA hotels</h1>
          </div>
          <section class="sc-KEYyzf bPJVlt">
            <div class="sc-jWBwVP gMcCDY">
              <div class="sc-irBamj ycAps">
                <div class="sc-jtRfpw ZtbJZ">...</div>
              <div class="sc-h8Bwwo bt0HWj">...</div>
            </div>
          </section>
        </div>
      </main>
    </div>
  </body>
</html>
```

General template used to generate web page

<https://www.hilton.com/en/search/hilton-honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03-21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1> (for a particular user)).

47. As shown below, Hilton.com will then combine the template with customized data pulled based upon a user’s search inputs in order to create a template program executable by a user’s browser, so that the customized webpage can be displayed to the user.

```

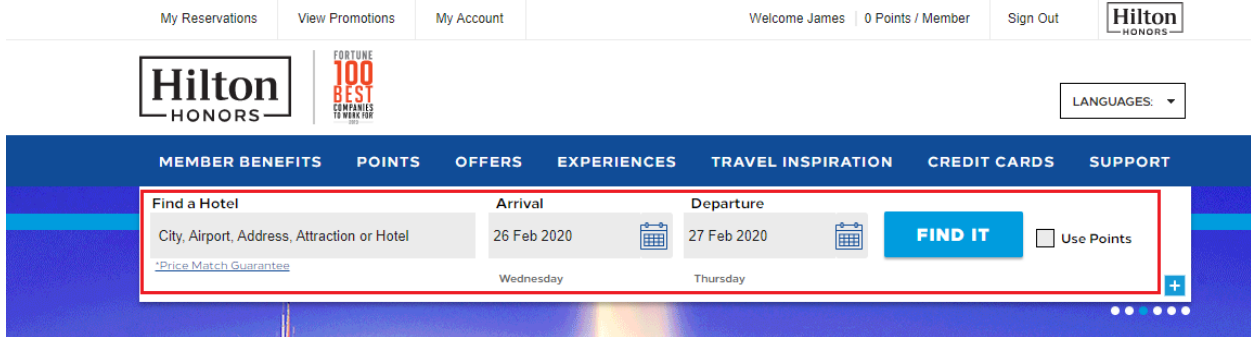
<header data-testid="HeaderContainer" class="sc-caSCKo fzUrA">
  <header data-testid="HeaderWithLogin" class="sc-iELTVK bJWjCH">
    <div class="sc-cmTddo inqCqM">...</div>
  </header>
  <span class="sc-kjoXOD fnkFQV">Return to Hilton.com</span>
</header>
<div class="sc-bYSBpT fAeNMt">...</div>
<h1 class="sc-1hVmIH XpOwIH">Los Angeles, CA, USA hotels</h1>
</div>
<section class="sc-kEYyzf bPJVLt">
  <div class="sc-jWBwVP gMccDY">
    <div class="sc-1Rbamj ycAps">
      <div class="sc-jtRfPw ZtbJZ">...</div>
      <div class="sc-bRBYWo btQHwj">...</div>
      <button class="sc-kkGfuU eIfSZF">Map</button>
    </div>
    <div class="sc-gPEVay gnBbin">
      <ul aria-label="Hotel search results" data-e2e="hotelsList" class="sc-hrWEMg egPFoV"></ul>
      <ul aria-label="Hotel search results" class="sc-hrWEMg egPFoV">
        <li class="sc-emmjRN iseggm">
          <div data-testid="hotel-card" class="sc-dUjcNx iNf1HM">
            <div data-testid="imageUrl" data-e2e="listViewPropertyImage" class="sc-eilVRo ectMMe"></div>
            <div class="sc-eerKOB kvBmHR">
              <p data-e2e="listViewPropertyName" aria-hidden="true" class="sc-krvtoX gsKth">DoubleTree by Hilton Hotel Los Angeles Downtown</p>
              <p data-e2e="milesText" aria-hidden="true" class="sc-gHBoQg bCuOZQ">0.11 miles</p>
              <p aria-hidden="true" class="sc-Ctfft KDptoc">$188</p>
              <span data-e2e="ratePlanName" class="sc-rBLzX cPqDrq">HONORS DISCOUNT ADVANCE PURCHASE</span>
              <a href="https://secure3.hilton.com/en_US/hh/reservation/book.htm?ctyhocn=LAX_hvDeepLinking=true&cid=8WT.mc_id=&gclid=&dclid=&AWC=&toAvailCalendar=false" aria-label="DoubleTree by Hilton Hotel Los Angeles Downtown, 0.11 miles from city center, $188, HONORS DISCOUNT ADVANCE PURCHASE, Select" class="sc-hMftBS sc-cpmLhU chMepu T472-shown">view rates</a>
            </div>
          </div>
        </li>
      </ul>
    </li>
  </ul>

```

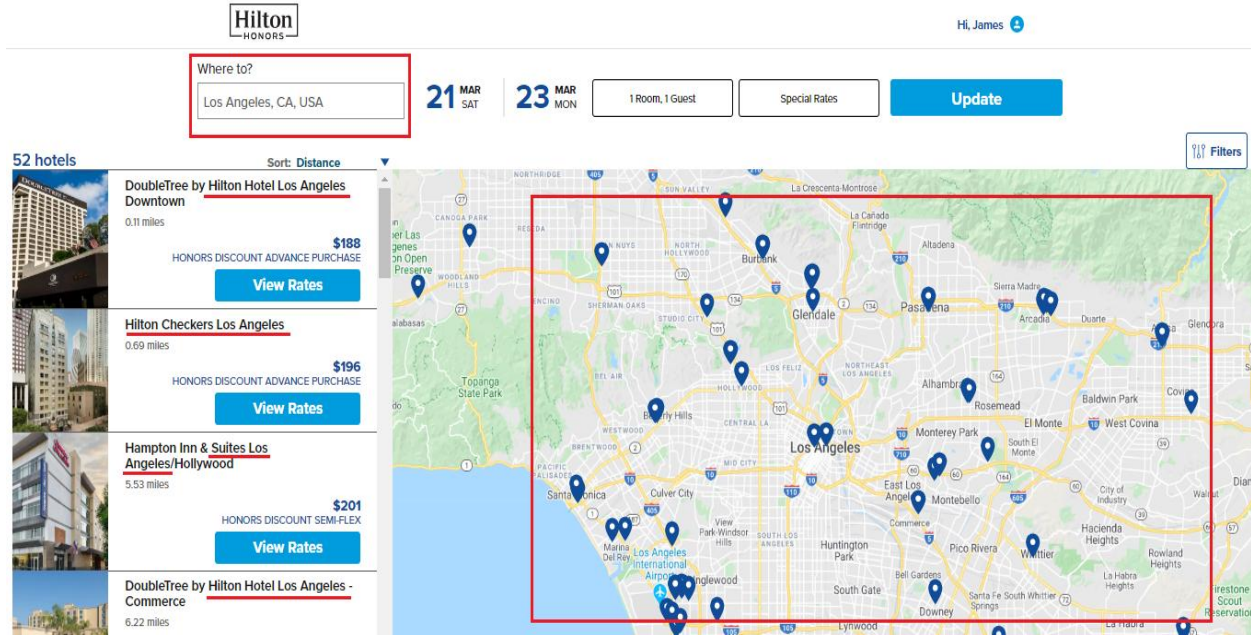
<https://www.hilton.com/en/search/hilton-honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03-21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1> (for a particular user)).

48. On information and belief, the Accused Instrumentality performs the step of receiving, from a user and at the server, a user request for a customized page (e.g., a user will request a webpage that displays available hotels meeting the parameters they inputted; this request will be received at the Hilton.com web server) customized according to the user

preferences. The following screenshots are examples of the request for a customized page that is customized according to the user preferences:



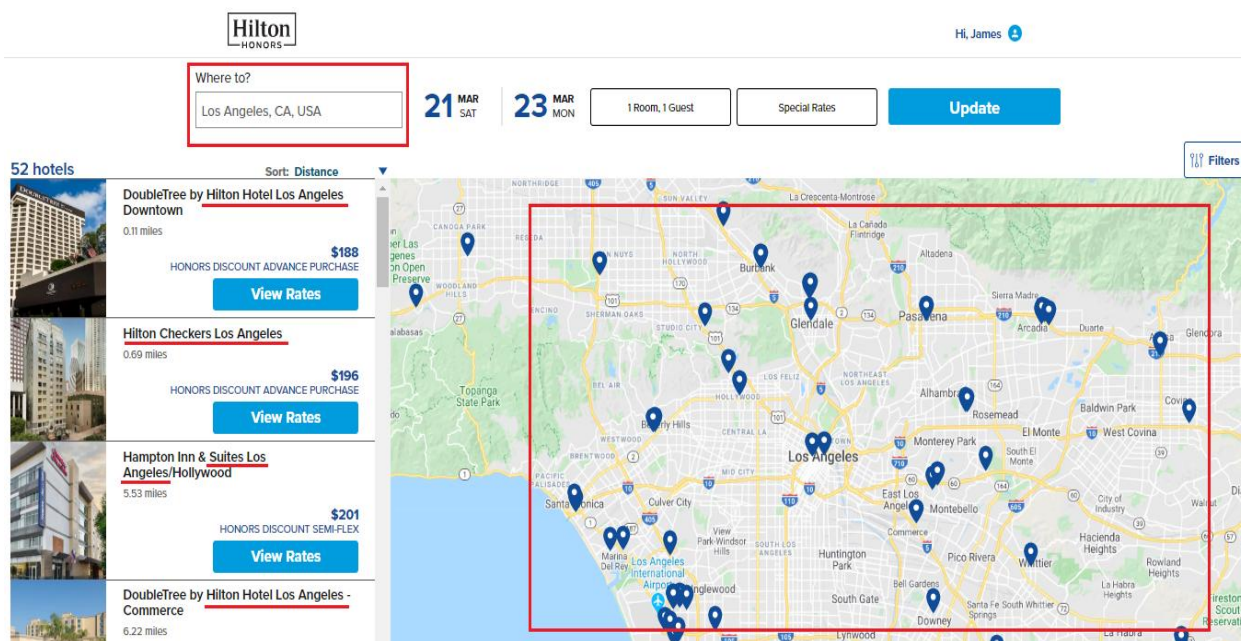
(<https://hiltonhonors3.hilton.com/en/index.html> (for a particular user)).



(<https://www.hilton.com/en/search/hilton-honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03-21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1> (for a particular user)).

49. The Accused Instrumentality performs the step of executing the template program (e.g., the code for the website which includes code representing a generic template that defines the general layout of the webpage, and other pieces of real-time information, such as available

currently available hotels information, gathered from information source using various APIs and scripts) specific to the user (e.g., the webpage is catered towards the user's search queries) using the real-time information stored in the storage device (e.g., hotels information will be gathered from information source using an API and/or scripts, and stored, at least temporarily, on a local web/API server web server) as input to the template program to generate the customized page (e.g., the hotels information gathered will be combined with a generic layout template to create the entire webpage).



<https://www.hilton.com/en/search/hilton-honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03-21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1> (for a particular user)).

```

<!doctype html>
<html lang="en">
  <head>...</head>
  <body style>
    <div id="lightningjs-usabilla_live" style="display: none;">...</div>
    <div id="__next">
      <main data-testid="SearchPageContainer" class="sc-jKJlTe hgBhVN">
        <div aria-hidden="false" class="sc-hMqMXs dDSDir">
          <div class="sc-eNQAEJ dYVBdc">
            <header data-testid="HeaderContainer" class="sc-caSCKo fzUrA">
              <header data-testid="HeaderWithLogin" class="sc-iELTVk bjWjCH">
                <div class="sc-cmTtod inqCqM">...</div>
              </header>
              <span class="sc-kjoXOD fnkFQV">Return to Hilton.com</span>
            </header>
            <div class="sc-bYSBpT fAeNMt">...</div>
            <h1 class="sc-lhVmIH XpOWH">Los Angeles, CA, USA hotels</h1>
          </div>
          <section class="sc-kEYyzF bPJVLt">
            <div class="sc-jWBwVP gMccDY">
              <div class="sc-iRBamj ycAps">
                <div class="sc-jTRfpw ZtbJZ">...</div>
                <div class="sc-bRBYWo btQHwj">...</div>

```

General template used to generate web page

<https://www.hilton.com/en/search/hilton-honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03-21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1> (for a particular user)).

```

  <div data-testid="HeaderContainer" class="sc-caSCKo fzUrA">
    <div data-testid="HeaderWithLogin" class="sc-iELTVk bjWjCH">
      <div class="sc-cmTtod inqCqM">...</div>
    </div>
    <span class="sc-kjoXOD fnkFQV">Return to Hilton.com</span>
  </div>
  <div class="sc-bYSBpT fAeNMt">...</div>
  <h1 class="sc-lhVmIH XpOWH">Los Angeles, CA, USA hotels</h1>
</div>

```

Content obtained from information sources, combined within the templates

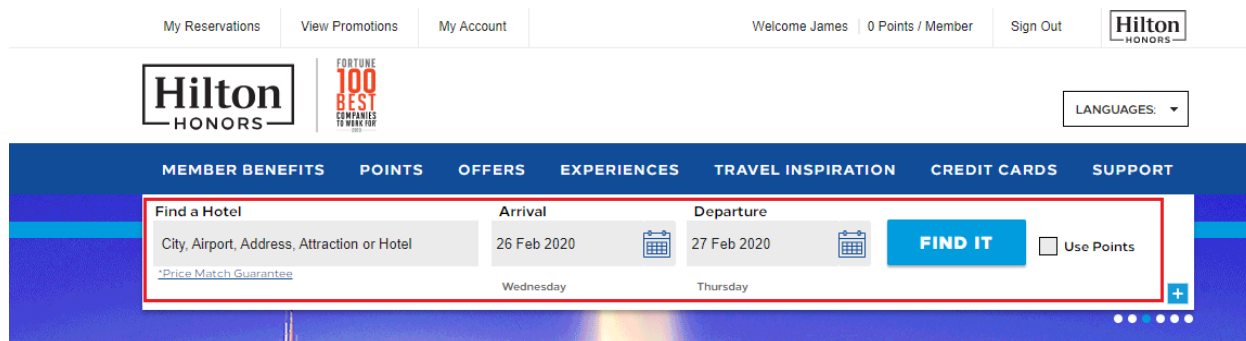
```

  <section class="sc-kEYyzF bPJVLt">
    <div class="sc-jWBwVP gMccDY">
      <div class="sc-iRBamj ycAps">
        <div class="sc-jTRfpw ZtbJZ">...</div>
        <div class="sc-bRBYWo btQHwj">...</div>
        <button class="sc-kkGfuU eIF5ZF">Map</button>
      </div>
      <div class="sc-gPEVay gnBbin">
        <ul aria-label="Hotel search results" data-e2e="hotelsList" class="sc-hrWEMg egPFoV"></ul>
        <ul aria-label="Hotel search results" class="sc-hrWEMg egPFoV">
          <li class="sc-emmjRN iseggm">
            <div data-testid="hotel-card" class="sc-dUjcNx inF1HM">
              <div data-testid="imageUrl" data-e2e="listViewPropertyImage" class="sc-eilVRO ectMWe"></div>
              <div class="sc-eerKOB kvBMhr">
                <p data-e2e="listViewPropertyName" aria-hidden="true" class="sc-krvtOX gsKth">DoubleTree by Hilton Hotel Los Angeles Downtown</p>
                <p data-e2e="milesText" aria-hidden="true" class="sc-gHboQg bCuOZQ">0.11 miles</p>
                <p aria-hidden="true" class="sc-Ctfft kDPtoc">$188</p>
                <span data-e2e="ratePlanName" class="sc-r8LzX cPQdRq">HONORS DISCOUNT ADVANCE PURCHASE</span>
                <a href="https://secure3.hilton.com/en_US/hh/reservation/book.htm?cityhocr=LAX...&DeepLinking=true&cid=8WT_mc_id=8gclid=8dclid=8AMC=&toAvailCalendar=false" aria-label="DoubleTree by Hilton Hotel Los Angeles Downtown, 0.11 miles from city center, $188, HONORS DISCOUNT ADVANCE PURCHASE, Select" class="sc-hMftBS sc-cpmLhU cHMepu T472-shown">view rates</a>
              </div>
            </li>

```

<https://www.hilton.com/en/search/hilton-honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03-21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1> (for a particular user)).

50. The Accused Instrumentality performs the step of providing the customized page to the user (e.g., a webpage showing hotels that meet a user’s search requirements) wherein the steps of executing and providing are performed in real-time response to receipt of the user request in the step of receiving (e.g., the webpage of hotels is requested in real-time as the user request it and wherein the customized page includes at least one item of real-time information (e.g., current hotel listings) selected from the storage device (e.g., current hotels information)).



<https://hiltonhonors3.hilton.com/en/index.html> (for a particular user)).

The screenshot displays the Hilton website's search interface. At the top, the Hilton logo and 'HILTON HONORS' are visible. The search criteria are: 'Where to?' Los Angeles, CA, USA; dates from 21 MAR SAT to 23 MAR MON; 1 Room, 1 Guest; and Special Rates. A blue 'Update' button is present. Below the search bar, it indicates '52 hotels' and 'Sort: Distance'. Three hotel listings are shown with their respective prices and 'View Rates' buttons. To the right, a map of Los Angeles is displayed with a red rectangular box highlighting the search area.

<https://www.hilton.com/en/search/hilton-honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03-21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1> (for a particular user)).

51. Plaintiff has been damaged as a result of Defendant’s infringing conduct. Defendant is thus liable to Plaintiff for damages in an amount that adequately compensates Plaintiff for such Defendant’s infringement of the ‘227 patent, *i.e.*, in an amount that by law cannot be less than would constitute a reasonable royalty for the use of the patented technology, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

52. On information and belief, Defendant has had at least constructive notice of the ‘227 patent by operation of law, and there are no marking requirements that have not been complied with.

V. COUNT III
(PATENT INFRINGEMENT OF UNITED STATES PATENT NO. 7,171,414)

53. Plaintiff incorporates the above paragraphs herein by reference.

54. On January 30, 2007, United States Patent No. 7,171,414 (“the ‘414 Patent”) was duly and legally issued by the United States Patent and Trademark Office. The ‘414 Patent is titled “Dynamic Page Generator.” A true and correct copy of the ‘414 Patent is attached hereto as Exhibit G and incorporated herein by reference.

55. Digi Portal is the assignee of all right, title and interest in the ‘414 patent, including all rights to enforce and prosecute actions for infringement and to collect damages for all relevant times against infringers of the ‘414 Patent. Accordingly, Digi Portal possesses the exclusive right and standing to prosecute the present action for infringement of the ‘414 Patent by Defendant.

56. The application leading to the ‘414 patent was filed September 10, 1999, which was a continuation of application no. 08/873,975, which issued as the ’227 patent. (Ex. G at cover). The ‘414 patent was first assigned to Yahoo! Inc. (*Id.*).

57. The invention in the ‘414 Patent relates to the field of customized information presentation on the web; more specifically, providing customized pages that are quickly served and scalable to handle many users simultaneously. (*Id.* at col. 1:29-33).

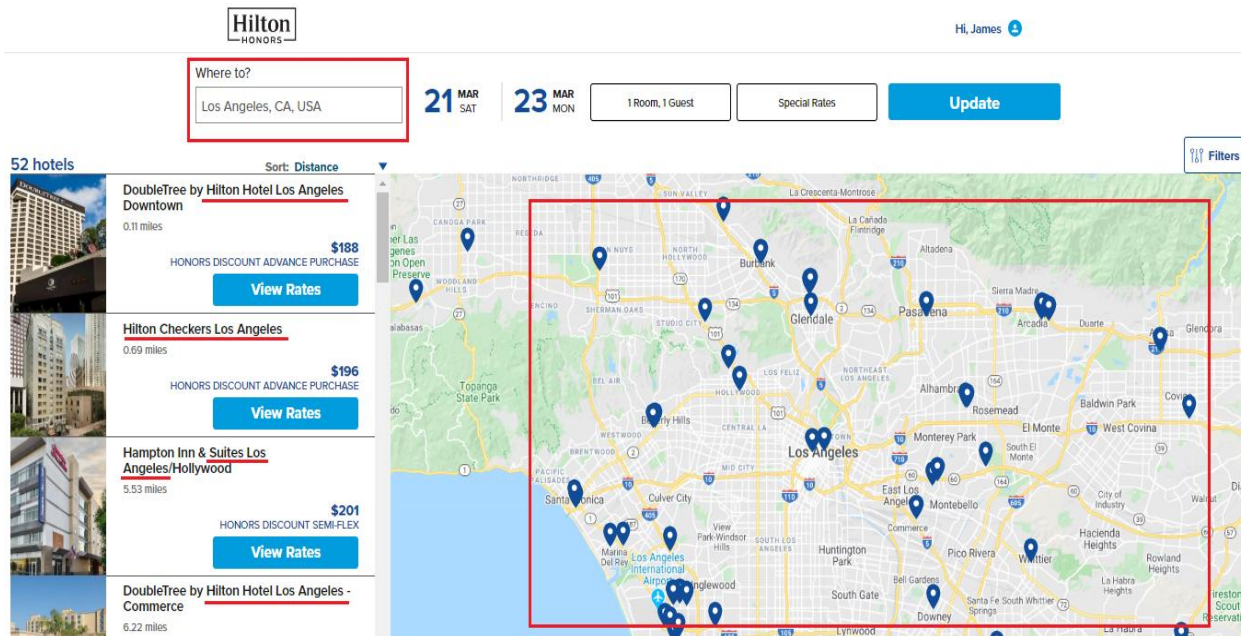
58. The ‘414 Patent shares the identical specification as the ‘854 patent and therefore Digi Portal incorporates the background and discussion of the invention in Paragraphs 13-25. Furthermore, the prosecution history of the ‘414 patent highlights advantages and unconventional features of the claimed invention including the “storing real-time information in a shared local storage device.” An example of this limitation is when live data used to fill templates is stored local to the page server which is handling user requests for custom web pages. (Ex. I at 8; Ex. G at col. 2:11-15). Every piece of information that a person can request on a page is storable in a shared memory closely coupled to a page generator. (Ex. I at 9; Ex. G

at col. 4:43-58). Unlike the prior art CGI process that required time consuming calls to other servers, storing real-time information in a shared local storage device, allows for any custom page to be built within the page server thereby eliminating the need to make requests from other servers for portions of the live data. (Ex. I at 9; Ex. G at col. 2:25-31).

59. Furthermore, as show in the prosecution history of the '414 Patent, it was unconventional to receive the template program from one of at least two location, the frequency of the user request for the customized page determines the retrieval location of the template program. (Ex. H at 9-10). In the prior art, the published web site was stored on a server and provided from one server location regardless of the frequency of the user requests for the web site. (*Id.*). The examiner agreed that the claim was allowable because the prior art did not disclose that in a page server coupled to a network a method of providing a customized page to a user, the customized page is customized according to the user's preferences, and the template is received from one of at least two locations, the location determined from frequency of the user request for the customized page. (Ex. J at 3).

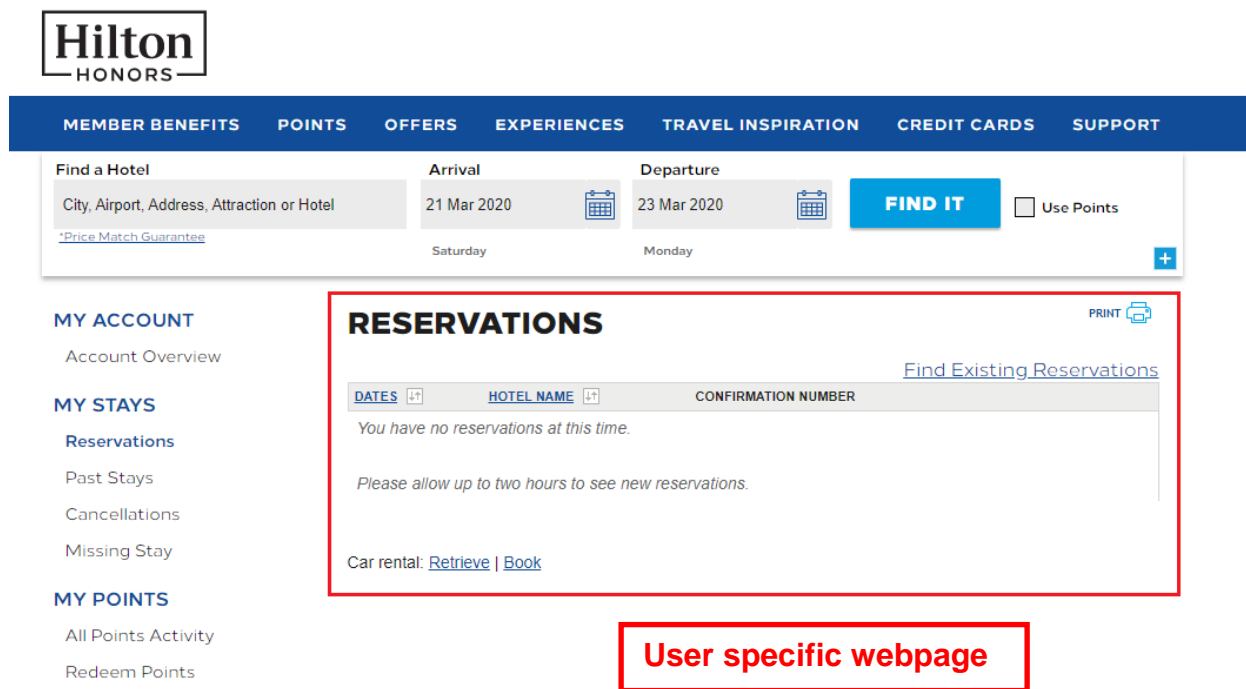
60. **Direct Infringement.** Upon information and belief, Defendant has been directly infringing at least claims 1 and 3 of the '414 patent in Delaware, and elsewhere in the United States, by performing actions comprising using or performing the claimed method using the Hilton.com website ("Accused Instrumentality"). The Accused Instrumentality uses a page server (*e.g.*, the Hilton.com server), to provide a customized page (*e.g.*, webpage which displays available hotels meeting a user's search parameters) to a user, wherein the customized page is customized according to the user's preferences (*e.g.*, a user's selected location's relevant currently available hotels information).

61. On information and belief, the Accused Instrumentality performs the step of obtaining real-time information from information sources (e.g., an API is used to gather real-time hotels information for information source) and stores them in a shared local storage device (e.g., hotels information will be gathered from information source using an API and/or scripts, and stored, at least temporarily, on a local web/API server web server).



<https://www.hilton.com/en/search/hilton-honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03-21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1> (for a particular user)).

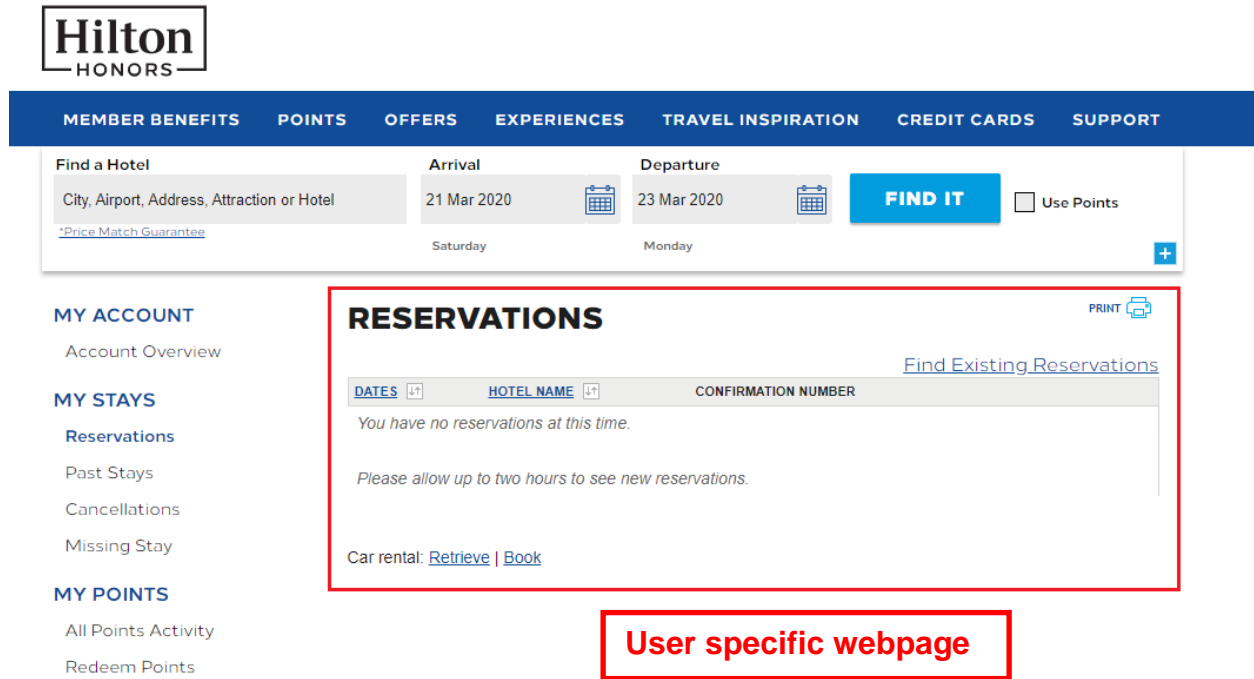
logs in, Hilton.com can display hotels for which user have registered. As such, a user-specific template program utilized to create the displayed websites that show a user’s upcoming hotel bookings must be stored in a database wherein said template program is tied to a user’s log in information/account.



(<https://secure3.hilton.com/en/hh/customer/account/reservations.htm> (for a particular user)).

63. Upon information and belief, the Accused Instrumentality performs the step of receiving, from the user and at the page server (e.g., Hilton.com server), a user request (e.g., user login, search initiation, etc.) for a customized page (e.g., the Hilton.com server receives a user’s request for hotels information meeting their inputted parameters) and determining a user identifier associated with the request (e.g., the hilton.com server assigns an identifying number to the user’s search). As shown below, after a user logs in, Hilton.com can display hotels for which user have registered. As such, a user-specific template program utilized to create the displayed

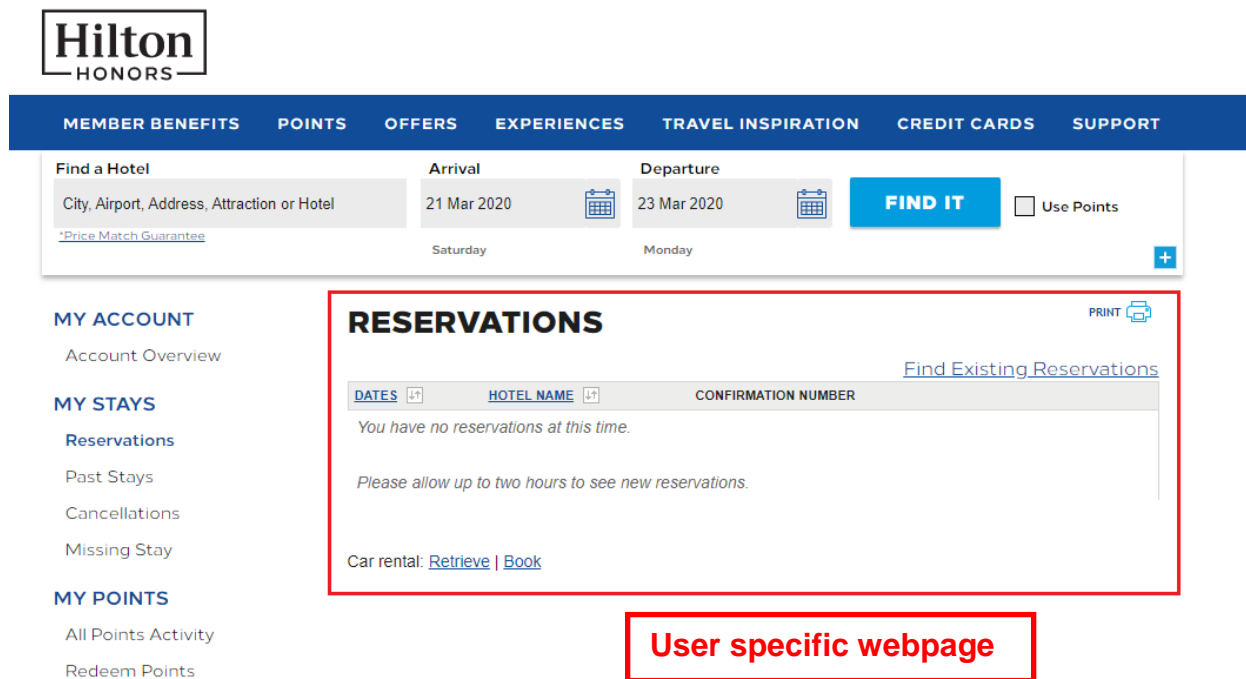
websites that show a user’s upcoming hotel bookings must be stored in a database wherein the template program is tied to a user’s log in information/account.



(E.g., <https://secure3.hilton.com/en/hh/customer/account/reservations.htm> (for a particular user)).

64. On information and belief, the Accused Instrumentality performs the step of receiving a template program specific to the user using the determined user identifier associated with the user request (e.g., the hilton.com server will receive a template program, which is the code and data that represents the search results webpage to be delivered to a user, that is identified by a number and linked to a user and their search query). The accused instrumentality uses the template program that is unique to the user which is generated using customization information unique to the user and a global template that is generic to a plurality of users. As shown below, after a user logs in, hilton.com can display hotels for which user have registered. As such, a user-specific template program utilized to create the displayed websites that show a

user’s upcoming hotel bookings must be stored in a database wherein said template program is tied to a user’s log in information/account.



(E.g., <https://secure3.hilton.com/en/hh/customer/account/reservations.htm> (for a particular user)).

65. On information and belief, the Accused Instrumentality performs the step that the template program is received from one of at least two locations, the location determined from frequency of the user request for the customized page (e.g., the code and objects making up a webpage delivered to the user may be fetched from a main server or from a user’s local cache depending on how often the user inputs a similar search query).

66. In at least testing and usage, the accused instrumentality practices receiving a template program (e.g., software instructions and data used for rendering a particular user’s search results page such as a JavaScript page) that is unique to the user (e.g., JavaScript pages will be specific to a user because the content can be modified by and/or customized for a user) and based on user configuration information (e.g., a user can customize the content of their

templates and what will be rendered and displayed using the templates by entering information such as their requested location) the user configuration information being supplied by the user (*e.g.*, a user defines the information their template will display by inputting information such as their requested location) and used to build the template program that is unique to the user (*e.g.*, user configuration information is used to modify templates, create instructions, and designate appropriate data retrieval for rendering the user's specific page) and wherein the template program is received from one of at least two locations (*e.g.*, the data and templates comprising a user's page may be retrieved from a main server/disk storage), the location determined from the frequency of the user request for the customized page (*e.g.*, based on the frequency at which a user logs in or accesses the hilton.com page, the data comprising the users page may be stored at a main server). Template information that is part of the template program is stored for less frequently accessed files in the main storage and for more frequently accessed files in storage on the user's computer. Running the template program (page generation code, tiles, containers, and user data) creates the customized webpage. Webpage information can be stored in a JavaScript object that is used in logic to display various available hotels and other site logic-based conditions. The template information is stored in multiple locations: (1) At runtime, in a JavaScript object with the data structure called Context Data; (2) Within browser local storage; and (3) browser cookies.

Search terms initially stored in variables

```

▼ <p id="all_search_input" class="oneBox oneBoxWithJS">
  <span class="labelTop" id="search_one_search_label">Where are you going?</span>
  ▼ <span class="spanTextInput">
    ▶ <label class="labelOneBoxHint over" for="hotelSearchOneBox" style="display: block;
      ">...</label>
      <input id="hotelSearchOneBox" name="searchQuery" class="text" aria-autocomplete=
        "both" aria-haspopup="true" type="text" value role="combobox" maxlength="100"
        autocomplete="off" autocorrect="off">
      <span class="ariaNoResultText hidden" aria-hidden="true">No search results found.
      </span>
      <span class="ariaResultText hidden" aria-hidden="true">results were found. Press up
        and down key to select.</span>
      <span class="ariaResult hidden" aria-live="polite" role="alert"></span>
    </span>
  </p>
  <!-- dates check in out -->
  ...

```

(E.g., <https://hiltonhonors3.hilton.com/en/index.html> (for a particular user)).

```

{f([g,n],function(b){for(var c=0;c<b.length;c++){var
d=b.key(c);0===d.indexOf(p)&&a(b,d)}}}function e(a,b){var c=(new
Date).getTime();if((b=JSON.parse(b))&&b.e&&b.e<c)localStorage.removeItem(a);else return
b&&b.v)c=Q[c]||c||"def";var p=a+"."+c+".",d=this,
g=sessionStorage,n=localStorage;d.get=function(a){if(!a){var c={},d=p.length;b(function(a,b)
{c[b.substring(d)]=e(b,a.getItem(b))});return c}a=p+a;var
f=g.getItem(a)||n.getItem(a);return e(a,f)};d.set=function(a,b,c){a=p+a;if(M(b)){var e=c?
n:g;b=JSON.stringify({v:b,e:c?H(c).getTime():C});e.setItem(a,b)}else
g.removeItem(a),n.removeItem(a);return d};d.removeAll=function(){b(function(a,b)
{a.removeItem(b)});return d}}function ha(a){var c=this,b=arguments;c.get=function(a){if(!a)
{for(var c=b[0].get(),

```

(E.g., <https://service.maxymiser.net/cdn/hilton/hilton.com/js/mmcore.js> (for a particular user)).

```

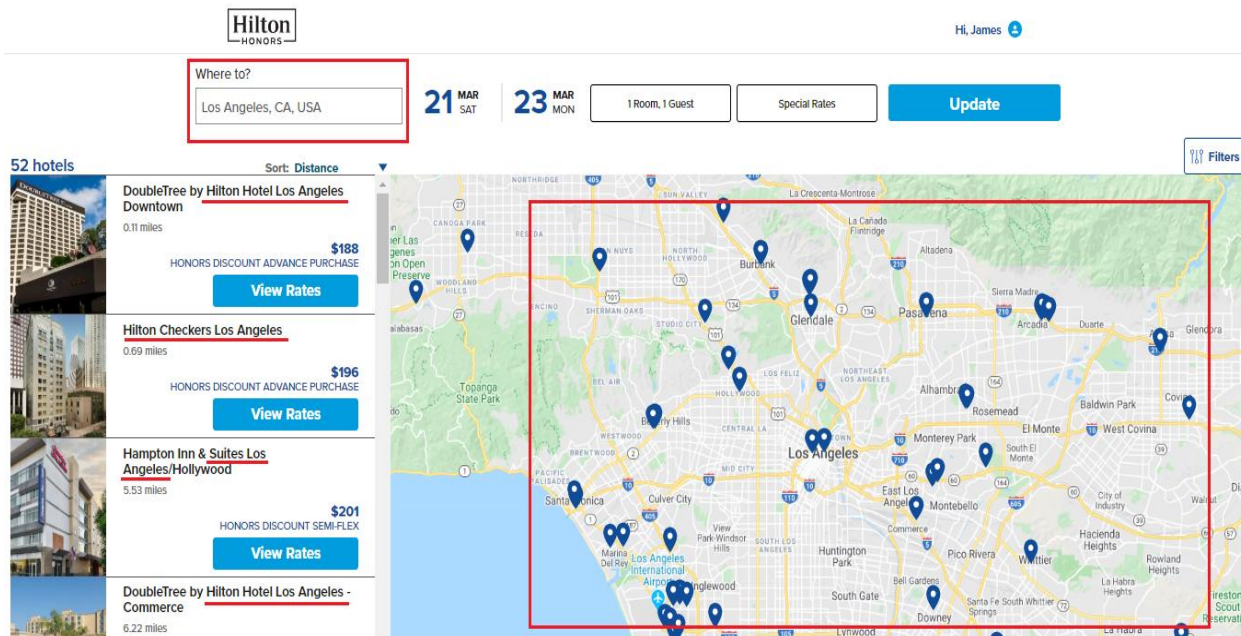
t=D.createPrefixedLogger(r.displayName),a=ne(r.hostedLibFilesBaseUrl,d.minified),o=
{buildInfo:d,getDataElementValue:c,getExtensionSettings:e,getHostedLibFileUrl:a,getSharedMod
ule:m,logger:t,propertySettings:u,replaceTokens:i};Object.keys(r.modules).forEach(function(a)
){var e=r.modules[a],t=De(function(e){var t=ie(a,e);return
s.getModuleExports(t)});s.registerModule(a,e,n,t,o)}),s.hydrateCache()}return
s},Ve=function(e,t,a,n,r){var o=D.createPrefixedLogger("Custom Script");e.track=function(e)
{D.log(''+e+' does not match any direct call identifiers.')},e.getVisitorId=function()
{return null},e.property=
{name:t.property.name},e.company=t.company,e.buildInfo=t.buildInfo,e.logger=o,e.notify=funct

```

(E.g., <https://assets.adobedtm.com/launch-EN02272261e0b845508227acf3ca0c37de.min.js> (for a particular user)).

67. On information and belief, the Accused Instrumentality performs the step of executing the template program (e.g., code, objects, APIs, scripts, etc.) specific to the user (e.g., the code and other elements composing the webpage are created for a particular user's search

query) using the real-time information stored in the shared local storage device (e.g., hotels information pulled from information source and stored at least temporarily on an hilton.com server) to generate the customized page (e.g., hotels search results).



(E.g., <https://www.hilton.com/en/search/hilton-honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03-21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1> (for a particular user)).

```

</div>
<div class="sc-emjRN iseggm">
  <div data-testid="hotel-card" class="sc-dujchx iNF1HM">
    <div data-testid="imageUrl" data-e2e="listViewPropertyImage" class="sc-e1lVro iDBwGg"></div>
    <div class="sc-eerKOB kvBMHR">
      <p data-e2e="listViewPropertyName" aria-hidden="true" class="sc-krvtoX gskth">Embassy Suites by Hilton Los Angeles Glendale</p>
      <p data-e2e="milesText" aria-hidden="true" class="sc-gHboQg bCUOZQ">7.34 miles</p>
      <p aria-hidden="true" class="sc-Ctfft kDPtoc">$175</p>
      <span data-e2e="ratePlanName" class="sc-rBLZX cPQdRq">HONORS DISCOUNT ADVANCE PURCHASE</span>
      <a href="https://secure3.hilton.com/en_US/hh/reservation/book.htm?ctyhocn=BUR_hvDeeplinking=true&cid=@T.mc_id=$eclid-$dcclid-$AWC-&toavailCalendar=false" aria-label="Embassy Suites by Hilton Los Angeles Glendale, 7.34 miles from city center, $175, HONORS DISCOUNT ADVANCE PURCHASE, Select" class="sc-HMFTBS sc-cpmLHU chMepu T472-shown">view rates</a>
    </div>
  </div>
</li>
<li class="sc-emjRN iseggm">
  <div data-testid="hotel-card" class="sc-dujchx iNF1HM">
    <div data-testid="imageUrl" data-e2e="listViewPropertyImage" class="sc-e1lVro bNLUVA"></div>
    <div class="sc-eerKOB kvBMHR">
      <p data-e2e="listViewPropertyName" aria-hidden="true" class="sc-krvtoX gskth">Hilton Los Angeles North/Glendale & Executive Meeting Ctr.</p>
      <p data-e2e="milesText" aria-hidden="true" class="sc-gHboQg bCUOZQ">7.4 miles</p>
      <p aria-hidden="true" class="sc-Ctfft kDPtoc">$165</p>
      <span data-e2e="ratePlanName" class="sc-rBLZX cPQdRq">HONORS DISCOUNT ADVANCE PURCHASE</span>
      <a href="https://secure3.hilton.com/en_US/hh/reservation/book.htm?ctyhocn=BUR_hvDeeplinking=true&cid=@T.mc_id=$eclid-$dcclid-$AWC-&toavailCalendar=false" aria-label="Hilton Los Angeles North/Glendale & Executive Meeting Ctr, 7.4 miles from city center, $165, HONORS DISCOUNT ADVANCE PURCHASE, Select" class="sc-HMFTBS sc-cpmLHU chMepu T472-shown">view rates</a>
    </div>
  </div>
</li>
<li class="sc-emjRN iseggm">
  <div data-testid="hotel-card" class="sc-dujchx iNF1HM">
    <div data-testid="imageUrl" data-e2e="listViewPropertyImage" class="sc-e1lVro kbDCE"></div>
    <div class="sc-eerKOB kvBMHR">
      <p data-e2e="listViewPropertyName" aria-hidden="true" class="sc-krvtoX gskth">Hilton Los Angeles/San Gabriel</p>
      <p data-e2e="milesText" aria-hidden="true" class="sc-gHboQg bCUOZQ">8.29 miles</p>
      <p aria-hidden="true" class="sc-Ctfft kDPtoc">$126</p>
      <span data-e2e="ratePlanName" class="sc-rBLZX cPQdRq">HONORS DISCOUNT ADVANCE PURCHASE</span>
      <a href="https://secure3.hilton.com/en_US/hh/reservation/book.htm?ctyhocn=LAX_hvDeeplinking=true&cid=@T.mc_id=$eclid-$dcclid-$AWC-&toavailCalendar=false" aria-label="Hilton Los Angeles/San Gabriel, 8.29 miles from city center, $126, HONORS DISCOUNT ADVANCE PURCHASE, Select" class="sc-HMFTBS sc-cpmLHU chMepu T472-shown">view rates</a>
    </div>
  </div>
</li>
</li>
</div>
</li>
</div>

```

Currently available hotels information retrieved from information source

(E.g., <https://www.hilton.com/en/search/hilton-honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03-21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1> (for a particular user)).

68. On information and belief, the Accused Instrumentality performs the step that the template program indicates items of interest to the user; and providing the user with the customized page (e.g., the code/scripts/etc. will create a webpage that displays hotels information related to a user’s search query). Users have varying hotels and prices displayed based upon the users’ respective locations (i.e., real-time information selected for the user's customized web page based on the customization information unique to the user such as current hotels and prices).

(E.g., <https://www.hilton.com/en/search/hilton-honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03-21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1> (for a particular user)).

```

<li class="sc-emjRN iseggm">
  <div data-testid="hotel-card" class="sc-dujcx iNf1HW">
    <div data-testid="imageUrl" data-e2e="listViewPropertyImage" class="sc-e1Vro iD8wGg"></div>
    <div class="sc-eerKOB kvBMNR">
      <p data-e2e="listViewPropertyName" aria-hidden="true" class="sc-krvtoX gskth">Embassy Suites by Hilton Los Angeles Glendale</p>
      <p data-e2e="milesText" aria-hidden="true" class="sc-gHboog bCUOZQ">7.34 miles</p>
      <p aria-hidden="true" class="sc-Ctfft kDPtcc">$175</p>
      <span data-e2e="ratePlanName" class="sc-rBLZX cPQdRq">HONORS DISCOUNT ADVANCE PURCHASE</span>
      <a href="https://secure3.hilton.com/en_US/hh/reservation/book.htm?cityhocr=BUR_hvOeoplinking=true&cid=&WT.mc_id=&glid=&dcclid=&MC=&toavailCalendar=false" aria-label="Embassy Suites by Hilton Los Angeles Glendale, 7.34 miles from city center, $175, HONORS DISCOUNT ADVANCE PURCHASE, Select" class="sc-HMFtBS sc-cplLHU cHMapu T472-shown">view rates</a>
    </div>
  </div>
</li>
<li class="sc-emjRN iseggm">
  <div data-testid="hotel-card" class="sc-dujcx iNf1HW">
    <div data-testid="imageUrl" data-e2e="listViewPropertyImage" class="sc-e1Vro bNLUVA"></div>
    <div class="sc-eerKOB kvBMNR">
      <p data-e2e="listViewPropertyName" aria-hidden="true" class="sc-krvtoX gskth">Hilton Los Angeles North/Glendale & Executive Meeting Ctr</p>
      <p data-e2e="milesText" aria-hidden="true" class="sc-gHboog bCUOZQ">7.4 miles</p>
      <p aria-hidden="true" class="sc-Ctfft kDPtcc">$165</p>
      <span data-e2e="ratePlanName" class="sc-rBLZX cPQdRq">HONORS DISCOUNT ADVANCE PURCHASE</span>
      <a href="https://secure3.hilton.com/en_US/hh/reservation/book.htm?cityhocr=BUR_hvOeoplinking=true&cid=&WT.mc_id=&glid=&dcclid=&MC=&toavailCalendar=false" aria-label="Hilton Los Angeles North/Glendale & Executive Meeting Ctr, 7.4 miles from city center, $165, HONORS DISCOUNT ADVANCE PURCHASE, Select" class="sc-HMFtBS sc-cplLHU cHMapu T472-shown">view rates</a>
    </div>
  </div>
</li>
<li class="sc-emjRN iseggm">
  <div data-testid="hotel-card" class="sc-dujcx iNf1HW">
    <div data-testid="imageUrl" data-e2e="listViewPropertyImage" class="sc-e1Vro kb0dCE"></div>
    <div class="sc-eerKOB kvBMNR">
      <p data-e2e="listViewPropertyName" aria-hidden="true" class="sc-krvtoX gskth">Hilton Los Angeles/San Gabriel</p>
      <p data-e2e="milesText" aria-hidden="true" class="sc-gHboog bCUOZQ">8.29 miles</p>
      <p aria-hidden="true" class="sc-Ctfft kDPtcc">$126</p>
      <span data-e2e="ratePlanName" class="sc-rBLZX cPQdRq">HONORS DISCOUNT ADVANCE PURCHASE</span>
      <a href="https://secure3.hilton.com/en_US/hh/reservation/book.htm?cityhocr=LAX_hvOeoplinking=true&cid=&WT.mc_id=&glid=&dcclid=&MC=&toavailCalendar=false" aria-label="Hilton Los Angeles/San Gabriel, 8.29 miles from city center, $126, HONORS DISCOUNT ADVANCE PURCHASE, Select" class="sc-HMFtBS sc-cplLHU cHMapu T472-shown">view rates</a>
    </div>
  </div>
</li>
</li>
</li>
  </li class="sc-emjRN iseggm">

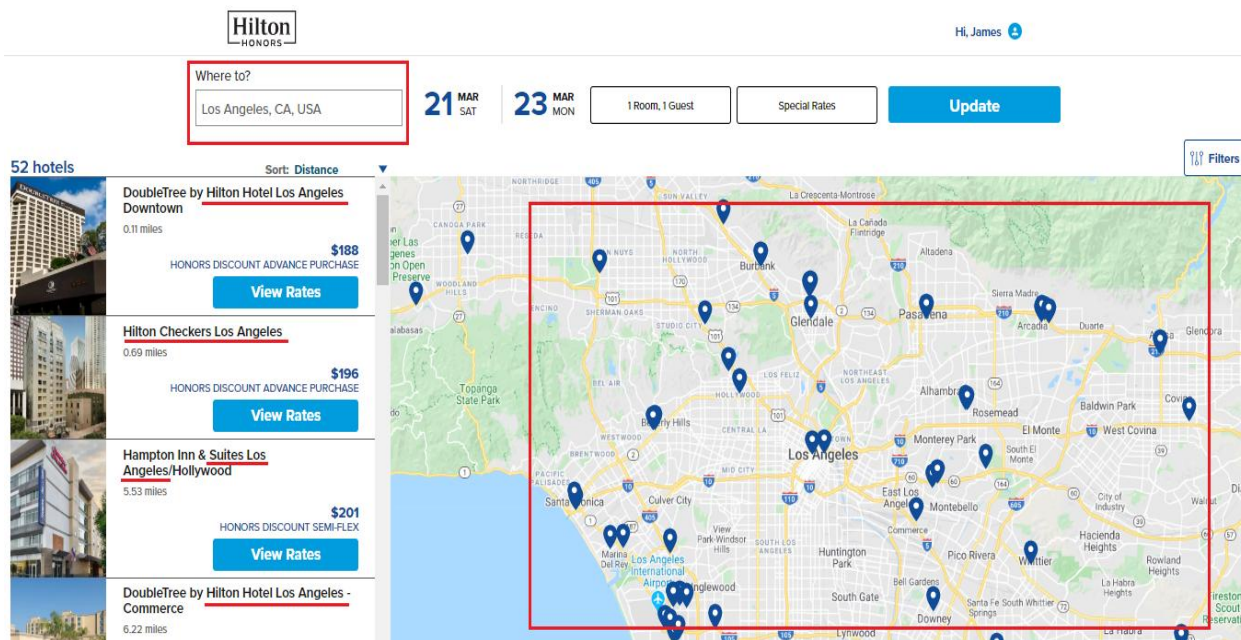
```

Currently available
hotels information
retrieved from
information source

(E.g., <https://www.hilton.com/en/search/hilton-honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03-21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1> (for a particular user)).

[21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1](#) (for a particular user)).

69. On information and belief, the Accused Instrumentality performs the step of receiving user preferences (e.g., the search terms inputted by a user such as preferences set by user for hotels search) for the user, wherein the user preferences indicate the items of interest to the user (e.g., hotels and prices near a user location) and combining the user preferences with a generic template to form the template program specific to the user.



(E.g., <https://www.hilton.com/en/search/hilton-honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03-21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1> (for a particular user)).

As shown below, Hilton.com uses a generic template to define how the webpage should generally be laid out and displayed.

```

<!doctype html>
<html lang="en">
  <head>...</head>
  <body style>
    <div id="lightningjs-usabilla_live" style="display: none;">...</div>
    <div id="__next">
      <main data-testid="SearchPageContainer" class="sc-jKJlTe hgBhVN">
        <div aria-hidden="false" class="sc-hMqMXs dSDir">
          <div class="sc-eNQAEJ dYVBdc">
            <header data-testid="HeaderContainer" class="sc-caSCKo fzUrA">
              <header data-testid="HeaderWithLogin" class="sc-iELTVk bjwjCH">
                <div class="sc-cmTtod inqCqM">...</div>
              </header>
              <span class="sc-kjoXOD fnkFQV">Return to Hilton.com</span>
            </header>
            <div class="sc-bYSBpT fAeNMT">...</div>
            <h1 class="sc-lhVmIH XpOWH">Los Angeles, CA, USA hotels</h1>
          </div>
          <section class="sc-kEYyzF bPJVlt">
            <div class="sc-jWBwVP gMccDY">
              <div class="sc-iRbamj ycAps">
                <div class="sc-jtRfpW ZtbJZ">...</div>
              <div class="sc-bRBYwo btOHwi">...</div>
            </div>
          </section>
        </div>
      </main>
    </div>
  </body>
</html>

```

General template used to generate web page

(E.g., <https://www.hilton.com/en/search/hilton-honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03-21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1> (for a particular user)).

As shown below, Hilton.com will then combine the template with customized data pulled based upon a user’s search inputs in order to create a template program executable by a user’s browser, so that the customized webpage can be displayed to the user.

```

▼<header data-testid="HeaderContainer" class="sc-caSCKo fzUrA">
  ▼<header data-testid="HeaderWithLogin" class="sc-iELTVk bjWjCH">
    ▶<div class="sc-cmTtod inqCqM">...</div>
  </header>
  <span class="sc-kjoXOD fnkFQV">Return to Hilton.com</span>
</header>
▶<div class="sc-bYSBpT fAeNMt">...</div>
<h1 class="sc-lhVmIH XpOWH">Los Angeles, CA, USA hotels</h1>
</div>

▼<section class="sc-kEYyzF bPJVLt">
  ▼<div class="sc-jWBwVP gMccDY">
    ▼<div class="sc-iRbamj ycAps">
      ▶<div class="sc-jtRfPw ZtbJZ">...</div>
      ▶<div class="sc-bRBYWo btQHwj">...</div>
      <button class="sc-kkGfuU eIfSZF">Map</button>
    </div>
    ▼<div class="sc-gPEVay gnBbin">
      <ul aria-label="Hotel search results" data-e2e="hotelsList" class="sc-hrWEMg egPFoV"></ul>
      <ul aria-label="Hotel search results" class="sc-hrWEMg egPFoV">
        ▼<li class="sc-emmjRN iseegm">
          ▼<div data-testid="hotel-card" class="sc-dUjcnX inF1HM">
            <div data-testid="imageUrl" data-e2e="listViewPropertyImage" class="sc-eilVro ectMWe"></div>
            ▼<div class="sc-eerKOB kvBmHR">
              <p data-e2e="listViewPropertyName" aria-hidden="true" class="sc-krvtoX gsKth">DoubleTree by Hilton Hotel Los Angeles Downtown</p>
              <p data-e2e="milesText" aria-hidden="true" class="sc-gHboQg bCuOZQ">0.11 miles</p>
              <p aria-hidden="true" class="sc-Ctfft kDPtoc">$188</p>
              <span data-e2e="ratePlanName" class="sc-rBLzX cPQdRq">HONORS DISCOUNT ADVANCE PURCHASE</span>
              <a href="https://secure3.hilton.com/en_US/hh/reservation/book.htm?ctyhocn=LAX_
              hVDeepLinking=true&cid=8WT.mc_id=8gcclid=8dcclid=8AWC=&toAvailCalendar=false" aria-label="DoubleTree by Hilton Hotel Los Angeles
              Downtown, 0.11 miles from city center, $188, HONORS DISCOUNT ADVANCE PURCHASE, Select" class="sc-hMftBS sc-cpmLhU chMepu T472-shown">
              view rates</a>
            </div>
          </li>
        </ul>
      </div>
    </div>
  </section>
</li>

```

Content obtained from information sources, combined within the templates

(E.g., <https://www.hilton.com/en/search/hilton-honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03-21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1> (for a particular user)).

70. Plaintiff has been damaged as a result of Defendant’s infringing conduct. Defendant is thus liable to Plaintiff for damages in an amount that adequately compensates Plaintiff for such Defendant’s infringement of the ‘414 patent, *i.e.*, in an amount that by law cannot be less than would constitute a reasonable royalty for the use of the patented technology, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

71. On information and belief, Defendant has had at least constructive notice of the ‘414 patent by operation of law, and there are no marking requirements that have not been complied with.

VI. COUNT IV
(PATENT INFRINGEMENT OF UNITED STATES PATENT NO. 7,565,359)

72. Plaintiff incorporates the above paragraphs herein by reference.

73. On July 21, 2009, United States Patent No. 7,565,359 (“the ‘359 Patent”) was duly and legally issued by the United States Patent and Trademark Office. The ‘359 Patent is titled “Dynamic Page Generator.” A true and correct copy of the ‘359 Patent is attached hereto as Exhibit K and incorporated herein by reference.

74. Digi Portal is the assignee of all right, title and interest in the ‘359 patent, including all rights to enforce and prosecute actions for infringement and to collect damages for all relevant times against infringers of the ‘359 Patent. Accordingly, Digi Portal possesses the exclusive right and standing to prosecute the present action for infringement of the ‘359 Patent by Defendant.

75. The application leading to the ‘359 patent was filed January 22, 2007, as a continuation of application no. 09/393,718, which issued as the ‘414 patent, which was a continuation of application no. 08/873,975, which issued as the ‘227 patent. (Ex. K at cover). The ‘359 patent was first assigned to Yahoo! Inc. (*Id.*).

76. The invention in the ‘359 Patent relates to the field of customized information presentation on the web; more specifically, providing customized pages that are quickly served and scalable to handle many users simultaneously. (*Id.* at col. 1:22-27).

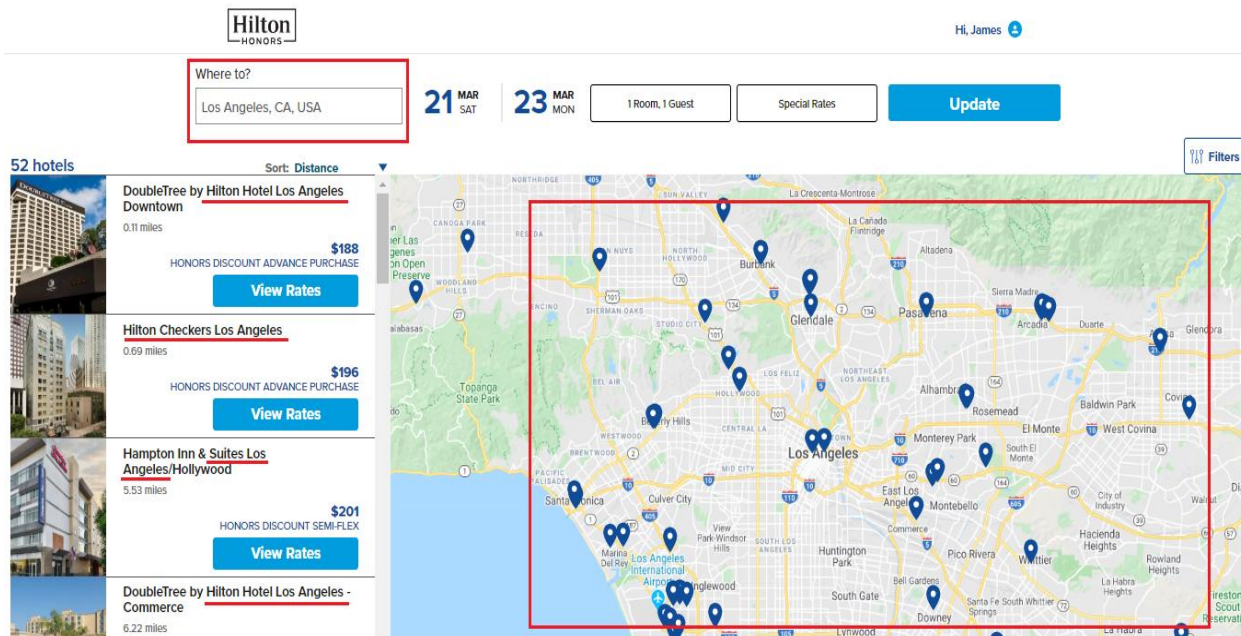
77. The ‘359 Patent shares the identical specification as the ‘854 patent and therefore Digi Portal incorporates the background and discussion of the invention in Paragraphs 13-25. Furthermore, the prosecution history of the ‘359 patent highlights advantages and the unconventional features of the claimed invention. When allowing the claims of the ‘359 patent, the examiner focused on the last two limitations of the claim stating that executing the template program specific to the user using the real-time information stored in the shared local storage device to generate a customized page; and receiving user preferences for the user, and combining

the user preferences with a generic template to form the template specific to the user, wherein the user preferences indicate the items of interest to the user in conjunction with the other limitations was not found in the prior art. (Ex. L at 8).

78. **Direct Infringement.** Upon information and belief, Defendant has been directly infringing at least claim 10 of the '359 patent in Delaware, and elsewhere in the United States, by performing actions comprising making and/or using the claimed computer-readable medium comprising instructions for generating customized pages that are customized according to user preferences that performs the method steps required by the claim, including without limitation through the method implemented of providing a user's Hilton.com page ("Accused Instrumentality"). The Accused Instrumentality utilizes a computer-readable medium comprising instructions (*e.g.*, code that is executed to create webpages) for generating customized pages (*e.g.*, user-specific web pages), wherein the customized pages are customized according to user preferences (*e.g.*, web pages will be customized to show hotels meeting a user's parameters).

79. On information and belief, the Accused Instrumentality performs the step of storing the real-time information in a shared local storage device (*e.g.*, hotels information will be pulled from a storage server/database and sent to a hilton.com local web/API server for processing and display). On information and belief, the Accused Instrumentality also performs the step of storing a user-specific template program (*e.g.*, instructions and data used to generate a custom user webpage are stored at least temporarily) for a plurality of users, wherein each template program indicates items of interest to a user (*e.g.*, each user's template program will include instructions, code, etc. that dictates the information that should be displayed for a user based on their search query), and is associated with a user identifier (*e.g.*, in order for a user to

see information specific to them and their search, hilton.com assigns each user search an identifying number), wherein the user identifier is associated with a user request (e.g., a user search will be linked to an identifying number) for a customized page.



(E.g., <https://www.hilton.com/en/search/hilton-honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03-21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1> (for a particular user)).

```

</li>
<li class="sc-emjRN iseggm">
  <div data-testid="hotel-card" class="sc-dujclx iNf1HM">
    <div data-testid="imageUrl" data-e2e="listViewPropertyImage" class="sc-e1Vro iDbWg"></div>
    <div class="sc-eeKOB kvBMHR">
      <p data-e2e="listViewPropertyName" aria-hidden="true" class="sc-krvtoX gskth">Embassy Suites by Hilton Los Angeles Glendale</p>
      <p data-e2e="milesText" aria-hidden="true" class="sc-gHBoQg bCUOZQ">7.34 miles</p>
      <p aria-hidden="true" class="sc-Ctfft kDPtoC">$175</p>
      <span data-e2e="ratePlanName" class="sc-rBLZX cPQdRq">HONORS DISCOUNT ADVANCE PURCHASE</span>
      <a href="https://secure3.hilton.com/en/US/hh/reservation/book.htm?cityhccn=BUR_hvOeeplinking=true&cid=@T.mc_id=$gclid=$dclid=$AWC&toavailCalendar=false" aria-label="Embassy Suites by Hilton Los Angeles Glendale, 7.34 miles from city center, $175, HONORS DISCOUNT ADVANCE PURCHASE, Select" class="sc-HMFtBS sc-cpmLHU chMepu T472-shown">view rates
    </a>
    </div>
  </li>
</li>
<li class="sc-emjRN iseggm">
  <div data-testid="hotel-card" class="sc-dujclx iNf1HM">
    <div data-testid="imageUrl" data-e2e="listViewPropertyImage" class="sc-e1Vro bNLUVA"></div>
    <div class="sc-eeKOB kvBMHR">
      <p data-e2e="listViewPropertyName" aria-hidden="true" class="sc-krvtoX gskth">Hilton Los Angeles North/Glendale & Executive Meeting Ctr</p>
      <p data-e2e="milesText" aria-hidden="true" class="sc-gHBoQg bCUOZQ">7.4 miles</p>
      <p aria-hidden="true" class="sc-Ctfft kDPtoC">$165</p>
      <span data-e2e="ratePlanName" class="sc-rBLZX cPQdRq">HONORS DISCOUNT ADVANCE PURCHASE</span>
      <a href="https://secure3.hilton.com/en/US/hh/reservation/book.htm?cityhccn=BUR_hvOeeplinking=true&cid=@T.mc_id=$gclid=$dclid=$AWC&toavailCalendar=false" aria-label="Hilton Los Angeles North/Glendale & Executive Meeting Ctr, 7.4 miles from city center, $165, HONORS DISCOUNT ADVANCE PURCHASE, Select" class="sc-HMFtBS sc-cpmLHU chMepu T472-shown">view rates</a>
    </div>
  </li>
</li>
<li class="sc-emjRN iseggm">
  <div data-testid="hotel-card" class="sc-dujclx iNf1HM">
    <div data-testid="imageUrl" data-e2e="listViewPropertyImage" class="sc-e1Vro kbDCE"></div>
    <div class="sc-eeKOB kvBMHR">
      <p data-e2e="listViewPropertyName" aria-hidden="true" class="sc-krvtoX gskth">Hilton Los Angeles/San Gabriel</p>
      <p data-e2e="milesText" aria-hidden="true" class="sc-gHBoQg bCUOZQ">8.29 miles</p>
      <p aria-hidden="true" class="sc-Ctfft kDPtoC">$126</p>
      <span data-e2e="ratePlanName" class="sc-rBLZX cPQdRq">HONORS DISCOUNT ADVANCE PURCHASE</span>
      <a href="https://secure3.hilton.com/en/US/hh/reservation/book.htm?cityhccn=LAX_hvOeeplinking=true&cid=@T.mc_id=$gclid=$dclid=$AWC&toavailCalendar=false" aria-label="Hilton Los Angeles/San Gabriel, 8.29 miles from city center, $126, HONORS DISCOUNT ADVANCE PURCHASE, Select" class="sc-HMFtBS sc-cpmLHU chMepu T472-shown">view rates</a>
    </div>
  </li>
</li>
<li class="sc-emjRN iseggm">

```

Currently available hotels information retrieved from information source

(E.g., <https://www.hilton.com/en/search/hilton-honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03-21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1> (for a particular user)).

MEMBER BENEFITS POINTS OFFERS EXPERIENCES TRAVEL INSPIRATION CREDIT CARDS SUPPORT

Find a Hotel Arrival: 21 Mar 2020 Departure: 23 Mar 2020 FIND IT Use Points

RESERVATIONS

Print Find Existing Reservations

DATES	HOTEL NAME	CONFIRMATION NUMBER
You have no reservations at this time.		
Please allow up to two hours to see new reservations.		

Car rental: [Retrieve](#) | [Book](#)

User specific webpage

(E.g., <https://secure3.hilton.com/en/hh/customer/account/reservations.htm> (for a particular user)).

80. On information and belief, the Accused Instrumentality performs the step of receiving a template program (*e.g.*, code, instructions, etc. that are executed to create a user page) specific to the user using the user identifier (*e.g.*, as explained above, in order to display pages customized for a user subsequent to their login, the template program used to create the customized page must be tied to the user's account credentials), wherein the template program is received from one of at least two locations (*e.g.*, main storage at a Hilton.com server or local device storage), the location based upon a frequency of user requests for the customized page. In at least testing and usage, the accused instrumentality practices receiving a template program (*e.g.*, software instructions and data used for rendering a particular user's search results page such as a JavaScript page) that is unique to the user (*e.g.*, JavaScript pages will be specific to a user because the content can be modified by and/or customized for a user) and based on user configuration information (*e.g.*, a user can customize the content of their templates and what will be rendered and displayed using said templates by entering information such as their preferred location) the user configuration information being supplied by the user (*e.g.*, a user defines the information their template will display by inputting information such as their preferred location) and used to build the template program that is unique to the user (*e.g.*, user configuration information is used to modify templates, create instructions, and designate appropriate data retrieval for rendering the user's specific page) and wherein the template program is received from one of at least two locations (*e.g.*, the data and templates comprising a user's page may be retrieved from a main server/disk storage), the location determined from the frequency of the user request for the customized page (*e.g.*, based on the frequency at which a user logs in or accesses the hilton.com page, the data comprising the users page may be stored at a main server). The accused instrumentality uses the template program that is unique to the user which is

generated using customization information unique to the user. Template information that is part of the template program is stored for less frequently accessed files in the main storage and for more frequently accessed files in storage on the user's computer. Running the template program (page generation code, tiles, containers, and user data) creates the customized webpage. Webpage information can be stored in a Javascript object that is used in logic to display various available hotels and other site logic-based conditions. The template information is stored in multiple locations: (1) At runtime, in a Javascript object with the data structure called Context Data; (2) Within browser local storage; and (3) browser cookies.

Search terms initially stored in variables

```

<p id="all_search_input" class="oneBox oneBoxWithJS">
  <span class="labelTop" id="search_one_search_label">Where are you going?</span>
  <span class="spanTextInput">
    <label class="labelOneBoxHint over" for="hotelSearchOneBox" style="display: block;
    ">...</label>
    <input id="hotelSearchOneBox" name="searchQuery" class="text" aria-autocomplete=
    "both" aria-haspopup="true" type="text" value="" role="combobox" maxlength="100"
    autocomplete="off" autocorrect="off">
    <span class="ariaNoResultText hidden" aria-hidden="true">No search results found.
    </span>
    <span class="ariaResultText hidden" aria-hidden="true">results were found. Press up
    and down key to select.</span>
    <span class="ariaResult hidden" aria-live="polite" role="alert"></span>
  </span>
</p>
<!-- dates check in out -->

```

(E.g., <https://hiltonhonors3.hilton.com/en/index.html> (for a particular user)).

```

{f([g,n],function(b){for(var c=0;c<b.length;c++){var
d=b.key(c);0===d.indexOf(p)&&a(b,d)}}}function e(a,b){var c=(new
Date).getTime();if((b=JSON.parse(b))&&b.e&&b.e<c)localStorage.removeItem(a);else return
b&&b.v}c=Q[c]||c||"def";var p=a+ "." +c+ "." ,d=this,
g=sessionStorage,n=localStorage;d.get=function(a){if(!a){var c={},d=p.length;b(function(a,b)
{c[b.substring(d)]=e(b,a.getItem(b))});return c}a=p+a;var
f=g.getItem(a)||n.getItem(a);return e(a,f)};d.set=function(a,b,c){a=p+a;if(M(b)){var e=c?
n:g;b=JSON.stringify({v:b,e:c?H(c).getTime():C});e.setItem(a,b)}else
g.removeItem(a),n.removeItem(a);return d};d.removeAll=function(){b(function(a,b)
{a.removeItem(b)});return d}}function ha(a){var c=this,b=arguments;c.get=function(a){if(!a)
{for(var c=b[0].get(),

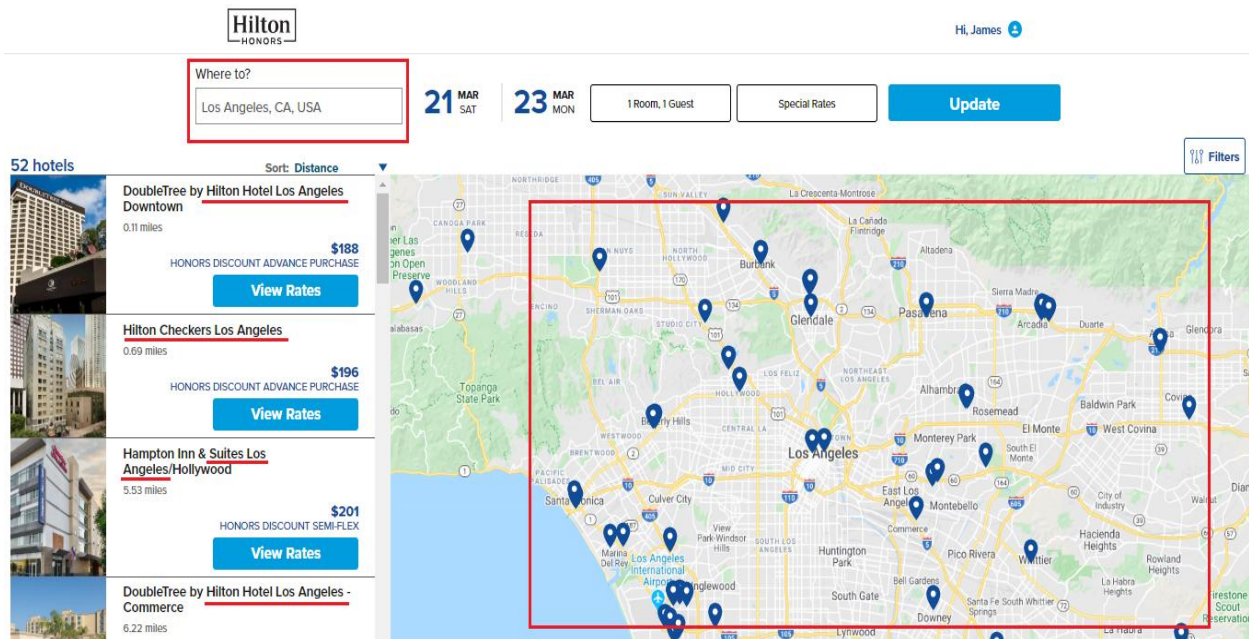
```

(E.g., <https://service.maxymiser.net/cdn/hilton/hilton.com/js/mmcore.js> (for a particular user)).

```
t=D.createPrefixedLogger(r.displayName),a=ne(r.hostedLibFilesBaseUrl,d.minified),o={buildInfo:d,getDataElementValue:c,getExtensionSettings:e,getHostedLibFileUrl:a,getSharedModule:m,logger:t,propertySettings:u,replaceTokens:i};Object.keys(r.modules).forEach(function(a){var e=r.modules[a],t=De(function(e){var t=ie(a,e);return s.getModuleExports(t)});s.registerModule(a,e,n,t,o)})),s.hydrateCache()}return s},Ve=function(e,t,a,n,r){var o=D.createPrefixedLogger("Custom Script");e.track=function(e){D.log(''+e+' does not match any direct call identifiers.')},e.getVisitorId=function(){return null},e.property={name:t.property.name},e.company=t.company,e.buildInfo=t.buildInfo,e.logger=o,e.notify=funct
```

(E.g., <https://assets.adobedtm.com/launch-EN02272261e0b845508227acf3ca0c37de.min.js> (for a particular user)).

81. On information and belief, the Accused Instrumentality performs that step of executing the template program (e.g., code, objects, APIs, scripts, etc.) specific to the user (e.g., the code and other elements composing the webpage are created for a particular user’s search query) using the real-time information stored in the shared local storage device (e.g., hotels information pulled from information source and stored at least temporarily on an hilton.com server) to generate the customized page (e.g., hotels search results).



(E.g., <https://www.hilton.com/en/search/hilton-honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03->

[21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1](https://www.hilton.com/en/search/hilton-honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03-21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1) (for a particular user)).

```

</li>
<li class="sc-emmjRN iseggm">
  <div data-testid="hotel-card" class="sc-dujctw INF1HM">
    <div data-testid="imageUrl" data-e2e="listviewPropertyImage" class="sc-e1lVro iD6wgG"></div>
    <div class="sc-eerKOB kvBMR">
      <p data-e2e="listviewPropertyName" aria-hidden="true" class="sc-krvtoX gskth">Embassy Suites by Hilton Los Angeles Glendale</p>
      <p data-e2e="milesText" aria-hidden="true" class="sc-gb00g bCU0ZQ">7.34 miles</p>
      <p aria-hidden="true" class="sc-Ctfft kDPtoc">$175</p>
      <span data-e2e="ratePlanName" class="sc-rBLzX cPQdRq">HONORS DISCOUNT ADVANCE PURCHASE</span>
      <a href="https://secure3.hilton.com/en_US/hh/reservation/book.html?cityhccn=BUR_huDeoplinking=true&id=&WT.mc_id=&gclid=&dcclid=&AWC=&toAvailCalendar=false" aria-label="Embassy Suites by Hilton Los Angeles Glendale, 7.34 miles from city center, $175, HONORS DISCOUNT ADVANCE PURCHASE, Select" class="sc-HMftBS sc-cplLHU cHMepu T472-shown">view rates</a>
    </div>
  </div>
</li>
<li class="sc-emmjRN iseggm">
  <div data-testid="hotel-card" class="sc-dujctw INF1HM">
    <div data-testid="imageUrl" data-e2e="listviewPropertyImage" class="sc-e1lVro bNLUVA"></div>
    <div class="sc-eerKOB kvBMR">
      <p data-e2e="listviewPropertyName" aria-hidden="true" class="sc-krvtoX gskth">Hilton Los Angeles North/Glendale & Executive Meeting Ctr</p>
      <p data-e2e="milesText" aria-hidden="true" class="sc-gb00g bCU0ZQ">7.4 miles</p>
      <p aria-hidden="true" class="sc-Ctfft kDPtoc">$165</p>
      <span data-e2e="ratePlanName" class="sc-rBLzX cPQdRq">HONORS DISCOUNT ADVANCE PURCHASE</span>
      <a href="https://secure3.hilton.com/en_US/hh/reservation/book.html?cityhccn=BUR_huDeoplinking=true&id=&WT.mc_id=&gclid=&dcclid=&AWC=&toAvailCalendar=false" aria-label="Hilton Los Angeles North/Glendale & Executive Meeting Ctr, 7.4 miles from city center, $165, HONORS DISCOUNT ADVANCE PURCHASE, Select" class="sc-HMftBS sc-cplLHU cHMepu T472-shown">view rates</a>
    </div>
  </div>
</li>
<li class="sc-emmjRN iseggm">
  <div data-testid="hotel-card" class="sc-dujctw INF1HM">
    <div data-testid="imageUrl" data-e2e="listviewPropertyImage" class="sc-e1lVro kb0DCE"></div>
    <div class="sc-eerKOB kvBMR">
      <p data-e2e="listviewPropertyName" aria-hidden="true" class="sc-krvtoX gskth">Hilton Los Angeles/San Gabriel</p>
      <p data-e2e="milesText" aria-hidden="true" class="sc-gb00g bCU0ZQ">8.29 miles</p>
      <p aria-hidden="true" class="sc-Ctfft kDPtoc">$126</p>
      <span data-e2e="ratePlanName" class="sc-rBLzX cPQdRq">HONORS DISCOUNT ADVANCE PURCHASE</span>
      <a href="https://secure3.hilton.com/en_US/hh/reservation/book.html?cityhccn=LAX_huDeoplinking=true&id=&WT.mc_id=&gclid=&dcclid=&AWC=&toAvailCalendar=false" aria-label="Hilton Los Angeles/San Gabriel, 8.29 miles from city center, $126, HONORS DISCOUNT ADVANCE PURCHASE, Select" class="sc-HMftBS sc-cplLHU cHMepu T472-shown">view rates</a>
    </div>
  </div>
</li>
</li>
</li>
</li>

```

Currently available
hotels information
retrieved from
information source

(E.g., <https://www.hilton.com/en/search/hilton-honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03-21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1> (for a particular user)).

82. On information and belief, the Accused Instrumentality performs the step of receiving user preferences for the user (e.g., the search terms inputted by a user such as preferences set by user for hotels search), and for combining the user preferences with a generic template to form the template program specific to the user (e.g., the code for the entire webpage that utilizes a generic template and user’s inputted search terms to create a webpage that is customized to display a user’s search results), wherein the user preferences indicate the items of interest to the user.

The screenshot displays the Hilton website's search interface. At the top, the Hilton logo and 'HONORS' branding are visible. The search criteria are set to 'Where to? Los Angeles, CA, USA' with dates from 21 MAR SAT to 23 MAR MON for 1 Room, 1 Guest. A 'Special Rates' button and an 'Update' button are present. Below the search bar, a list of 52 hotels is shown, sorted by distance. The first three hotels are:

- DoubleTree by Hilton Hotel Los Angeles Downtown**: 0.11 miles, \$188, HONORS DISCOUNT ADVANCE PURCHASE. View Rates button.
- Hilton Checkers Los Angeles**: 0.69 miles, \$196, HONORS DISCOUNT ADVANCE PURCHASE. View Rates button.
- Hampton Inn & Suites Los Angeles/Hollywood**: 5.53 miles, \$201, HONORS DISCOUNT SEMI-FLEX. View Rates button.

A map of Los Angeles is shown on the right, with a red box highlighting the search area. A 'Filters' button is located in the top right corner of the map area.

(E.g., <https://www.hilton.com/en/search/hilton-honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03-21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1> (for a particular user)).

As shown below, Hilton.com uses a generic template to define how the webpage should generally be laid out and displayed.

```

<!doctype html>
<html lang="en">
  <head>...</head>
  <body style>
    <div id="lightningjs-usabilla_live" style="display: none;">...</div>
    <div id="__next">
      <main data-testid="SearchPageContainer" class="sc-jKJlTe hgBhVN">
        <div aria-hidden="false" class="sc-hMqMXs dSDDir">
          <div class="sc-eNQAEJ dYVBDC">
            <header data-testid="HeaderContainer" class="sc-caSCKo fzUrA">
              <header data-testid="HeaderWithLogin" class="sc-iELTVk bjWjCH">
                <div class="sc-cmTtod inqCqM">...</div>
              </header>
              <span class="sc-kjoXOD fnkFQV">Return to Hilton.com</span>
            </header>
            <div class="sc-bYSBpT fAeNMT">...</div>
            <h1 class="sc-lhVmIH XpOWH">Los Angeles, CA, USA hotels</h1>
          </div>
          <section class="sc-kEYyzF bPJVLt">
            <div class="sc-jWBwVP gMccDY">
              <div class="sc-iRbamj ycAps">
                <div class="sc-jtRfpW ZtbJZ">...</div>
              <div class="sc-bRBYwo btOHwi">...</div>
            </div>
          </section>
        </div>
      </main>
    </div>
  </body>
</html>

```

General template used to generate web page

(E.g., <https://www.hilton.com/en/search/hilton-honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03-21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1>). As shown below, Hilton.com will then combine the template with customized data pulled based upon a user’s search inputs in order to create a template program executable by a user’s browser, so that the customized webpage can be displayed to the user.

```

▼<header data-testid="HeaderContainer" class="sc-caSCKo fzUrA">
  ▼<header data-testid="HeaderWithLogin" class="sc-iELTVk bjWjCH">
    ▶<div class="sc-cmTtod inqCqM">...</div>
  </header>
  <span class="sc-kjoXOD fnkFQV">Return to Hilton.com</span>
</header>
▶<div class="sc-bYSBpT fAeNMt">...</div>
<h1 class="sc-lhVmIH XpONH">Los Angeles, CA, USA hotels</h1>
</div>

```

Content obtained from information sources, combined within the templates

```

▼<section class="sc-kEYyzF bPJVLt">
  ▼<div class="sc-jWBwVP gMccDY">
    ▼<div class="sc-iRbamj ycAps">
      ▶<div class="sc-jtRfPw ZtbJZ">...</div>
      ▶<div class="sc-brBYWo btQHwj">...</div>
      <button class="sc-kkGfuU eIFsZF">Map</button>
    </div>
    ▼<div class="sc-gPEVay gnBbin">
      <ul aria-label="Hotel search results" data-e2e="hotelsList" class="sc-hrWEMg egPFoV"></ul>
      ▼<ul aria-label="Hotel search results" class="sc-hrWEMg egPFoV">
        ▼<li class="sc-emmjRN iseegm">
          ▼<div data-testid="hotel-card" class="sc-dUjcnX inF1HM">
            <div data-testid="imageUrl" data-e2e="listViewPropertyImage" class="sc-eilVro ectMWe"></div>
            ▼<div class="sc-eerKOB kvBmHR">
              <p data-e2e="listViewPropertyName" aria-hidden="true" class="sc-krvtoX gsKth">DoubleTree by Hilton Hotel Los Angeles Downtown</p>
              <p data-e2e="milesText" aria-hidden="true" class="sc-gHboQg bCuOZQ">0.11 miles</p>
              <p aria-hidden="true" class="sc-Ctfft kDPtoc">$188</p>
              <span data-e2e="ratePlanName" class="sc-rBLzX cPQdRq">HONORS DISCOUNT ADVANCE PURCHASE</span>
              <a href="https://secure3.hilton.com/en_US/hh/reservation/book.htm?ctyhocn=LAX_hvDeepLinking=true&cid=8WT.mc_id=8gcclid=8dcclid=8AWC=&toAvailCalendar=false" aria-label="DoubleTree by Hilton Hotel Los Angeles Downtown, 0.11 miles from city center, $188, HONORS DISCOUNT ADVANCE PURCHASE, Select" class="sc-hMftBS sc-cpmLhU chMepu T472-shown">view rates</a>
            </div>
          </li>
        </ul>
      </div>
    </div>
  </section>

```

(E.g., <https://www.hilton.com/en/search/hilton-honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03-21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1> (for a particular user)).

83. Plaintiff has been damaged as a result of Defendant’s infringing conduct. Defendant is thus liable to Plaintiff for damages in an amount that adequately compensates Plaintiff for such Defendant’s infringement of the ‘359 patent, *i.e.*, in an amount that by law cannot be less than would constitute a reasonable royalty for the use of the patented technology, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

84. On information and belief, Defendant has had at least constructive notice of the ‘359 patent by operation of law, and there are no marking requirements that have not been complied with.

VII. COUNT V
(PATENT INFRINGEMENT OF UNITED STATES PATENT NO. 9,626,342)

85. Plaintiff incorporates the above paragraphs herein by reference.

86. On April 18, 2017, United States Patent No. 9,626,342 (“the ‘342 Patent”) was duly and legally issued by the United States Patent and Trademark Office. The ‘342 Patent is titled “Dynamic Page Generator.” The ‘342 patent is not subject to a terminal disclaimer and its term is extended under 35 U.S.C. 154(b) by 891 days. (Ex. M). A true and correct copy of the ‘342 Patent is attached hereto as Exhibit M and incorporated herein by reference.

87. Digi Portal is the assignee of all right, title and interest in the ‘342 patent, including all rights to enforce and prosecute actions for infringement and to collect damages for all relevant times against infringers of the ‘342 patent. Accordingly, Digi Portal possesses the exclusive right and standing to prosecute the present action for infringement of the ‘342 patent by Defendant.

88. The application leading to the ‘342 patent was filed December 21, 2012, as a continuation of application no. 11/842,095, which was a continuation of application no. 11/656,636, which is a continuation of 09/393,718, which was a continuation of application no. 08/873,975, which issued as the ’227 patent. (Ex. M at cover).

89. The invention in the ‘342 patent relates to the field of customized information presentation on the web; more specifically, providing customized pages that are quickly served and scalable to handle many users simultaneously. (*Id.* at col. 1:33-37).

90. The ‘342 patent shares the identical specification as the ‘854 patent and therefore Digi Portal incorporates the background and discussion of the invention in Paragraphs 13-25.

91. **Direct Infringement.** Upon information and belief, Defendant has been directly infringing at least claim 1 of the ‘342 patent in Delaware, and elsewhere in the United States, by performing actions comprising performing the claimed method steps, including without limitation through the method implemented of providing a user’s Hilton.com page (“Accused

Instrumentality”). The Accused Instrumentality practices the method of responding to a user request (*e.g.*, a user login request, search initiation, etc.) for a customized page (*e.g.*, a user’s customized home and search pages on the Hilton.com website). (*E.g.*, <https://secure3.hilton.com/en/hh/customer/login/index.htm>; <https://hiltonhonors3.hilton.com/en/index.html>).

92. On information and belief, the Accused Instrumentality performs the step of generating, via at least one server computer (*e.g.*, Hilton.com server), a template program unique to the user (*e.g.*, a template program will be unique to a user because it is composed of instruction, code, and data that is processed/executed to create a webpage customized to a user), wherein the template program is generated using customization information unique to the user (*e.g.*, user search parameters and preferences) and a global template that is generic to a plurality of users (*e.g.*, a generic template that of web page layout). The accused instrumentality combines the user customization information (*e.g.*, the search terms inputted by a user such as preferences set by user for hotels search) for the user and a generic template (*e.g.*, a generic webpage template) to form a template program specific to a user (*e.g.*, the code for the entire webpage that utilizes a generic template and user’s inputted search terms to create a webpage that is customized to display a user’s search results).

[hilton.com/en/search/hilton-honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03-21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1](https://www.hilton.com/en/search/hilton-honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03-21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1) (for a particular user)).

```
<!doctype html>
<html lang="en">
  <head>...</head>
  <body style>
    <div id="lightningjs-usabilla_live" style="display: none;">...</div>
    <div id="__next">
      <main data-testid="SearchPageContainer" class="sc-jkJlTe hgBhVN">
        <div aria-hidden="false" class="sc-hMqMXs dSDir">
          <div class="sc-eNQAEJ dYVBDc">
            <header data-testid="HeaderContainer" class="sc-caSCKO fzUrA">
              <header data-testid="HeaderWithLogin" class="sc-iELTVk bjWjCH">
                <div class="sc-cmTdd inqCqM">...</div>
              </header>
              <span class="sc-kjoXOD fnkFQV">Return to Hilton.com</span>
            </header>
            <div class="sc-bYSBpT fAeNMT">...</div>
            <h1 class="sc-lhVmIH XpOWH">Los Angeles, CA, USA hotels</h1>
          </div>
          <section class="sc-keyyZf bPJVLt">
            <div class="sc-jWBwVP gMccDY">
              <div class="sc-iRbamj ycAps">
                <div class="sc-jtRfpw ZtbJZ">...</div>
                <div class="sc-b8BYwO bTOHwi">...</div>
              </div>
            </div>
          </section>
        </div>
      </main>
    </div>
  </body>
</html>
```

General template used
to generate web page

(E.g., <https://www.hilton.com/en/search/hilton-honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03-21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1> (for a particular user)).

As shown below, hilton.com will then combine the template with customized data pulled based upon a user's search inputs in order to create a template program executable by a user's browser, so that the customized webpage can be displayed to the user.

```
<header data-testid="HeaderContainer" class="sc-caSCKo fzUrA">
  <header data-testid="HeaderWithLogin" class="sc-iELTVk bJWjCH">
    <div class="sc-cmTtod inqCqM"></div>
  </header>
  <span class="sc-kjoXOD fnkFQV">Return to Hilton.com</span>
</header>
<div class="sc-bY5BpT FAeNMt"></div>
<h1 class="sc-lhVmIH XpONH">Los Angeles, CA, USA hotels</h1>
</div>
```

Content obtained from information sources, combined within the templates

```
<section class="sc-kEYyzF bPJVLt">
  <div class="sc-jWBwVP gMccDY">
    <div class="sc-iRbamj ycAps">
      <div class="sc-jtRfPw ZtbJZ"></div>
      <div class="sc-brBYWo btQHwj"></div>
      <button class="sc-kkGfuU eIFsZF">Map</button>
    </div>
    <div class="sc-gPEVay gn0bin">
      <ul aria-label="Hotel search results" data-e2e="hotelsList" class="sc-hrWEMg egPFoV"></ul>
      <ul aria-label="Hotel search results" class="sc-hrWEMg egPFoV">
        <li class="sc-emmJRN iseegm">
          <div data-testid="hotel-card" class="sc-dUjcnX inF1HM">
            <div data-testid="imageUrl" data-e2e="listViewPropertyImage" class="sc-eilVro ectMMe"></div>
            <div class="sc-eerKOB kvBMhR">
              <p data-e2e="listViewPropertyName" aria-hidden="true" class="sc-krvtOX gsKth">DoubleTree by Hilton Hotel Los Angeles Downtown</p>
              <p data-e2e="milesText" aria-hidden="true" class="sc-gHboQg bCuOZQ">0.11 miles</p>
              <p aria-hidden="true" class="sc-Ctfft kDptoc">$188</p>
              <span data-e2e="ratePlanName" class="sc-rBLzX cPqDRq">HONORS DISCOUNT ADVANCE PURCHASE</span>
              <a href="https://secure3.hilton.com/en_US/hh/reservation/book.htm?ctyhocn=LAX...&DeepLinking=true&cid=8WT.mc_id=8gclid=8dcclid=8AhC=&toAvailCalendar=false" aria-label="DoubleTree by Hilton Hotel Los Angeles Downtown, 0.11 miles from city center, $188, HONORS DISCOUNT ADVANCE PURCHASE, Select" class="sc-hMFtBS sc-cpmLhU chMepu T472-shown">view rates</a>
            </div>
          </li>
        </ul>
      </div>
    </div>
  </li>
```

(E.g., <https://www.hilton.com/en/search/hilton-honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03-21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1> (for a particular user)).

Filters

Amenities	Brands
<input type="checkbox"/> Free Breakfast	
<input type="checkbox"/> Evening Reception	
<input type="checkbox"/> Free Parking	
<input type="checkbox"/> Free Wifi	
<input type="checkbox"/> Non Smoking	

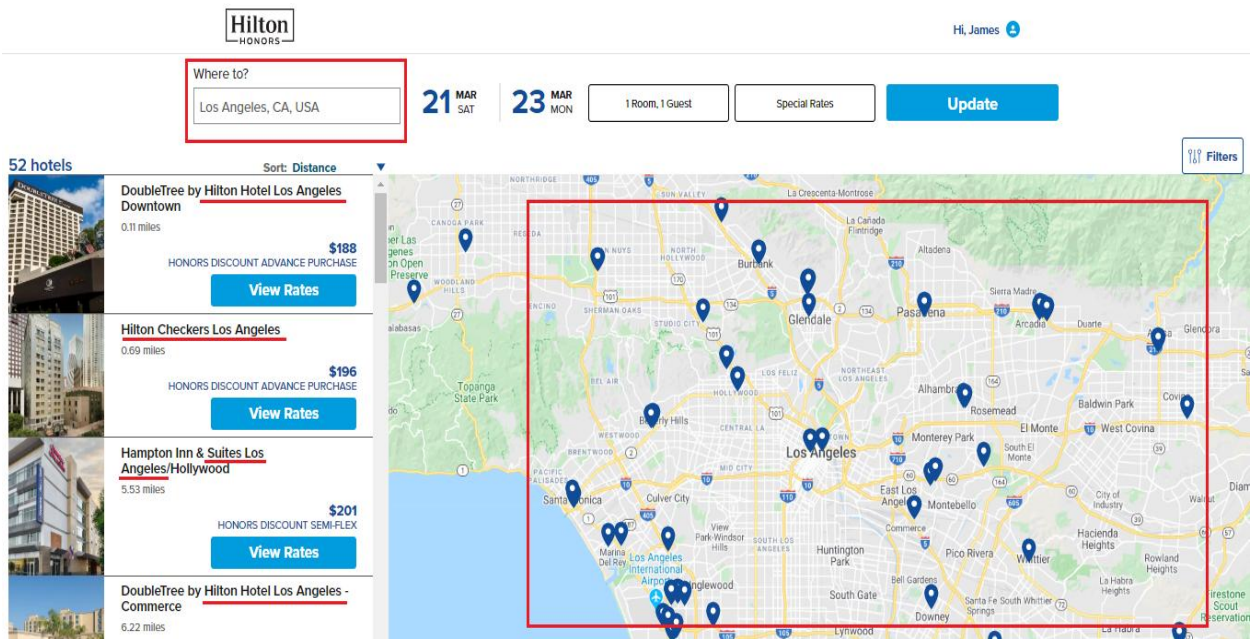
52 hotels

Reset Filters Done

Various preferences that can be set by user

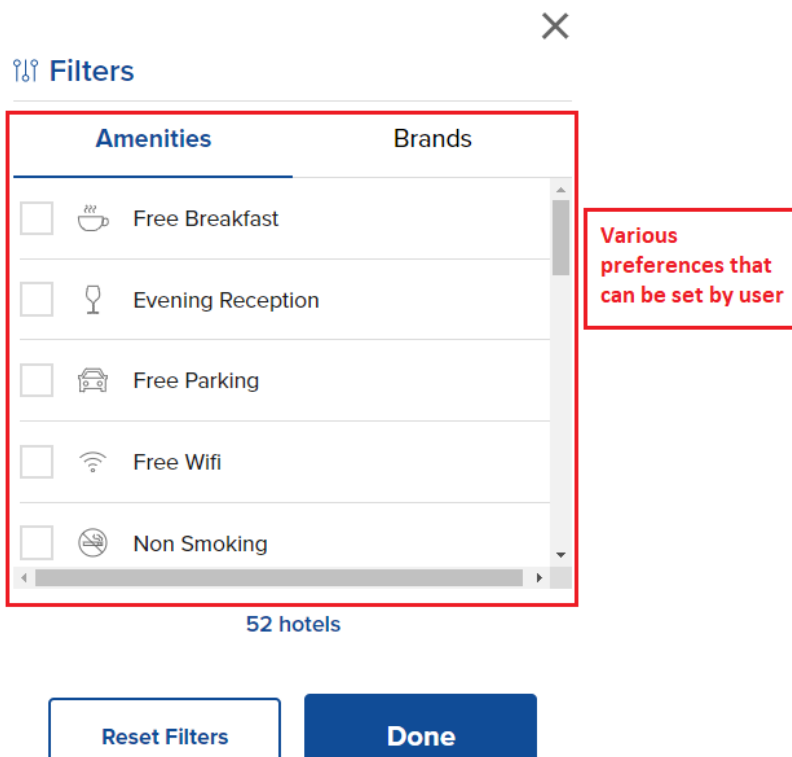
(E.g., <https://www.hilton.com/en/search/hilton-honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03-21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1> (for a particular user)).

93. On information and belief, the Accused Instrumentality performs the step of executing, via the at least one server computer (e.g., Hilton.com server), the user's template program (e.g., instructions, code and data used to create a user webpage) to generate the user's customized web page, the user's customized web page including real-time information (e.g., hotels search results) selected for the user's customized web page based on the customization information unique to the user (e.g., hotels information will be gathered based upon a user's search parameters and preferences). The accused instrumentality serves via the at least one server computer (e.g., the Hilton.com server), the user's customized web page (e.g., hotels results).



(E.g., <https://www.hilton.com/en/search/hilton-honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03-21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1> (for a particular user)).

[21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1](#) (for a particular user)).



(E.g., <https://www.hilton.com/en/search/hilton->

[honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03-](#)

[21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1](#) (for a particular user)).

```

</li>
<li class="sc-emjRN iseggm">
  <div data-testid="hotel-card" class="sc-dujchx iNF1HM">
    <div data-testid="imageUrl" data-e2e="listViewPropertyImage" class="sc-e1lVro iDBwGg"></div>
    <div class="sc-nerKOB kvBMHR">
      <p data-e2e="listViewPropertyName" aria-hidden="true" class="sc-krvtX gskth">Embassy Suites by Hilton Los Angeles Glendale</p>
      <p data-e2e="milesText" aria-hidden="true" class="sc-gHboQg bCUOZQ">7.34 miles</p>
      <p aria-hidden="true" class="sc-Ctfft kDPtoc">$175</p>
      <span data-e2e="ratePlanName" class="sc-rBLZX cPQdRq">HONORS DISCOUNT ADVANCE PURCHASE</span>
      <a href="https://secure3.hilton.com/en_US/hh/reservation/book.htm?ctyhocn=BUR_hvOeoplinking=true&cid=@IT.mc_id=$eclid-$dcclid-$AWC-&toavailCalendar=false" aria-label="Embassy Suites by Hilton Los Angeles Glendale, 7.34 miles from city center, $175, HONORS DISCOUNT ADVANCE PURCHASE, Select" class="sc-HMFtBS sc-cpmLHU chMepu T472-show">view rates</a>
    </div>
  </div>
</li>
<li class="sc-emjRN iseggm">
  <div data-testid="hotel-card" class="sc-dujchx iNF1HM">
    <div data-testid="imageUrl" data-e2e="listViewPropertyImage" class="sc-e1lVro bNLUVA"></div>
    <div class="sc-nerKOB kvBMHR">
      <p data-e2e="listViewPropertyName" aria-hidden="true" class="sc-krvtX gskth">Hilton Los Angeles North/Glendale & Executive Meeting Ctr</p>
      <p data-e2e="milesText" aria-hidden="true" class="sc-gHboQg bCUOZQ">7.4 miles</p>
      <p aria-hidden="true" class="sc-Ctfft kDPtoc">$165</p>
      <span data-e2e="ratePlanName" class="sc-rBLZX cPQdRq">HONORS DISCOUNT ADVANCE PURCHASE</span>
      <a href="https://secure3.hilton.com/en_US/hh/reservation/book.htm?ctyhocn=BUR_hvOeoplinking=true&cid=@IT.mc_id=$eclid-$dcclid-$AWC-&toavailCalendar=false" aria-label="Hilton Los Angeles North/Glendale & Executive Meeting Ctr, 7.4 miles from city center, $165, HONORS DISCOUNT ADVANCE PURCHASE, Select" class="sc-HMFtBS sc-cpmLHU chMepu T472-show">view rates</a>
    </div>
  </div>
</li>
<li class="sc-emjRN iseggm">
  <div data-testid="hotel-card" class="sc-dujchx iNF1HM">
    <div data-testid="imageUrl" data-e2e="listViewPropertyImage" class="sc-e1lVro kbDdCE"></div>
    <div class="sc-nerKOB kvBMHR">
      <p data-e2e="listViewPropertyName" aria-hidden="true" class="sc-krvtX gskth">Hilton Los Angeles/San Gabriel</p>
      <p data-e2e="milesText" aria-hidden="true" class="sc-gHboQg bCUOZQ">8.29 miles</p>
      <p aria-hidden="true" class="sc-Ctfft kDPtoc">$126</p>
      <span data-e2e="ratePlanName" class="sc-rBLZX cPQdRq">HONORS DISCOUNT ADVANCE PURCHASE</span>
      <a href="https://secure3.hilton.com/en_US/hh/reservation/book.htm?ctyhocn=LAX_hvOeoplinking=true&cid=@IT.mc_id=$eclid-$dcclid-$AWC-&toavailCalendar=false" aria-label="Hilton Los Angeles/San Gabriel, 8.29 miles from city center, $126, HONORS DISCOUNT ADVANCE PURCHASE, Select" class="sc-HMFtBS sc-cpmLHU chMepu T472-show">view rates</a>
    </div>
  </div>
</li>
</li>
</li>
</li>

```

Currently available hotels information retrieved from information source

(E.g., <https://www.hilton.com/en/search/hilton-honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03-21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1> (for a particular user)).

94. On information and belief, the Accused Instrumentality performs the step of in response to receiving a subsequent request for the user's customized web page (e.g., the receipt of a user's search initiation); receiving, via the at least one server computer (Hilton.com server), the template program (e.g., code, instructions, etc. that are executed to create a user page) that is unique to the user from one of at least two locations (e.g., main storage at a Hilton.com server or local storage on the user's device), the location determined from the frequency of the request for the user's customized web page. In at least testing and usage, the accused instrumentality practices receiving a template program (e.g., software instructions and data used for rendering a particular user's search results page such as a JavaScript page) that is unique to the user (e.g., JavaScript pages will be specific to a user because the content can be modified by and/or customized for a user) and based on user configuration information (e.g., a user can customize

the content of their templates and what will be rendered and displayed using said templates by entering information such as their preferred location) the user configuration information being supplied by the user (*e.g.*, a user defines the information their template will display by inputting information such as their preferred location) and used to build the template program that is unique to the user (*e.g.*, user configuration information is used to modify templates, create instructions, and designate appropriate data retrieval for rendering the user's specific page) and wherein the template program is received from one of at least two locations (*e.g.*, the data and templates comprising a user's page may be retrieved from a main server/disk storage), the location determined from the frequency of the user request for the customized page (*e.g.*, based on the frequency at which a user logs in or accesses the hilton.com page, the data comprising the users page may be stored at a main server). The accused instrumentality uses the template program that is unique to the user which is generated using customization information unique to the user. Template information that is part of the template program is stored for less frequently accessed files in the main storage and for more frequently accessed files in storage on the user's computer. Running the template program (page generation code, tiles, containers, and user data) creates the customized webpage. Webpage information can be stored in a Javascript object that is used in logic to display various available hotels and other site logic-based conditions. The template information is stored in multiple locations: (1) At runtime, in a Javascript object with the data structure called Context Data; (2) Within browser local storage; and (3) browser cookies.

Search terms initially stored in variables

```

▼ <p id="all_search_input" class="oneBox oneBoxWithJS">
  <span class="labelTop" id="search_one_search_label">Where are you going?</span>
  ▼ <span class="spanTextInput">
    ▶ <label class="labelOneBoxHint over" for="hotelSearchOneBox" style="display: block;
      ">...</label>
      <input id="hotelSearchOneBox" name="searchQuery" class="text" aria-autocomplete=
        "both" aria-haspopup="true" type="text" value="" role="combobox" maxlength="100"
        autocomplete="off" autocorrect="off">
      <span class="ariaNoResultText hidden" aria-hidden="true">No search results found.
      </span>
      <span class="ariaResultText hidden" aria-hidden="true">results were found. Press up
        and down key to select.</span>
      <span class="ariaResult hidden" aria-live="polite" role="alert"></span>
    </span>
  </p>
  <!-- dates check in out -->
  ...

```

(E.g., <https://hiltonhonors3.hilton.com/en/index.html> (for a particular user)).

```

{f([g,n],function(b){for(var c=0;c<b.length;c++){var
d=b.key(c);0===d.indexOf(p)&&a(b,d)}}}function e(a,b){var c=(new
Date).getTime();if((b=JSON.parse(b))&&b.e&&b.e<c)localStorage.removeItem(a);else return
b&&b.v)c=Q[c]||c||"def";var p=a+ "." +c+ "." ,d=this,
g=sessionStorage,n=localStorage;d.get=function(a){if(!a){var c={},d=p.length;b(function(a,b)
{c[b.substring(d)]=e(b,a.getItem(b))});return c}a=p+a;var
f=g.getItem(a)||n.getItem(a);return e(a,f)};d.set=function(a,b,c){a=p+a;if(M(b)){var e=c?
n:g;b=JSON.stringify({v:b,e:c?H(c).getTime():C});e.setItem(a,b)}else
g.removeItem(a),n.removeItem(a);return d};d.removeAll=function(){b(function(a,b)
{a.removeItem(b)});return d}}function ha(a){var c=this,b=arguments;c.get=function(a){if(!a)
{for(var c=b[0].get(),

```

(E.g., https://service.maxymiser.net/cdn/hilton/hilton_com/js/mmcore.js (for a particular user)).

```

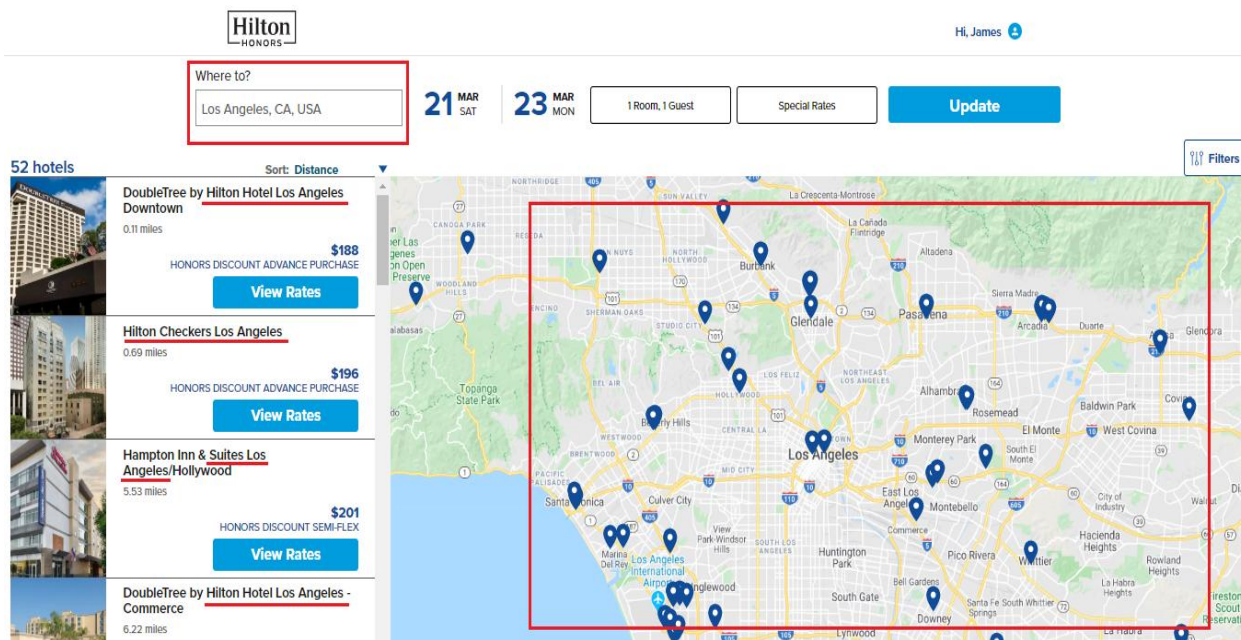
t=D.createPrefixedLogger(r.displayName),a=ne(r.hostedLibFilesBaseUrl,d.minified),o=
{buildInfo:d,getDataElementValue:c,getExtensionSettings:e,getHostedLibFileUrl:a,getSharedMod
ule:m,logger:t,propertySettings:u,replaceTokens:i};Object.keys(r.modules).forEach(function(a)
){var e=r.modules[a],t=De(function(e){var t=ie(a,e);return
s.getModuleExports(t)});s.registerModule(a,e,n,t,o)}),s.hydrateCache()return
s},Ve=function(e,t,a,n,r){var o=D.createPrefixedLogger("Custom Script");e.track=function(e)
{D.log(''+e+' does not match any direct call identifiers.')},e.getVisitorId=function()
{return null},e.property=
{name:t.property.name},e.company=t.company,e.buildInfo=t.buildInfo,e.logger=o,e.notify=funct

```

(E.g., <https://assets.adobedtm.com/launch-EN02272261e0b845508227acf3ca0c37de.min.js> (for a particular user)).

95. On information and belief, the Accused Instrumentality performs the step of executing, via the at least one server computer (e.g., Hilton.com server), the received template program that is unique to the user (e.g., instructions, code, and data that is executed to create a

customized user webpage) to generate the user's customized web page, the user's customized web page including real-time information (e.g., hotels information will be gathered based upon a user's search parameters) selected for the user's customized web page in response to the subsequent request (e.g., user login, search initiation, etc.) and based on the customization information unique to the user (e.g., a web page displaying hotels results will be created and displayed based upon a user's inputted search parameters and preferences).



(E.g., <https://www.hilton.com/en/search/hilton-honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03-21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1> (for a particular user)).

```

</li>
<li class="sc-emmjRN iseggm">
  <div data-testid="hotel-card" class="sc-dujclx iNf1HM">
    <div data-testid="imageUrl" data-e2e="listViewPropertyImage" class="sc-e1lVro iDBwGg"></div>
    <div class="sc-aerKOB kvBMHR">
      <p data-e2e="listViewPropertyName" aria-hidden="true" class="sc-krvtoX gskth">Embassy Suites by Hilton Los Angeles Glendale</p>
      <p data-e2e="milesText" aria-hidden="true" class="sc-gHboQg bCUOZQ">7.34 miles</p>
      <p aria-hidden="true" class="sc-Ctfft kDPtoc">$175</p>
      <span data-e2e="ratePlanName" class="sc-rBLZX cPQdRq">HONORS DISCOUNT ADVANCE PURCHASE</span>
      <a href="https://secure3.hilton.com/en_US/hh/reservation/book.htm?ctyhocn=BUR_hvOeeplinking=true&cid=@T.mc_id=@clid=@dclid=@AWC=&toavailCalendar=false" aria-label="Embassy Suites by Hilton Los Angeles Glendale, 7.34 miles from city center, $175, HONORS DISCOUNT ADVANCE PURCHASE, Select" class="sc-HMFtBS sc-cpMLHU chMepu T472-shown">view rates</a>
    </div>
  </div>
</li>
<li class="sc-emmjRN iseggm">
  <div data-testid="hotel-card" class="sc-dujclx iNf1HM">
    <div data-testid="imageUrl" data-e2e="listViewPropertyImage" class="sc-e1lVro bNLUVA"></div>
    <div class="sc-aerKOB kvBMHR">
      <p data-e2e="listViewPropertyName" aria-hidden="true" class="sc-krvtoX gskth">Hilton Los Angeles North/Glendale & Executive Meeting Ctr.</p>
      <p data-e2e="milesText" aria-hidden="true" class="sc-gHboQg bCUOZQ">7.4 miles</p>
      <p aria-hidden="true" class="sc-Ctfft kDPtoc">$165</p>
      <span data-e2e="ratePlanName" class="sc-rBLZX cPQdRq">HONORS DISCOUNT ADVANCE PURCHASE</span>
      <a href="https://secure3.hilton.com/en_US/hh/reservation/book.htm?ctyhocn=BUR_hvOeeplinking=true&cid=@T.mc_id=@clid=@dclid=@AWC=&toavailCalendar=false" aria-label="Hilton Los Angeles North/Glendale & Executive Meeting Ctr, 7.4 miles from city center, $165, HONORS DISCOUNT ADVANCE PURCHASE, Select" class="sc-HMFtBS sc-cpMLHU chMepu T472-shown">view rates</a>
    </div>
  </div>
</li>
<li class="sc-emmjRN iseggm">
  <div data-testid="hotel-card" class="sc-dujclx iNf1HM">
    <div data-testid="imageUrl" data-e2e="listViewPropertyImage" class="sc-e1lVro kbDdCE"></div>
    <div class="sc-aerKOB kvBMHR">
      <p data-e2e="listViewPropertyName" aria-hidden="true" class="sc-krvtoX gskth">Hilton Los Angeles/San Gabriel</p>
      <p data-e2e="milesText" aria-hidden="true" class="sc-gHboQg bCUOZQ">8.29 miles</p>
      <p aria-hidden="true" class="sc-Ctfft kDPtoc">$126</p>
      <span data-e2e="ratePlanName" class="sc-rBLZX cPQdRq">HONORS DISCOUNT ADVANCE PURCHASE</span>
      <a href="https://secure3.hilton.com/en_US/hh/reservation/book.htm?ctyhocn=LAX_hvOeeplinking=true&cid=@T.mc_id=@clid=@dclid=@AWC=&toavailCalendar=false" aria-label="Hilton Los Angeles/San Gabriel, 8.29 miles from city center, $126, HONORS DISCOUNT ADVANCE PURCHASE, Select" class="sc-HMFtBS sc-cpMLHU chMepu T472-shown">view rates</a>
    </div>
  </div>
</li>
<li class="sc-emmjRN iseggm">

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Currently available hotels information retrieved from information source

(E.g., <https://www.hilton.com/en/search/hilton-honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03-21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1> (for a particular user)).

96. On information and belief, the Accused Instrumentality performs the step of serving, via the at least one server computer (e.g., Hilton.com server), the user's customized web page (e.g., a web page displaying hotels results that meet a user's inputted parameters and preferences).

The screenshot shows the Hilton Honors search interface. At the top, the user is logged in as 'Hi, James'. The search criteria are: 'Where to?' (Los Angeles, CA, USA), dates '21 MAR SAT' to '23 MAR MON', and '1 Room, 1 Guest'. There are buttons for 'Special Rates' and 'Update'. Below the search bar, it says '52 hotels' and 'Sort: Distance'. The first three hotel listings are:

- DoubleTree by Hilton Hotel Los Angeles Downtown**: 0.11 miles, \$188, HONORS DISCOUNT ADVANCE PURCHASE, View Rates.
- Hilton Checkers Los Angeles**: 0.69 miles, \$196, HONORS DISCOUNT ADVANCE PURCHASE, View Rates.
- Hampton Inn & Suites Los Angeles/Hollywood**: 5.53 miles, \$201, HONORS DISCOUNT SEMI-FLEX, View Rates.

A map of Los Angeles is displayed to the right, with a red rectangular box highlighting the central city area where the hotels are located.

(E.g., <https://www.hilton.com/en/search/hilton-honors/?query=Los%20Angeles,%20CA&placeId=&sessionToken=&fromDate=2020-03-21&toDate=2020-03-23&numAdults=1&numChildren=0&numRooms=1> (for a particular user)).

97. Plaintiff has been damaged as a result of Defendant’s infringing conduct. Defendant is thus liable to Plaintiff for damages in an amount that adequately compensates Plaintiff for such Defendant’s infringement of the ‘342 patent, *i.e.*, in an amount that by law cannot be less than would constitute a reasonable royalty for the use of the patented technology, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

98. On information and belief, Defendant has had at least constructive notice of the ‘342 patent by operation of law, and there are no marking requirements that have not been complied with.

VIII. JURY DEMAND

Plaintiff, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of any issues so triable by right.

IX. PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that the Court find in its favor and against Defendant, and that the Court grant Plaintiff the following relief:

- a. Judgment that one or more claims of United States Patent No. 8,352,854 have been infringed, either literally and/or under the doctrine of equivalents, by Defendant;
- b. Judgment that one or more claims of United States Patent No. 5,983,227 have been infringed, either literally and/or under the doctrine of equivalents, by Defendant;
- c. Judgment that one or more claims of United States Patent No. 7,171,414 have been infringed, either literally and/or under the doctrine of equivalents, by Defendant;
- d. Judgment that one or more claims of United States Patent No. 7,565,359 have been infringed, either literally and/or under the doctrine of equivalents, by Defendant;
- e. Judgment that one or more claims of United States Patent No. 9,626,342 have been infringed, either literally and/or under the doctrine of equivalents, by Defendant;
- f. Judgment that Defendant account for and pay to Plaintiff all damages to and costs incurred by Plaintiff because of Defendant's infringing activities and other conduct complained of herein, and an accounting of all infringements and damages not presented at trial;
- g. That Plaintiff be granted pre-judgment and post-judgment interest on the damages caused by Defendant's infringing activities and other conduct complained of herein; and
- h. That Plaintiff be granted such other and further relief as the Court may deem just and proper under the circumstances.

June 28, 2020

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