

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

DIGI PORTAL LLC,

Plaintiff,

v.

CAREERBUILDER, LLC,

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 CareerBuilder, LLC 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 CareerBuilder, LLC (“Defendant”) is a limited liability company organized and existing under the laws of Delaware, with a place of business at 200 N. LaSalle St. Suite 1100, Chicago, IL 60601. Defendant has a registered agent at The Corporation Trust Company, Corporation Trust Center, 1209 Orange St., Wilmington, DE 19801.

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 limited liability company.

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 a Delaware limited liability company. 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.

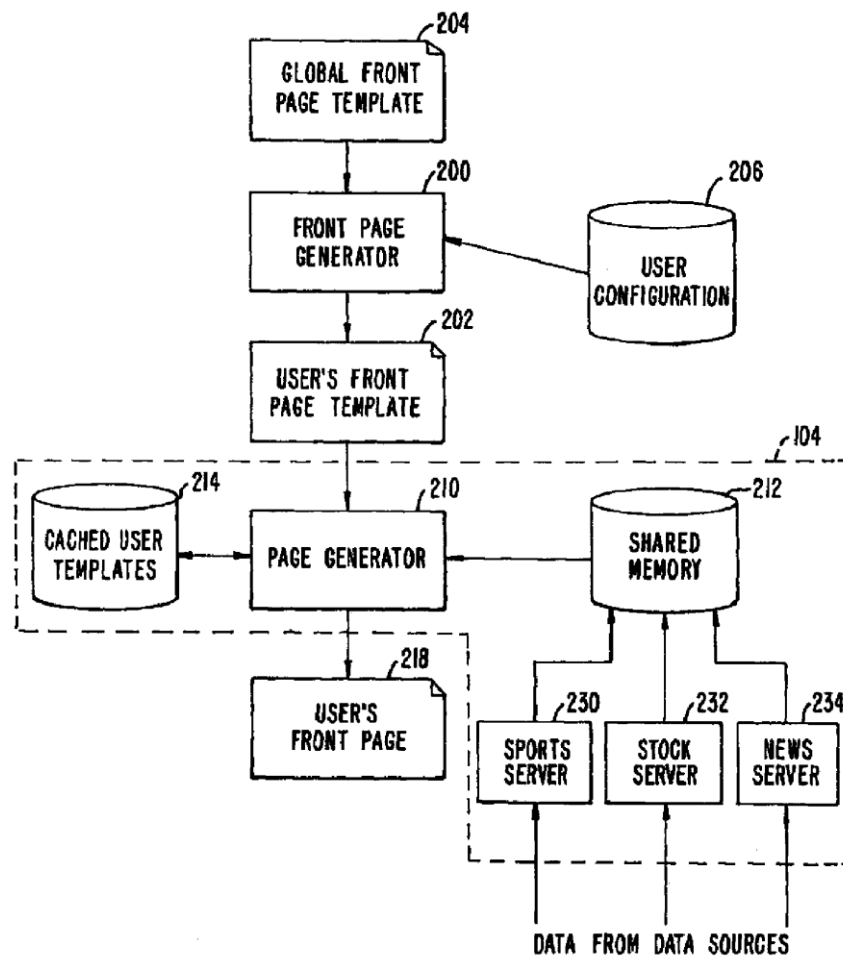
(*Id.* at col. 1:37-40). However, when presenting news to users, customized web pages present news that is more relevant to the requesting user than static pages because the information is filtered according to each user's interest. (*Id.* at col. 1:35-37, 40-41).

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).


```

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 1-3, 8-10, 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 CareerBuilder.com (“Accused Instrumentality”).

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



Welcome to CareerBuilder.

  CareerBuilder will never post content to your social pages.

Email

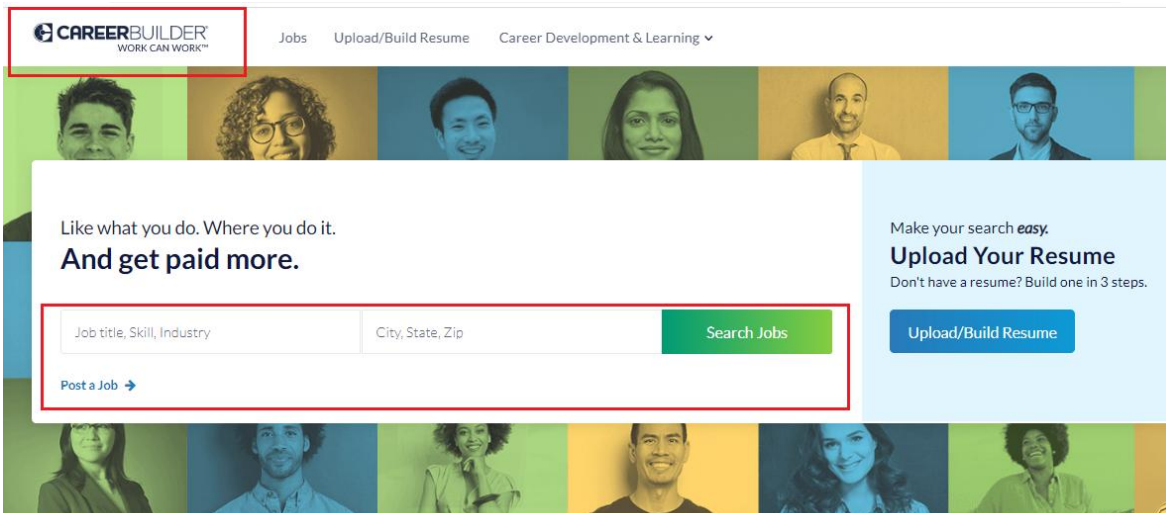
Password

Keep me signed in

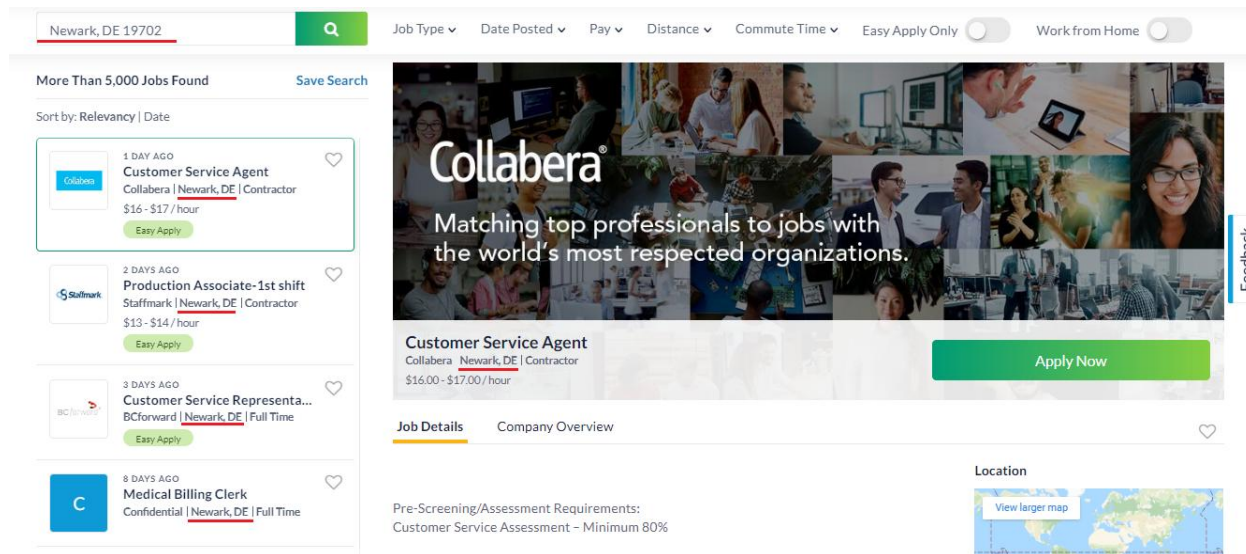
[Forgot Password?](#)

Don't have an account? [Create One.](#)

(E.g., <https://accounts.careerbuilder.com/share/login.aspx>).



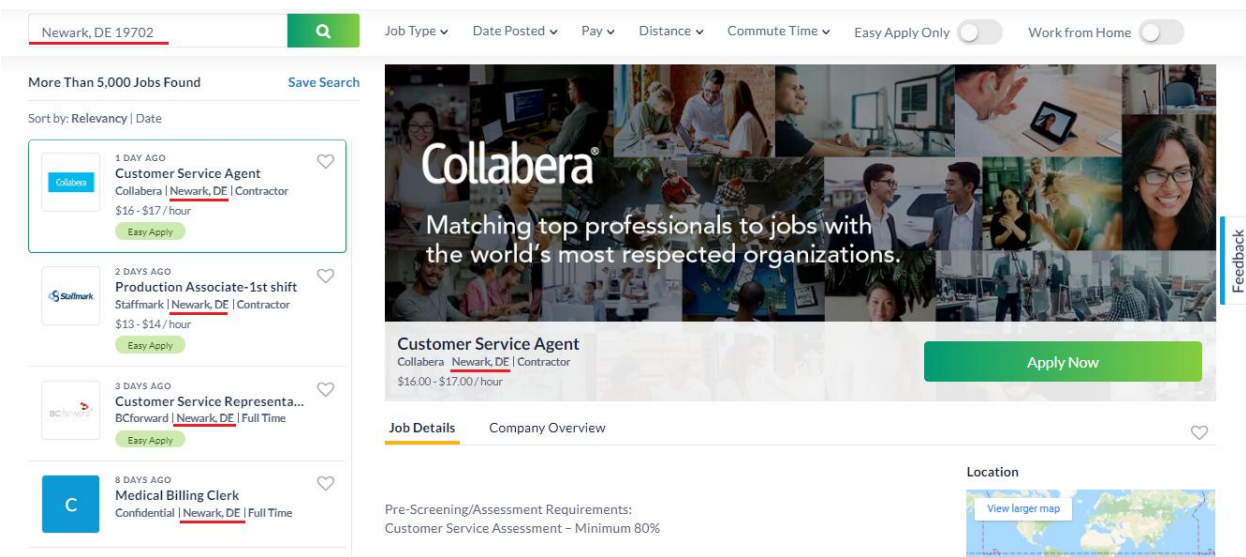
[\(https://www.careerbuilder.com/\)](https://www.careerbuilder.com/)



<https://www.careerbuilder.com/jobs?utf8=%E2%9C%93&keywords=&location=Newark%2C+DE+19702> (for a particular user)).

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 CareerBuilder.com page such as a JavaScript page) that is unique to the user and based on user configuration information (e.g., JavaScript pages will be specific to a user because the content can be modified by and/or customized for a user). The user configuration information is supplied by the user

(e.g., a user defines the information the user’s template will display by inputting information such as the user’s location; a user can customize the content of their templates and what will be rendered and displayed using the templates by entering information such as the user’s 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). The following screenshots demonstrate the result of the accused instrumentality satisfying these limitations:



(E.g.,

[https://www.careerbuilder.com/jobs?utf8=%E2%9C%93&keywords=&location=Newark%2C+](https://www.careerbuilder.com/jobs?utf8=%E2%9C%93&keywords=&location=Newark%2C+DE+19702)

[DE+19702](https://www.careerbuilder.com/jobs?utf8=%E2%9C%93&keywords=&location=Newark%2C+DE+19702) (for a particular user)).

Los Angeles, CA 90101

Job Type ▾ Date Posted ▾ Pay ▾ Distance ▾ Commute Time ▾ Easy Apply Only Work from Home

More Than 5,000 Jobs Found Save Search

Sort by: Relevancy | Date

TODAY
Litigation Paralegal
 Adams & Martin Group | Los Angeles, CA | Full Time
 \$55,000 - \$125,000 / year
 Easy Apply

TODAY
Import Agent
 Ultimate | Inglewood | Full Time
 \$15 - \$18 / hour
 Easy Apply

TODAY
Inside Sales - Base+Commission
 AppleOne | Los Angeles, CA | Full Time
 \$35,400 / year
 Easy Apply

TODAY
Civil Litigation Secretary / Executive Special Counsel
 Adams & Martin Group | Los Angeles, CA | Full Time

Litigation Paralegal
 Adams & Martin Group | Los Angeles, CA | Full-Time
 \$55,000.00 - \$125,000.00 / year
 Apply Now

Job Details Company Overview

Top Downtown Los Angeles law firm seeks talented Litigation Paralegal to join its team. The Litigation Paralegal should have at least 2+ years of experience as a Litigation Paralegal. The Litigation Paralegal should be proficient with Microsoft Office Suite including Word, Excel and Outlook. The Litigation Paralegal should have great written, verbal and interpersonal communication skills.

Location

View larger map
 Pasadena
 Los Angeles
 Santa Monica
 Map data ©2020 Google Terms of Use

Litigation Paralegal responsibilities include:

- Discovery including responding to discovery responses and propounding discovery

(E.g.,

<https://www.careerbuilder.com/jobs?utf8=%E2%9C%93&keywords=&location=Los+Angeles%2C+CA+90101> (for a particular user)).

30. For example, each user’s respective pages demonstrates that the template program is varied so that each user can receive appropriately customized pages (e.g., the code for each respective page is updated/adapted to pull from different resources so that the appropriate information/data can be referenced/displayed for each user). The screenshots below show two different templates belonging to two respective users based on user configuration information with the user configuration information (including user demographic information) being supplied by the user that is used to build the template program that is unique to the user:

First User

Newark, DE 19702

More Than 5,000 Jobs Found

Sort by: Relevancy | Date

1 DAY AGO
Customer Service Agent
 Collabera | Newark, DE | Contractor
 \$16 - \$17 / hour
 Easy Apply

2 DAYS AGO
Production Associate-1st shift
 Staffmark | Newark, DE | Contractor
 \$13 - \$14 / hour
 Easy Apply

3 DAYS AGO
Customer Service Representa...
 BCforward | Newark, DE | Full Time
 Easy Apply

8 DAYS AGO
Medical Billing Clerk
 Confidential | Newark, DE | Full Time

Customer Service Agent
 Collabera | Newark, DE | Contractor
 \$16.00 - \$17.00/hour
 Apply Now

Job Details Company Overview

Pre-Screening/Assessment Requirements:
 Customer Service Assessment - Minimum 80%

Location
 View larger map

Feedback

(E.g.,

<https://www.careerbuilder.com/jobs?utf8=%E2%9C%93&keywords=&location=Newark%2C+DE+19702> (for a particular user)).

Second User

Los Angeles, CA 90101

More Than 5,000 Jobs Found

Sort by: Relevancy | Date

TODAY
Litigation Paralegal
 Adams & Martin Group | Los Angeles, CA | Full Time
 \$55,000 - \$125,000 / year
 Easy Apply

TODAY
Import Agent
 Ultimate | Inglewood | Full Time
 \$15 - \$18 / hour
 Easy Apply

TODAY
Inside Sales - Base+Commission
 AppleOne | Los Angeles, CA | Full Time
 \$35,400 / year
 Easy Apply

TODAY
Civil Litigation Secretary / Exe...
 Special Counsel | Los Angeles, CA | Full Time

Litigation Paralegal
 Adams & Martin Group | Los Angeles, CA | Full-Time
 \$55,000.00 - \$125,000.00 / year
 Apply Now

Job Details Company Overview

Top Downtown Los Angeles law firm seeks talented Litigation Paralegal to join its team. The Litigation Paralegal should have at least 2+ years of experience as a Litigation Paralegal. The Litigation Paralegal should be proficient with Microsoft Office Suite including Word, Excel and Outlook. The Litigation Paralegal should have great written, verbal and interpersonal communication skills.

Litigation Paralegal responsibilities include:

- Discovery including responding to discovery responses and propounding discovery

Location
 View larger map

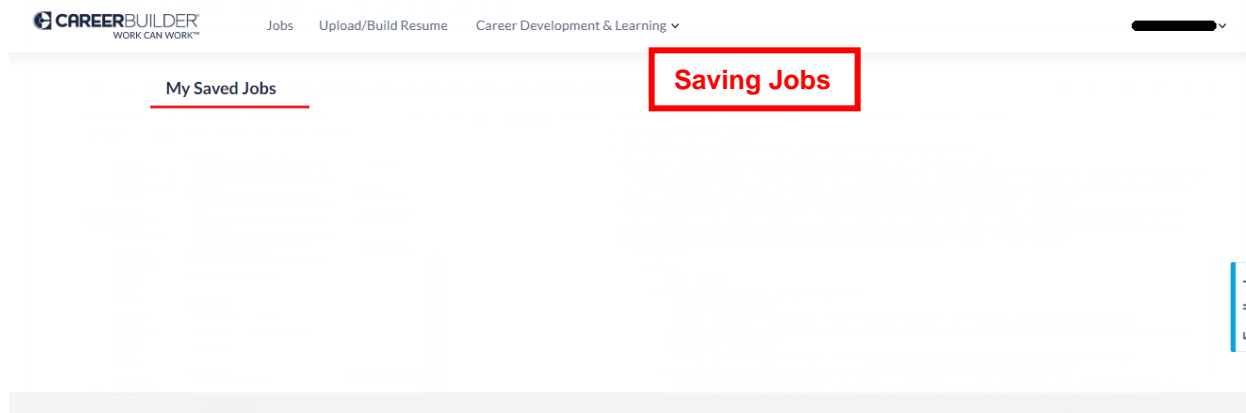
Feedback

(E.g.,

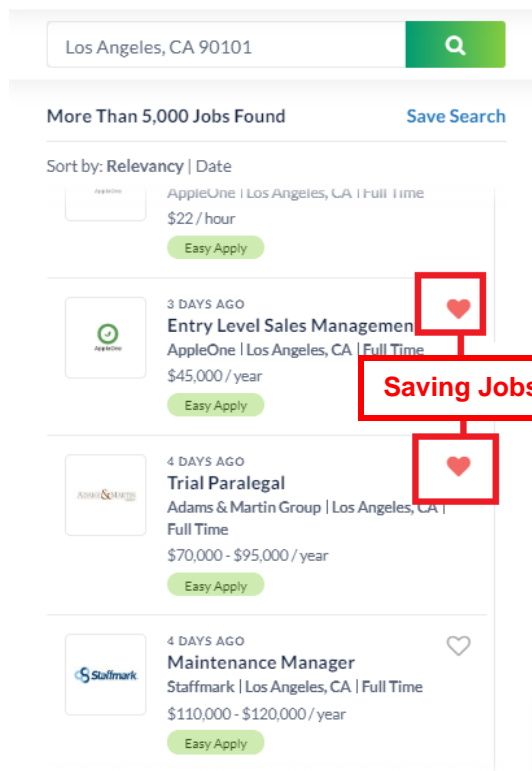
<https://www.careerbuilder.com/jobs?utf8=%E2%9C%93&keywords=&location=Los+Angeles%2C+CA+90101>

[2C+CA+90101](#) (for a particular user)).

31. As another example, a user can customize their CareerBuilder.com page by selecting their Saved Jobs, so that Saved Jobs can be displayed. Below are screenshots pertaining to the selection process.

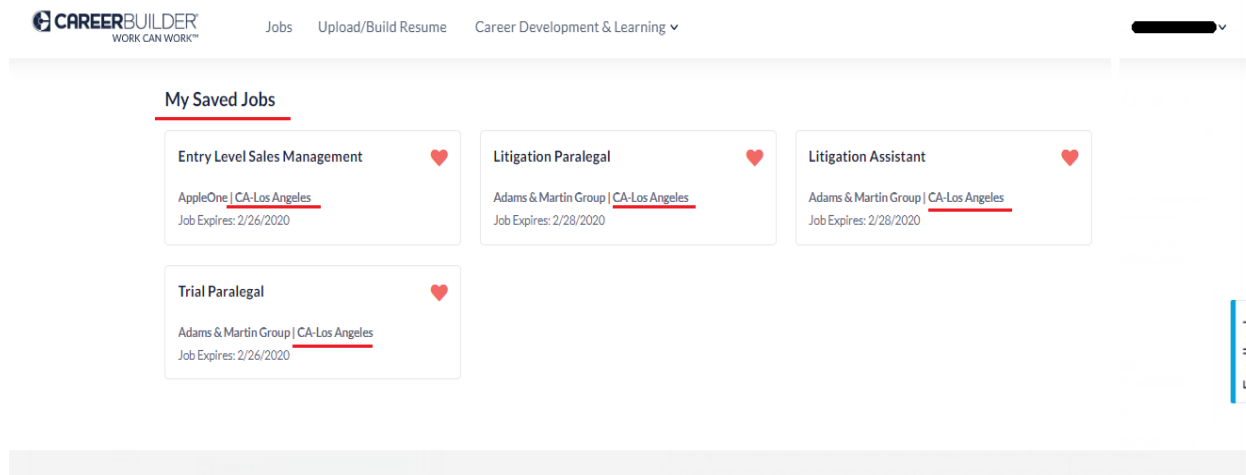


<https://www.careerbuilder.com/saved-jobs> (for a particular user)).



<https://www.careerbuilder.com/jobs?keywords=&location=Los+Angeles%2C+CA+90101&pag>

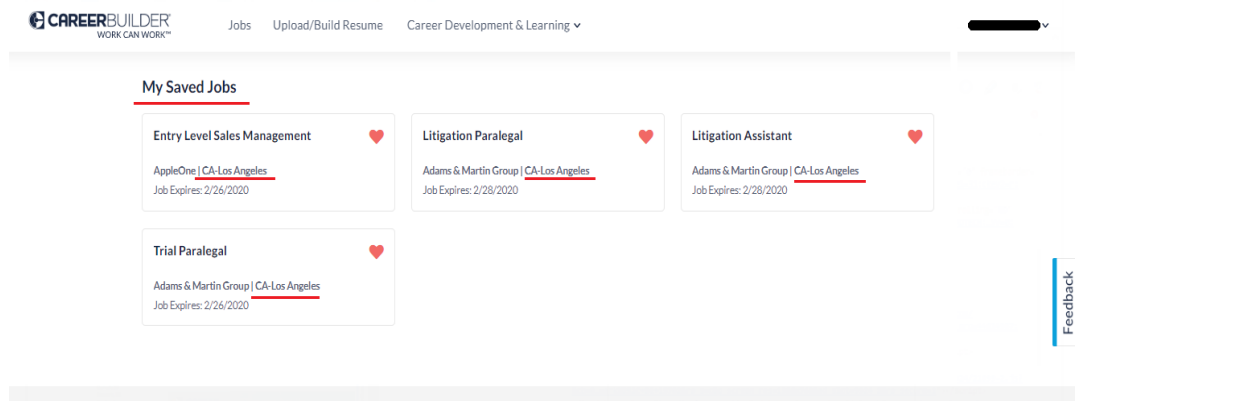
[e_number=2](#) (for a particular user)).



<https://www.careerbuilder.com/saved-jobs> (for a particular user)).

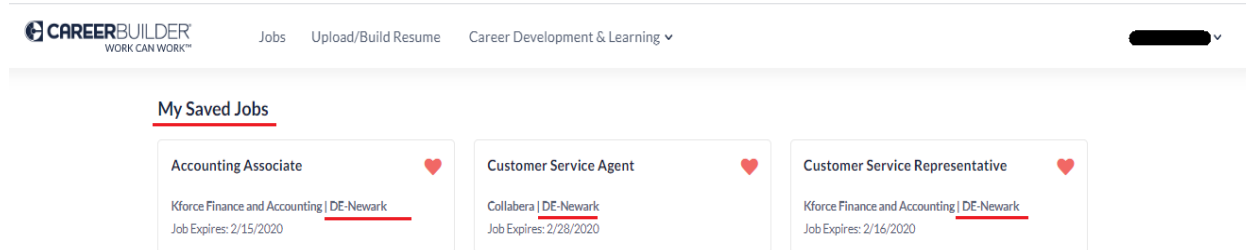
Shown below are screenshots of webpages customized according to the favorites of two respective users.

First User



<https://www.careerbuilder.com/saved-jobs> (for a particular user)).

Second User



(<https://www.careerbuilder.com/saved-jobs> (for a particular user)). On information and belief, “Saved Jobs” data is stored locally in cookies. The JavaScript file, which has a utility function, is retrieved from the CDN and handles storing and retrieval of the saved jobs, and user data stored and retrieved from local storage or cookie locations.

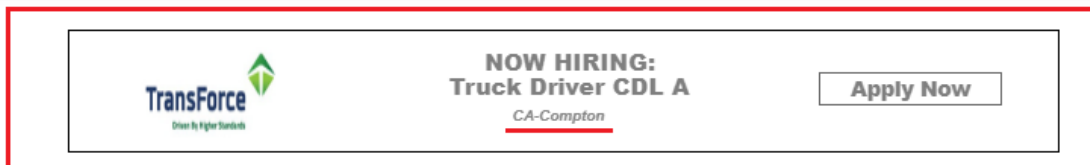
32. The user configuration information supplied by the user to build the template program includes user demographic information (*e.g.*, a user’s profile information and/or configuration information such as the user’s name, address, postal code and other information). (*E.g.*, <https://hiring.careerbuilder.com/company/privacy-policy>).

33. 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 Careerbuilder.com page (*e.g.*, based on the frequency at which a user logs in or accesses their Careerbuilder.com page, the data comprising the users page may be stored at a main server). 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. On information and belief, 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 jobs and other site logic-based conditions. On information and belief, 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.

34. The Accused Instrumentality performs the step of receiving an advertisement selected in accordance to the user demographic information (*e.g.*, CareerBuilder.com provides advertisements to a user based on demographic information such as age, gender, language, interest, activity, postal code, etc.). (*E.g.*, <https://hiring.careerbuilder.com/company/privacy-policy>). For example, the Accused Instrumentality has targeted advertising to users based on a user's geography and interest. (*Id.*).

35. The Accused Instrumentality performs the step of executing the template program (*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 Careerbuilder.com page, with the advertisement integrated). (*E.g.*, <https://www.careerbuilder.com/jobs?utf8=%E2%9C%93&keywords=&location=Los+Angeles%2C+CA+90101> (for a particular user)).

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



(*E.g.*, <https://www.careerbuilder.com/jobs?utf8=%E2%9C%93&keywords=&location=Los+Angeles%2C+CA+90101> (for a particular user)).

37. 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.

38. 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)

39. Plaintiff incorporates the above paragraphs herein by reference.

40. 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.

41. 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.

42. 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.*).

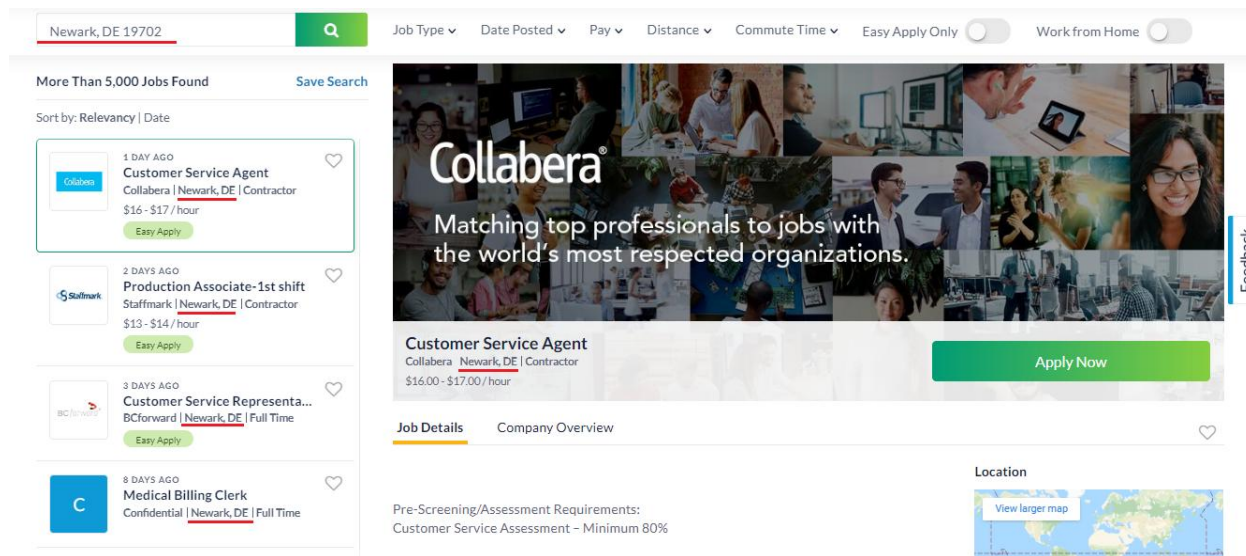
43. The invention in the ‘227 Patent relates to the field of customized information presentation on the web; more specifically, providing customized pages that are quickly served and scalable to handle many users simultaneously. (*Id.* at col. 1:14-18).

44. 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).

45. **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 CareerBuilder.com page (“Accused Instrumentality”). (E.g., <https://www.careerbuilder.com/>; <https://accounts.careerbuilder.com/share/login.aspx>).

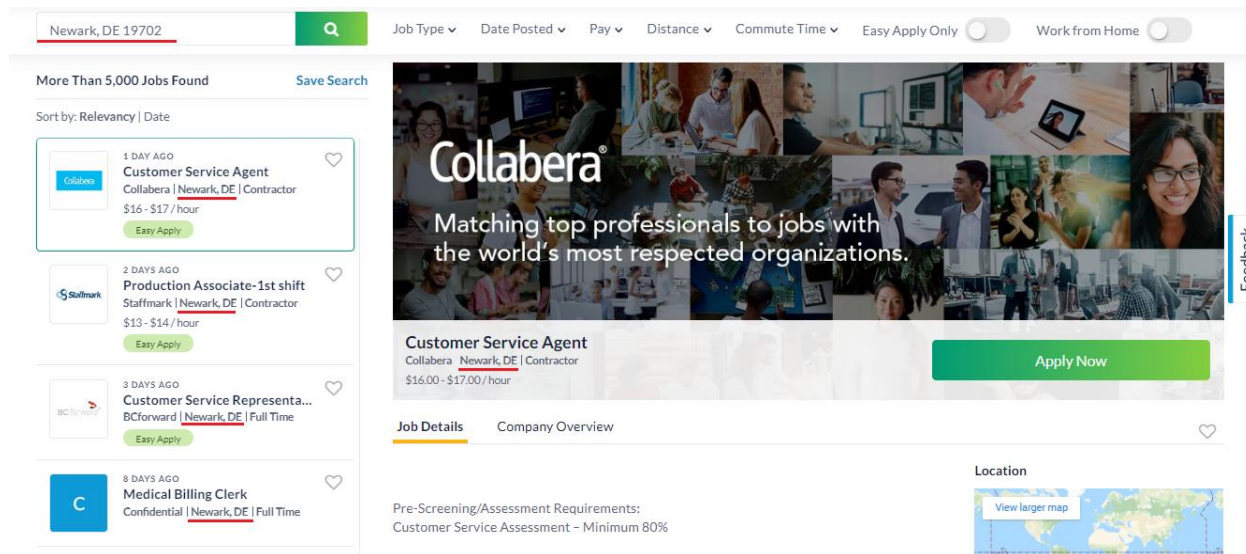
46. The Accused Instrumentality performs the step of obtaining user preferences (e.g., location, job type, etc.), wherein a user's user preferences indicate items of interest to that user. For example, users can customize their location on their CareerBuilder.com page to locate current job openings near their location:



(<https://www.careerbuilder.com/jobs?utf8=%E2%9C%93&keywords=&location=Newark%2C+DE+19702> (for a particular user)).

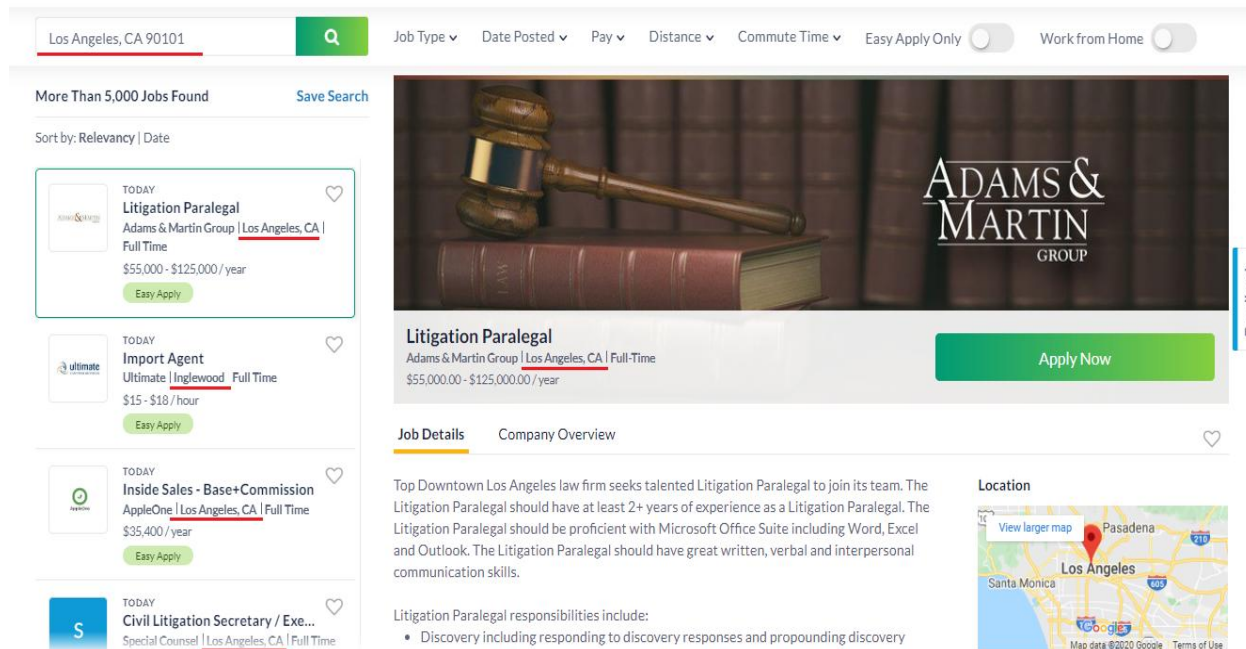
47. The following screenshots are pages for two different users that have varying job listings displayed based upon the users' respective locations:

First User:



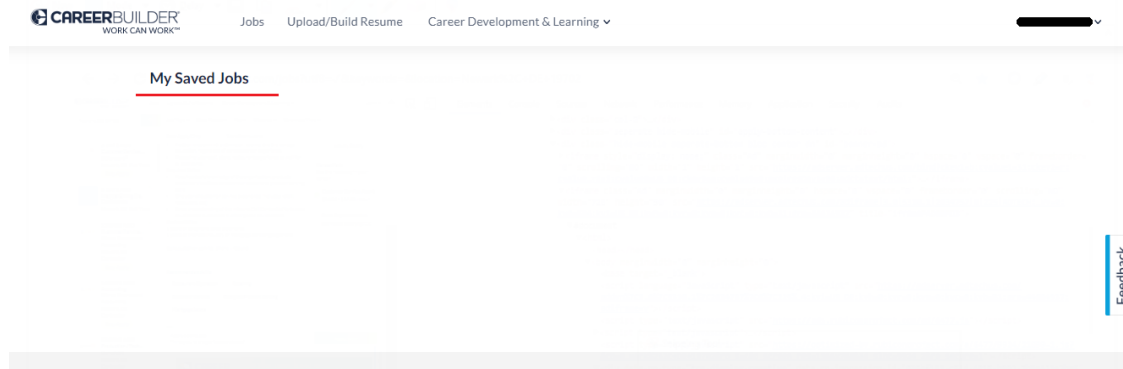
(<https://www.careerbuilder.com/jobs?utf8=%E2%9C%93&keywords=&location=Newark%2C+DE+19702> (for a particular user)).

Second User:

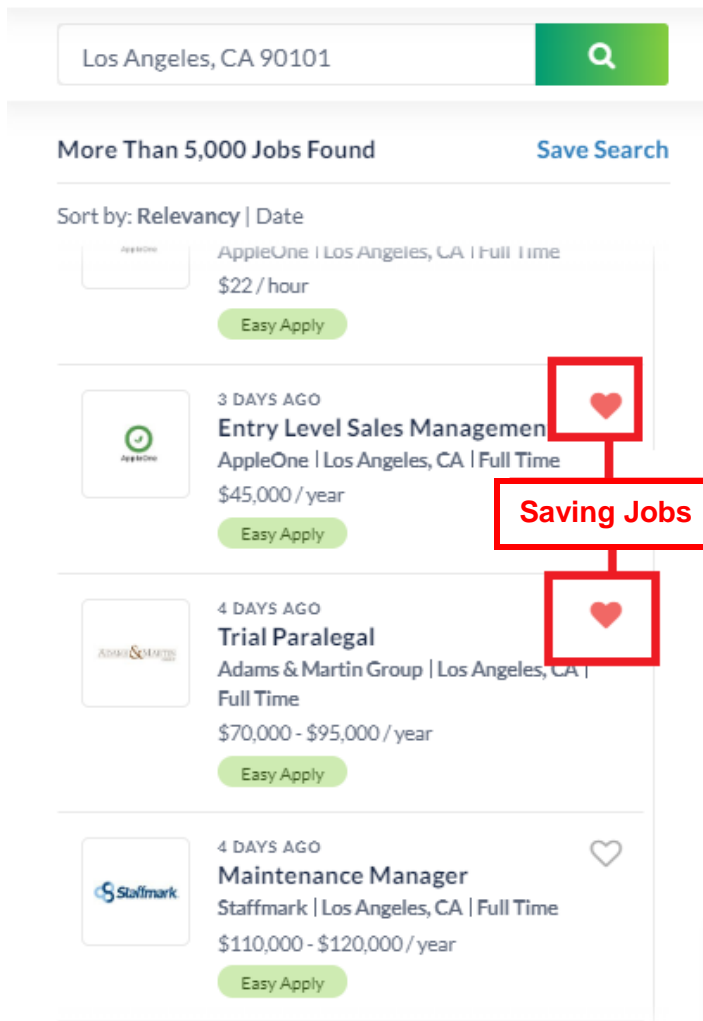


<https://www.careerbuilder.com/jobs?utf8=%E2%9C%93&keywords=&location=Los+Angeles%2C+CA+90101> (for a particular user)).

48. Additionally, a user can also customize the CareerBuilder.com page by saving jobs, so that saved jobs can be displayed. The following are screenshots pertaining to the selection process:



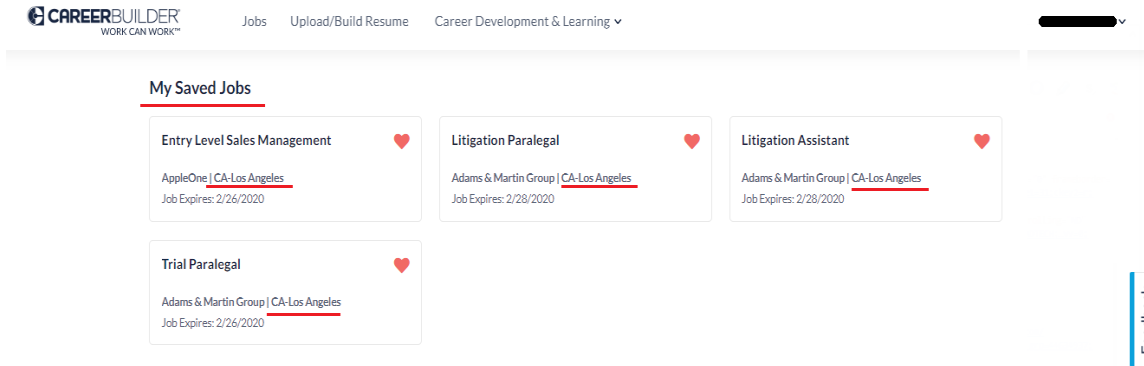
<https://www.careerbuilder.com/saved-jobs> (for a particular user)).



(https://www.careerbuilder.com/jobs?keywords=&location=Los+Angeles%2C+CA+90101&page_number=2 (for a particular user)).

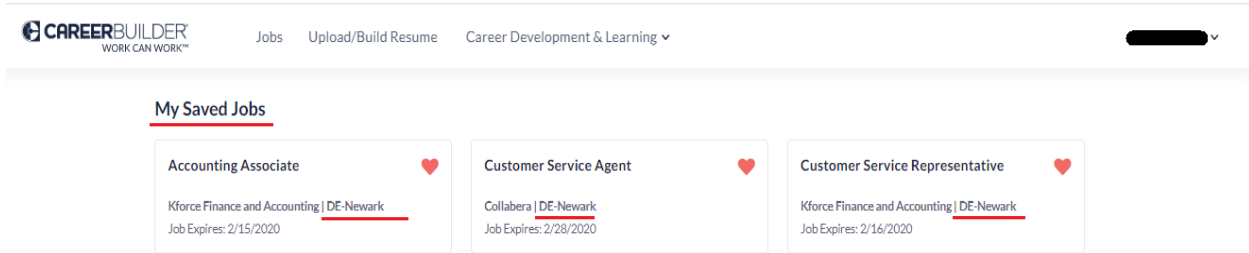
49. The following screenshots are webpages customized according to the favorites of two respective users:

First User:



(<https://www.careerbuilder.com/saved-jobs> (for a particular user)).

Second User:



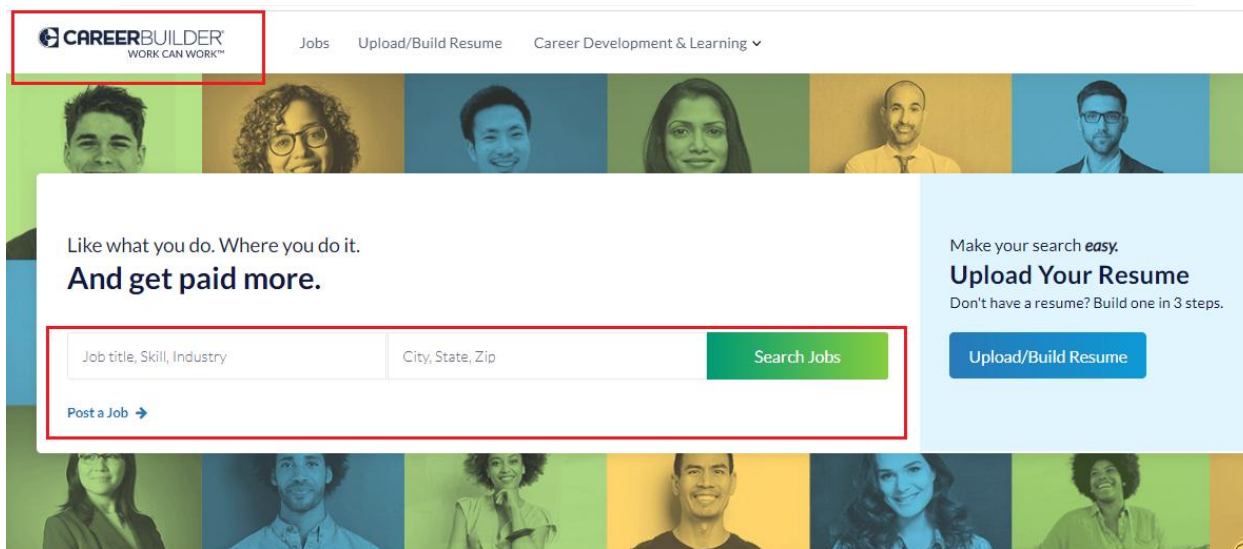
(<https://www.careerbuilder.com/saved-jobs> (for a particular user)).

50. On information and belief, the Accused Instrumentality performs obtaining real-time information (*e.g.*, currently available jobs) from information sources (*e.g.*, CareerBuilder.com's servers/databases which store real-time job listings) and storing the real-time information in a storage device (*e.g.*, the job listings will be pulled from a storage server and sent to CareerBuilder.com's web/API server so that the information can be used as input in a template program to generate a customized page that is provided to a user).

51. On information and belief, the Accused Instrumentality performs the step of combining the user preferences for the user (*e.g.*, user location and job type) and a template (*e.g.*, generic template) to form a template program specific to the user. On information and belief, the

Accused Instrumentality forms a template program (*e.g.*, software instructions and data used for rendering a particular user's CareerBuilder.com 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 preferences (*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 location). On information and belief, the Accused Instrumentality uses preference information for the user and a global template that is generic to a plurality of users to form a customized template program unique to a user. Running the template program (page generation code, tiles, containers, and user data) creates the customized webpage.

52. 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.*, when a user logs in to CareerBuilder.com, displayed jobs will be limited to a user's location and type) 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://www.careerbuilder.com/> (for a particular user)).

Newark, DE 19702

More Than 5,000 Jobs Found

Sort by: Relevancy | Date

- 1 DAY AGO
Customer Service Agent
Collabera | Newark, DE | Contractor
\$16 - \$17 / hour
Easy Apply
- 2 DAYS AGO
Production Associate-1st shift
Staffmark | Newark, DE | Contractor
\$13 - \$14 / hour
Easy Apply
- 3 DAYS AGO
Customer Service Representa...
BCforward | Newark, DE | Full Time
Easy Apply
- 8 DAYS AGO
Medical Billing Clerk
Confidential | Newark, DE | Full Time

Collabera
Matching top professionals to jobs with the world's most respected organizations.

Customer Service Agent
Collabera | Newark, DE | Contractor
\$16.00 - \$17.00 / hour
Apply Now

Job Details Company Overview

Pre-Screening/Assessment Requirements:
Customer Service Assessment - Minimum 80%

Location
View larger map

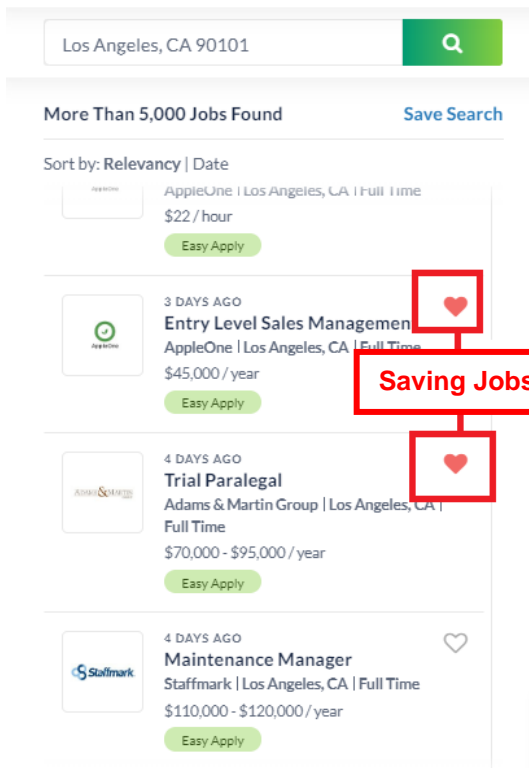
(<https://www.careerbuilder.com/jobs?utf8=%E2%9C%93&keywords=&location=Newark%2C+DE+19702> (for a particular user)).

CAREERBUILDER
WORK CAN WORK™

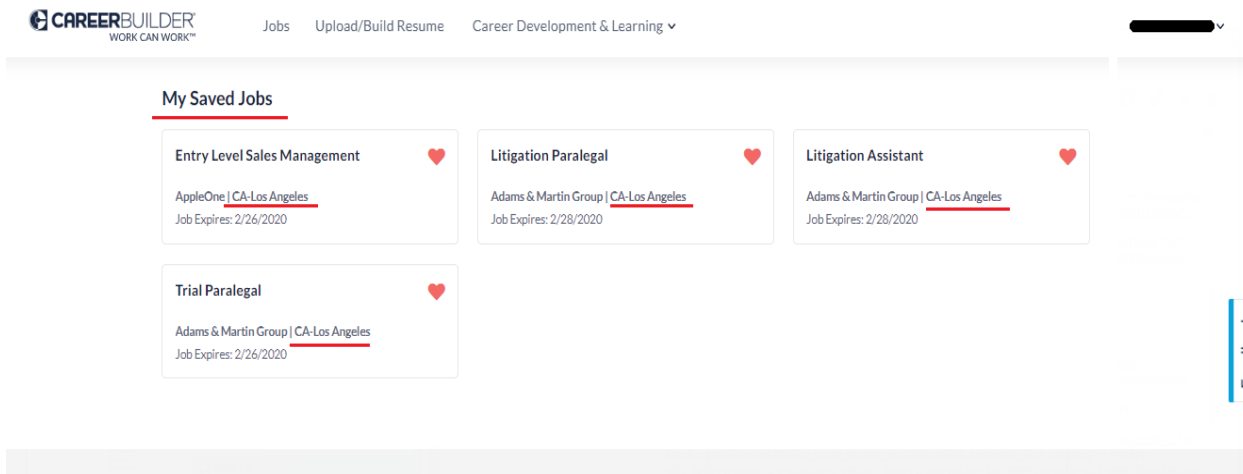
Jobs Upload/Build Resume Career Development & Learning

My Saved Jobs

(<https://www.careerbuilder.com/saved-jobs> (for a particular user)).



(https://www.careerbuilder.com/jobs?keywords=&location=Los+Angeles%2C+CA+90101&page_number=2 (for a particular user)).



(<https://www.careerbuilder.com/saved-jobs> (for a particular user)).

53. The Accused Instrumentality performs the step of executing the template program specific to the user (e.g., page generation code, tiles, containers, and user data) using the real-

time information stored in the storage device (e.g., job listings stored in a storage database/server) as input to the template program to generate the customized page (e.g., the job listings will be inputted into a template program so that the appropriate web page will be generated and displayed to the user). The following sets of screenshots are examples of customizing a user's CareerBuilder.com page from two different users that have varying current job openings 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) or that have varying job listings based on location and job type.

First User:



(<https://www.careerbuilder.com/jobs?utf8=%E2%9C%93&keywords=&location=Newark%2C+DE+19702> (for a particular user)).


Second User:


Los Angeles, CA 90101


Job Type ▾ Date Posted ▾ Pay ▾ Distance ▾ Commute Time ▾ Easy Apply Only Work from Home


More Than 5,000 Jobs Found


Sort by: Relevancy | Date

TODAY
 **Litigation Paralegal**
 Adams & Martin Group | Los Angeles, CA | Full Time
 \$55,000 - \$125,000 / year

TODAY
 **Import Agent**
 Ultimate | Inglewood | Full Time
 \$15 - \$18 / hour

TODAY
 **Inside Sales - Base+Commission**
 AppleOne | Los Angeles, CA | Full Time
 \$35,400 / year

TODAY
 **Civil Litigation Secretary / Exe...**
 Special Counsel | Los Angeles, CA | Full Time




Litigation Paralegal
 Adams & Martin Group | Los Angeles, CA | Full-Time
 \$55,000.00 - \$125,000.00 / year

Job Details Company Overview

Top Downtown Los Angeles law firm seeks talented Litigation Paralegal to join its team. The Litigation Paralegal should have at least 2+ years of experience as a Litigation Paralegal. The Litigation Paralegal should be proficient with Microsoft Office Suite including Word, Excel and Outlook. The Litigation Paralegal should have great written, verbal and interpersonal communication skills.

Location



Litigation Paralegal responsibilities include:

- Discovery including responding to discovery responses and propounding discovery

<https://www.careerbuilder.com/jobs?utf8=%E2%9C%93&keywords=&location=Los+Angeles%2C+CA+90101> (for a particular user)).

First User:

CAREERBUILDER WORK CAN WORK™ Jobs Upload/Build Resume Career Development & Learning ▾

My Saved Jobs

Entry Level Sales Management

AppleOne | CA-Los Angeles
Job Expires: 2/26/2020

Litigation Paralegal

Adams & Martin Group | CA-Los Angeles
Job Expires: 2/28/2020

Litigation Assistant

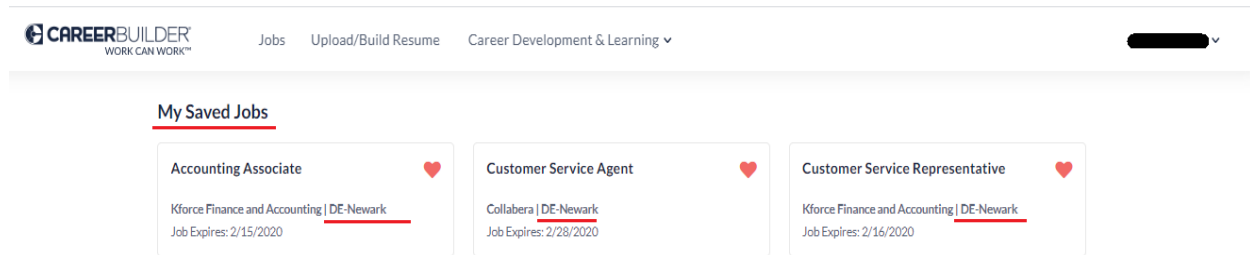
Adams & Martin Group | CA-Los Angeles
Job Expires: 2/28/2020

Trial Paralegal

Adams & Martin Group | CA-Los Angeles
Job Expires: 2/26/2020

(<https://www.careerbuilder.com/saved-jobs> (for a particular user)).

Second User:



(<https://www.careerbuilder.com/saved-jobs> (for a particular user)).

54. The Accused Instrumentality performs the step of providing the customized page to the user (*e.g.*, a user's CareerBuilder.com page, search results, saved job listings, saved searches, etc.) 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.*, user login request, search initiation, etc.) and wherein the customized page includes at least one item of real-time information (*e.g.*, current job listings) selected from the storage device (*e.g.*, pulled from storage servers/databases and sent to an API/webserver for processing/display). (*E.g.*, screenshots in paragraphs 52 and 53).

55. 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.

56. 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)

57. Plaintiff incorporates the above paragraphs herein by reference.

58. 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.

59. 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.

60. 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.*).

61. 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).

62. 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

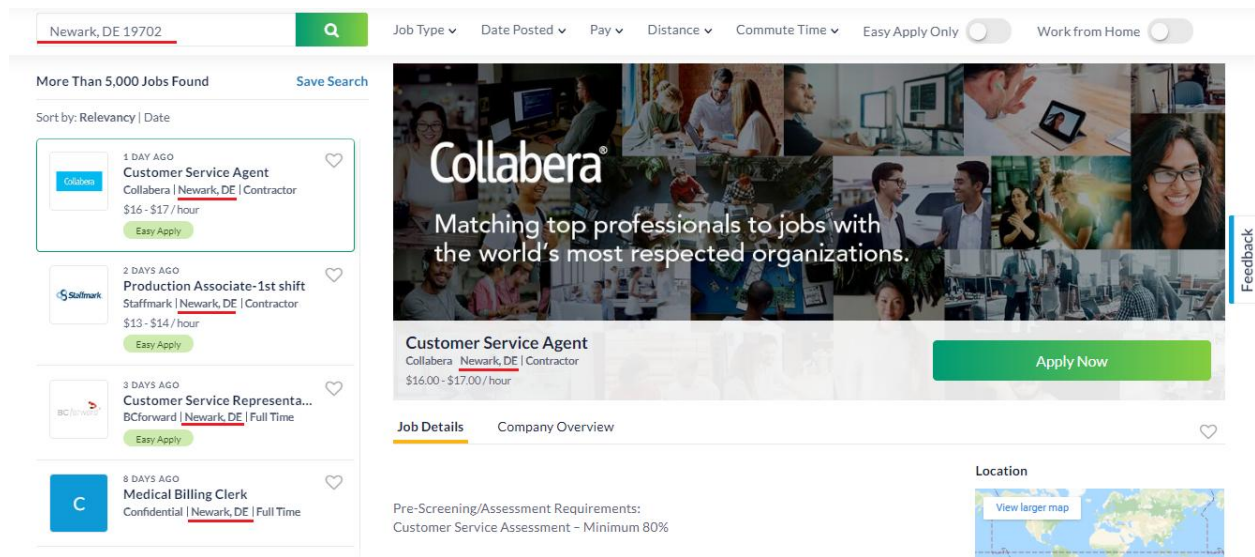
pages. (Ex. I at 8; Ex. G at col. 2:11-15). Every piece of information that a person can request on a page is storable in a shared memory closely coupled to a page generator. (Ex. I at 9; Ex. G at col. 4:43-58). Unlike the prior art CGI process that required time consuming calls to other servers, storing 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).

63. 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).

64. **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 Careerbuilder.com website ("Accused Instrumentality"). The Accused Instrumentality uses a page server (*e.g.*, the CareerBuilder.com server), to provide a customized page (*e.g.*, user-specific web page, search results, etc.) to a user, wherein the customized page is customized according to the user's preferences (*e.g.*, user location, user job interests, etc.).

65. On information and belief, the Accused Instrumentality performs the step of obtaining real-time information (e.g., current job listings) from information sources (e.g., storage servers/databases that store job listings) and stores them in a shared local storage device (e.g., the data will be pulled from storage servers/databases and stored, at least temporarily, at a local web/API server, for processing and subsequent display to a user).

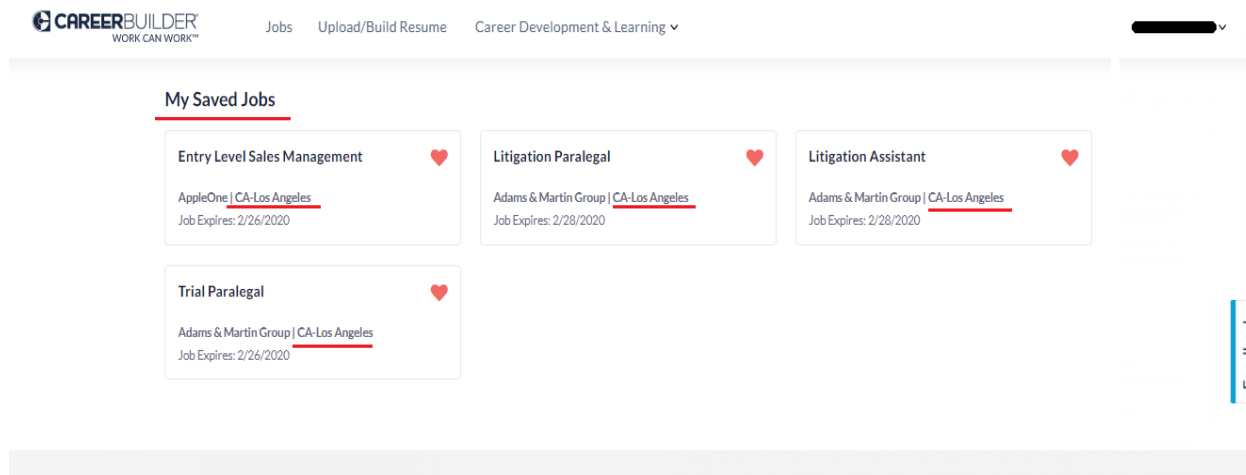
66. For example, users can customize their location on their CareerBuilder.com page to find real-time job listings near their location:



(<https://www.careerbuilder.com/jobs?utf8=%E2%9C%93&keywords=&location=Newark%2C+DE+19702> (for a particular user)).

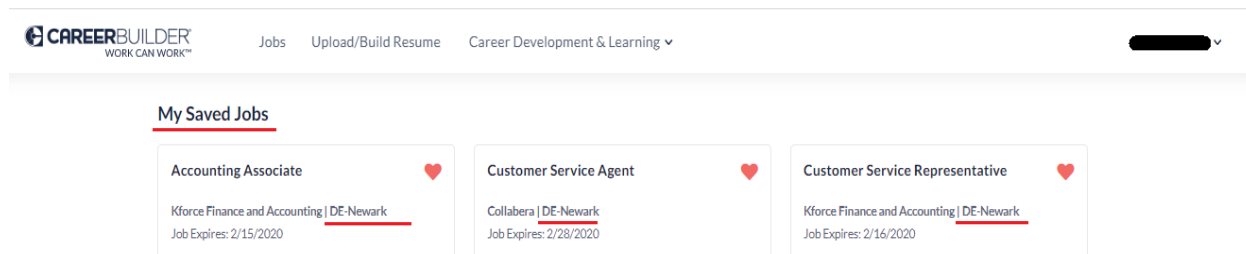
67. As another example, users can save jobs:

First User:



(<https://www.careerbuilder.com/saved-jobs> (for a particular user)).

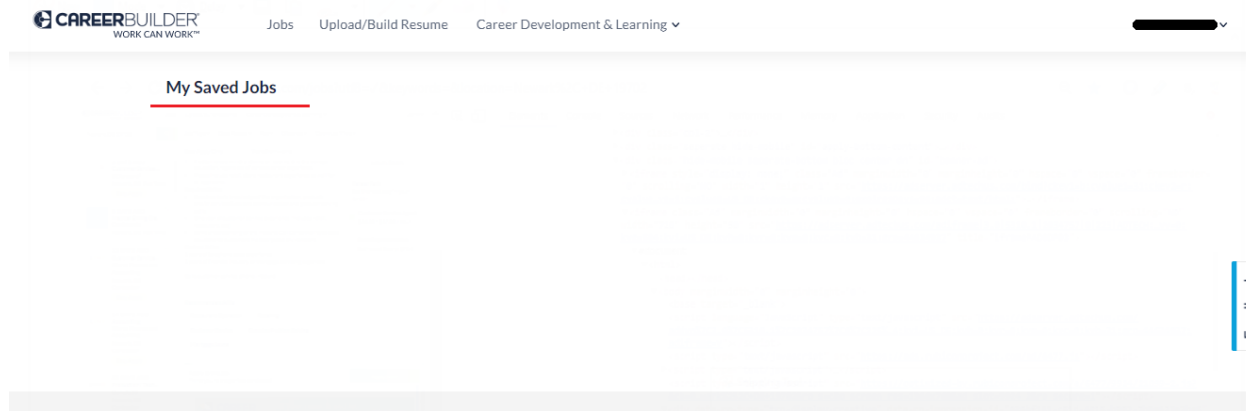
Second User:



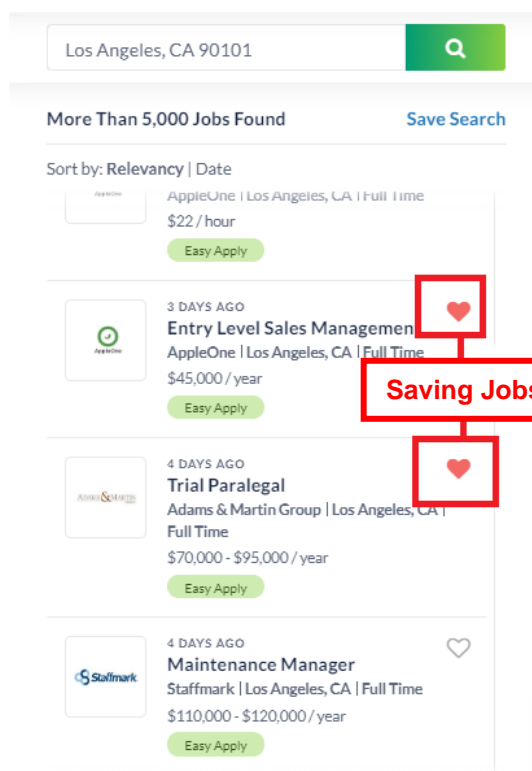
(<https://www.careerbuilder.com/saved-jobs> (for a particular user)).

68. On information and belief, the Accused Instrumentality performs the step of storing a user-specific template program (e.g., generic template customized to a user-specific template program based on user-specific interests & with real-time information) for the user in a data structure associated with a user identifier unique to the user (e.g., the user-specific template is stored corresponding to every user based on the user's unique preferences and information associated with the user's sign-in information (e.g., e-mail address)). Upon information and belief, after a user logs in, CareerBuilder.com can display a user's saved searches and job listings. As such, a user-specific template program utilized to create the displayed websites that

show a user's saved searches and job listings must be stored in a database wherein the template program is tied to a user's log in information/account.



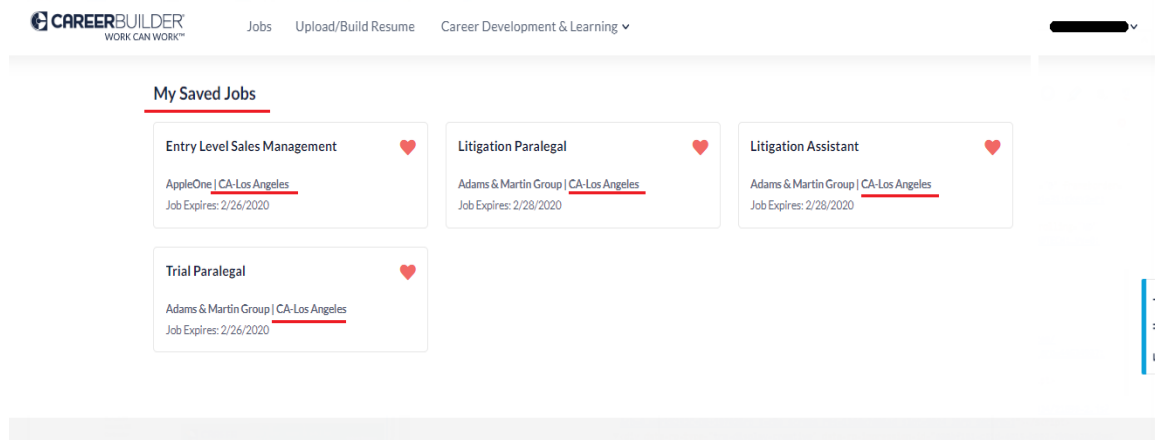
(<https://www.careerbuilder.com/saved-jobs> (for a particular user)).



(https://www.careerbuilder.com/jobs?keywords=&location=Los+Angeles%2C+CA+90101&page_number=2 (for a particular user)).

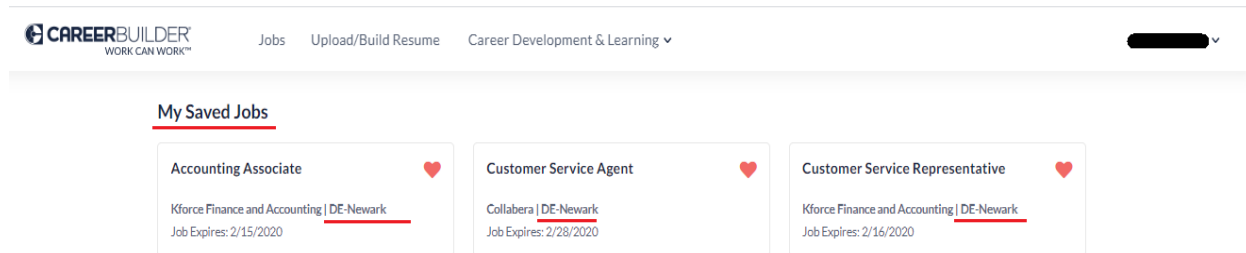
69. A user can also customize their CareerBuilder.com page by selecting job listings to saved so that job listings can be displayed. Upon information and belief, in order to display the saved job listings to a user following their login, CareerBuilder.com must store the template programs utilized to render the pages in a database, and tie the template programs to a user’s account. The following are screenshots of webpages customized according to the favorites of two respective users:

First User



(<https://www.careerbuilder.com/saved-jobs> for a particular user).

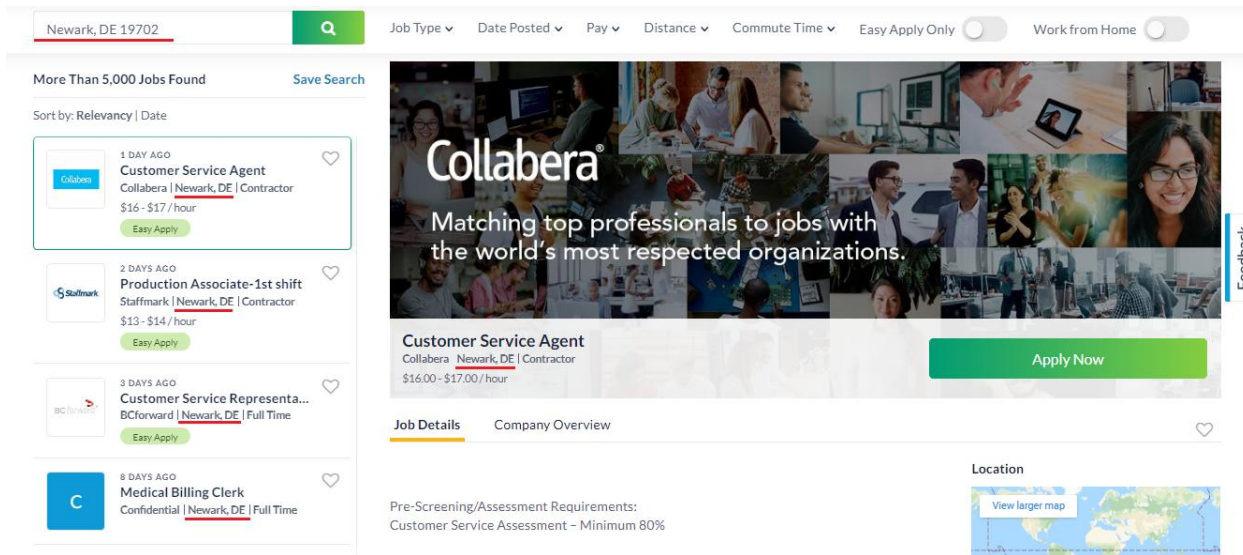
Second User



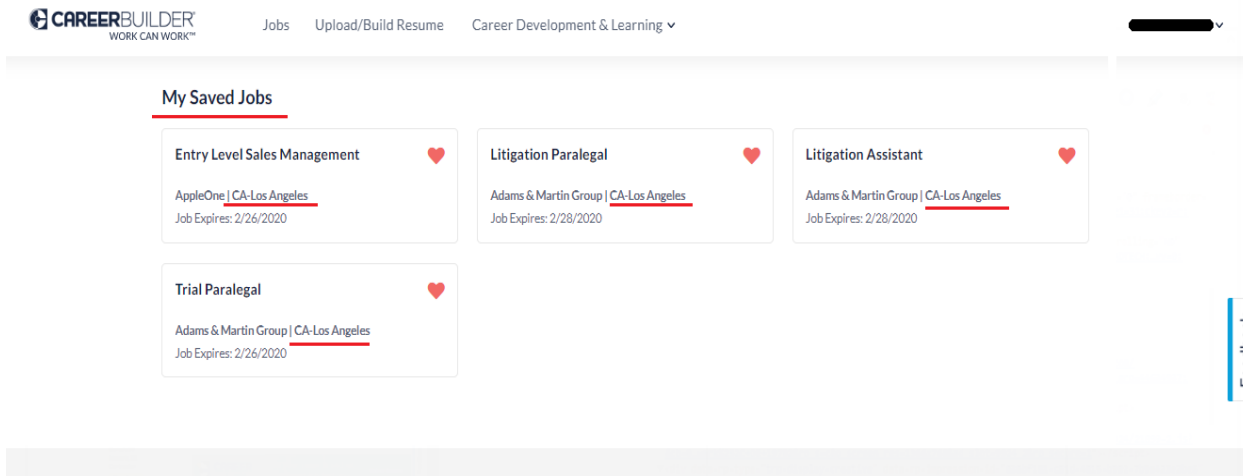
(<https://www.careerbuilder.com/saved-jobs> for a particular user).

70. Upon information and belief, the Accused Instrumentality performs the step of receiving, from the user and at the page server (e.g., CareerBuilder.com server), a user request

(e.g., user login, search initiation, etc.) for a customized page (e.g., search results limited to a user’s location and job type, etc.) and determining a user identifier associated with the request (e.g., in order to limit search results to a location tied to an account, CareerBuilder.com must determine a user identifier that links the request to the user’s account and preferences).

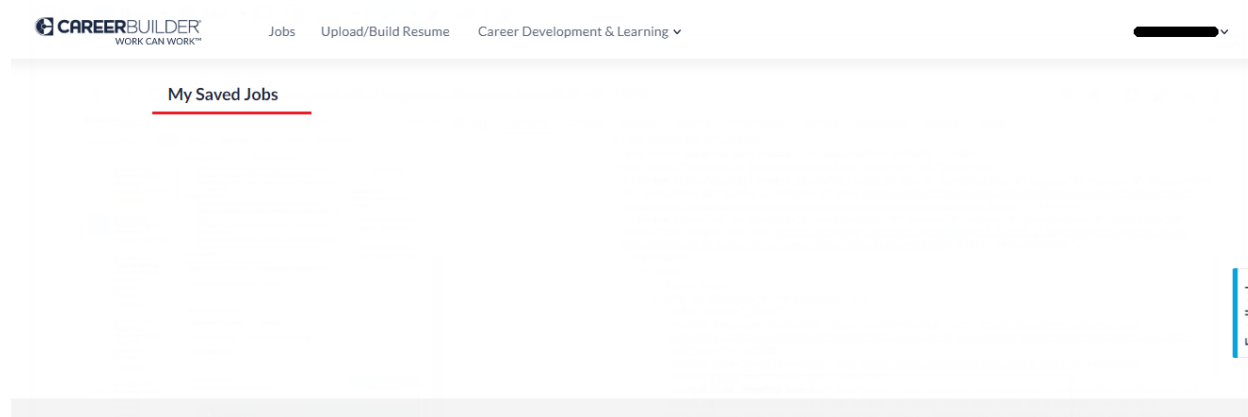


(<https://www.careerbuilder.com/jobs?utf8=%E2%9C%93&keywords=&location=Newark%2C+DE+19702> (for a particular user)).




(<https://www.careerbuilder.com/saved-jobs> for a particular user).

71. On information and belief, the Accused Instrumentality performs the step of receiving a template program specific to the user using the determined user identifier (*e.g.*, user id & password) associated with the user request (*e.g.*, user login request). On information and belief, in order to display a webpage that shows search results limited to a user's location, saved searches, saved jobs, CareerBuilder.com must receive a template program (*e.g.*, code, instructions, etc., used to create a webpage for display) tied to a user's account/preferences.










(<https://www.careerbuilder.com/saved-jobs> (for a particular user)).

Los Angeles, CA 90101 



More Than 5,000 Jobs Found [Save Search](#)

Sort by: Relevancy | Date





-  AppleOne | Los Angeles, CA | Full Time
\$22 / hour
[Easy Apply](#)
- 3 DAYS AGO  **Entry Level Sales Management** 
AppleOne | Los Angeles, CA | Full Time
\$45,000 / year
[Easy Apply](#)
- 4 DAYS AGO  **Trial Paralegal** 
Adams & Martin Group | Los Angeles, CA | Full Time
\$70,000 - \$95,000 / year
[Easy Apply](#)
- 4 DAYS AGO  **Maintenance Manager** 
Staffmark | Los Angeles, CA | Full Time
\$110,000 - \$120,000 / year
[Easy Apply](#)

Saving Jobs

https://www.careerbuilder.com/jobs?keywords=&location=Los+Angeles%2C+CA+90101&page_number=2 (for a particular user)).

 [Jobs](#) [Upload/Build Resume](#) [Career Development & Learning](#) 

My Saved Jobs

- Entry Level Sales Management** 
AppleOne | CA-Los Angeles
Job Expires: 2/26/2020
- Litigation Paralegal** 
Adams & Martin Group | CA-Los Angeles
Job Expires: 2/28/2020
- Litigation Assistant** 
Adams & Martin Group | CA-Los Angeles
Job Expires: 2/28/2020
- Trial Paralegal** 
Adams & Martin Group | CA-Los Angeles
Job Expires: 2/26/2020

[Feedback](#)

<https://www.careerbuilder.com/saved-jobs> (for a particular user)).

First User:

Newark, DE 19702

More Than 5,000 Jobs Found

Sort by: Relevancy | Date

- 1 DAY AGO
Customer Service Agent
Collabera | Newark, DE | Contractor
\$16 - \$17 / hour
Easy Apply
- 2 DAYS AGO
Production Associate-1st shift
Staffmark | Newark, DE | Contractor
\$13 - \$14 / hour
Easy Apply
- 3 DAYS AGO
Customer Service Representa...
BCForward | Newark, DE | Full Time
Easy Apply
- 8 DAYS AGO
Medical Billing Clerk
Confidential | Newark, DE | Full Time

Collabera
Matching top professionals to jobs with the world's most respected organizations.

Customer Service Agent
Collabera Newark, DE | Contractor
\$16.00 - \$17.00 /hour

Apply Now

Job Details Company Overview

Location
View larger map

Pre-Screening/Assessment Requirements:
Customer Service Assessment - Minimum 80%

(<https://www.careerbuilder.com/jobs?utf8=%E2%9C%93&keywords=&location=Newark%2C+DE+19702> (for a particular user)).

Second User:

Los Angeles, CA 90101

More Than 5,000 Jobs Found

Sort by: Relevancy | Date

- TODAY
Litigation Paralegal
Adams & Martin Group | Los Angeles, CA | Full Time
\$55,000 - \$125,000 / year
Easy Apply
- TODAY
Import Agent
Ultimate | Inglewood | Full Time
\$15 - \$18 / hour
Easy Apply
- TODAY
Inside Sales - Base+Commission
AppleOne | Los Angeles, CA | Full Time
\$35,400 / year
Easy Apply
- TODAY
Civil Litigation Secretary / Exe...
Special Counsel | Los Angeles, CA | Full Time

ADAMS & MARTIN GROUP

Litigation Paralegal
Adams & Martin Group | Los Angeles, CA | Full-Time
\$55,000.00 - \$125,000.00 / year

Apply Now

Job Details Company Overview

Top Downtown Los Angeles law firm seeks talented Litigation Paralegal to join its team. The Litigation Paralegal should have at least 2+ years of experience as a Litigation Paralegal. The Litigation Paralegal should be proficient with Microsoft Office Suite including Word, Excel and Outlook. The Litigation Paralegal should have great written, verbal and interpersonal communication skills.

Location
View larger map

Litigation Paralegal responsibilities include:

- Discovery including responding to discovery responses and propounding discovery

(<https://www.careerbuilder.com/jobs?utf8=%E2%9C%93&keywords=&location=Los+Angeles%2C+CA+90101> (for a particular user)).

72. On information and belief, the Accused Instrumentality performs the step that the template program is received from one of at least two locations (*e.g.*, main storage at the CareerBuilder.com server or local storage on the user's computer), the location determined from frequency of the user request for the customized page. 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 storage on the user's computer. Running the template program (page generation code, tiles, containers, and user data) creates the customized webpage. On information and belief, 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 job listings and other site logic-based conditions. On information and belief, 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.

73. On information and belief, the Accused Instrumentality performs the step of executing the template program (*e.g.*, code, instructions, etc.) specific to the user (*e.g.*, used to create a user-specific web page) using the real-time information (*e.g.*, current job listings, etc.) stored in the shared local storage device (*e.g.*, job listings are pulled from storage servers/databases and sent to a web/API server used to process the data for display; the web/API server is local to CareerBuilder.com and is shared among all users accessing the CareerBuilder.com website) to generate the customized page (*e.g.*, a user webpage displaying job listings based on their preferences). For example, the screenshots in Paragraph 71 are for two different users that have varying current job listings 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 job listings).

74. On information and belief, the Accused Instrumentality performs the step that the template program indicates items of interest (*e.g.*, job listings related to the user location, etc.) to the user; and providing the user with the customized page (*e.g.*, user-specific web page). Users have varying current job listings 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 job listings). Users can also select saved jobs so saved job listings are displayed. (*E.g.*, screenshots in paragraph 71).

75. On information and belief, the Accused Instrumentality performs the step of receiving user preferences (*e.g.*, user location, etc.) for the user, wherein the user preferences indicate the items of interest to the user (*e.g.*, job listings near a user, job types, etc.) and combining the user preferences with a generic template to form the template program specific to the user. On information and belief, the Accused Instrumentality uses a template program that is unique to the user to generate a customized webpage by combining customization information unique to the user and a global template that is generic to a plurality of users. The overall layout of a user's page will be shared among all users, however the content of that page will differ for each user, this being dictated by a unique template program that is made by taking a generic template that only defines layout and combining the data specific to user's interests to be displayed within the layout. (*E.g.*, screenshots in paragraph 71).

76. 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.

77. 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)

78. Plaintiff incorporates the above paragraphs herein by reference.

79. 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.

80. 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.

81. 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.*).

82. 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).

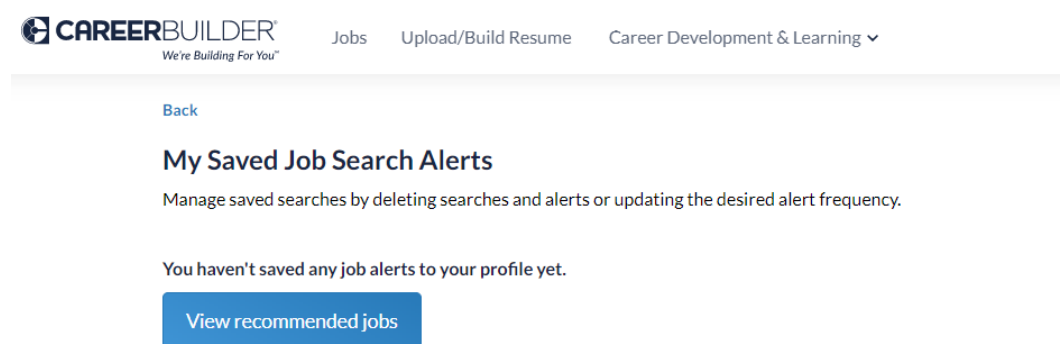
83. The '359 Patent shares the identical specification as the '854 patent and therefore Digi Portal incorporates the background and discussion of the invention in Paragraphs 13-25. Furthermore, the prosecution history of the '359 patent highlights advantages and the unconventional features of the claimed 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).

84. **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 CareerBuilder.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 job listings near a user's location, and by job type, etc.).

85. On information and belief, the Accused Instrumentality performs the step of storing the real-time information in a shared local storage device (*e.g.*, job listings will be pulled

from a storage server/database and sent to a CareerBuilder.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) 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 interest), and is associated with a user identifier (*e.g.*, in order for a user to see information specific to them and their account, such as saved searches or saved jobs, the template program for their webpage must be tied to their login credentials), wherein the user identifier is associated with a user request (*e.g.*, user login and subsequent search request, navigation, etc.) for a customized page.

86. For example, after a user logs in, CareerBuilder.com displays a user's saved/recent search and saved job listings and therefore a user-specific template program utilized to create the displayed websites that show a user's saved searches and job listings must be tied to a user's log in information/account.





(https://www.careerbuilder.com/saved_searches (for a particular user)).

[Back](#)

My Saved Job Search Alerts

Manage saved searches by deleting searches and alerts or updating the desired alert frequency.

Job Search	Alert Frequency
 sales 90101	Daily 





(https://www.careerbuilder.com/saved_searches (for a particular user)).

87. For example, a user can also customize their CareerBuilder.com page by selecting job listings to save, so that saved jobs can be displayed. In order to display the saved jobs to a user following their login, CareerBuilder.com must tie the template programs to a user's account.

First User:

CAREERBUILDER
WORK CAN WORK™ Jobs Upload/Build Resume Career Development & Learning

My Saved Jobs

Entry Level Sales Management  AppleOne CA-Los Angeles Job Expires: 2/26/2020	Litigation Paralegal  Adams & Martin Group CA-Los Angeles Job Expires: 2/28/2020	Litigation Assistant  Adams & Martin Group CA-Los Angeles Job Expires: 2/28/2020
Trial Paralegal  Adams & Martin Group CA-Los Angeles Job Expires: 2/26/2020		

Feedback

(<https://www.careerbuilder.com/saved-jobs> (for a particular user)).

Second User:

My Saved Jobs

Accounting Associate Kforce Finance and Accounting DE-Newark Job Expires: 2/15/2020	Customer Service Agent Collabera DE-Newark Job Expires: 2/28/2020	Customer Service Representative Kforce Finance and Accounting DE-Newark Job Expires: 2/16/2020
----------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------

(<https://www.careerbuilder.com/saved-jobs> (for a particular user)).

88. For example, a user’s CareerBuilder.com page will also be customized to show current job listings near the location linked to a user’s account.

First User:

Newark, DE 19702

More Than 5,000 Jobs Found

Sort by: Relevancy | Date

- 1 DAY AGO
Customer Service Agent
Collabera | Newark, DE | Contractor
\$16 - \$17 /hour
Easy Apply
- 2 DAYS AGO
Production Associate-1st shift
Staffmark | Newark, DE | Contractor
\$13 - \$14 /hour
Easy Apply
- 3 DAYS AGO
Customer Service Representa...
BCforward | Newark, DE | Full Time
Easy Apply
- 8 DAYS AGO
Medical Billing Clerk
Confidential | Newark, DE | Full Time

Collabera
Matching top professionals to jobs with the world's most respected organizations.

Customer Service Agent
Collabera Newark, DE | Contractor
\$16.00 - \$17.00/hour
Apply Now

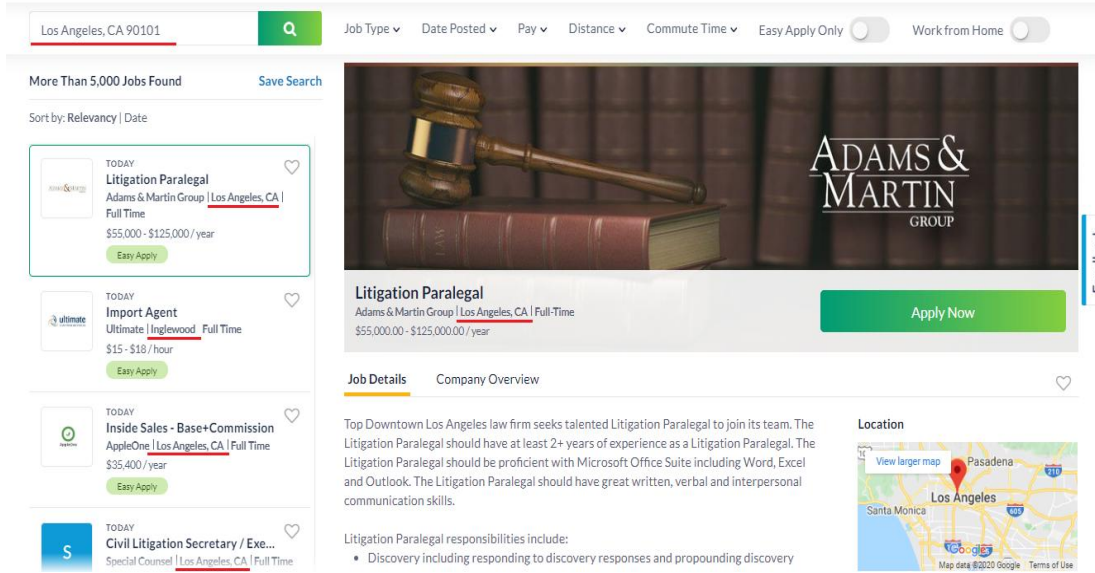
Job Details Company Overview

Pre-Screening/Assessment Requirements:
Customer Service Assessment - Minimum 80%

Location
View larger map

(<https://www.careerbuilder.com/jobs?utf8=%E2%9C%93&keywords=&location=Newark%2C+DE+19702> (for a particular user)).

Second User:



(<https://www.careerbuilder.com/jobs?utf8=%E2%9C%93&keywords=&location=Los+Angeles%2C+CA+90101> (for a particular user)).

89. For example, the JavaScript code below was retrieved from browser developer tools. Based on user data, the code is managing various CareerBuilder.com data based on user preferences such as location.

```

dataLayer.push({event:"data-gtm",gtm_action:"header",gtm_label:"add-resume"},!0}),$("#reco-
link").on("click",function(){return dataLayer.push({event:"data-
gtm",gtm_action:"header",gtm_label:"recommendations"},!0}),$("#browse-link").on("click",function()
{return dataLayer.push({event:"data-gtm",gtm_action:"header",gtm_label:"browse-jobs"},!0}),$("#blog-
link").on("click",function(){return dataLayer.push({event:"data-gtm",gtm_action:"header",gtm_label:"b2c-
blog"},!0}),$("#logout-link").on("click",function(){return dataLayer.push({event:"data-
gtm",gtm_action:"header",gtm_label:"sign-out"},!0}),$("#signin-link").on("click",function(){return
dataLayer.push({event:"data-gtm",gtm_action:"header",gtm_label:"sign-in"},!0}),$("#employers-
link").on("click",function(){return dataLayer.push({event:"data-gtm",gtm_action:"header",gtm_label:"b2b-
portal"},!0}),$("#employers-sign-in").on("click",function(){return dataLayer.push({event:"data-
gtm",gtm_action:"header",gtm_label:"sign-in"},!0}),$("#search-cv-link").on("click",function(){return
dataLayer.push({event:"data-gtm",gtm_action:"header",gtm_label:"b2b-e-commerce-cvsearch"},!0}),$("#post-
link").on("click",function(){return dataLayer.push({event:"data-gtm",gtm_action:"header",gtm_label:"b2b-
e-commerce-postjobs"},!0}),$("#cookie-policy").on("click",function(){return dataLayer.push({event:"data-
gtm",gtm_action:"header",gtm_label:"cookie-policy"},!0}),$("#btn-cookie").on("click",function(){return
dataLayer.push({event:"data-gtm",gtm_action:"header",gtm_label:"cookie-close"},!0}),$(".browse-jobs-
link").on("click",function(){return dataLayer.push({event:"data-
gtm",gtm_action:"footer",gtm_label:"browse-jobs-category"},!0}),$("#employers-site-

```

(<https://www.careerbuilder.com/cdn/assets/app->

[660900d9cb0159c29673387e02a7cfec4015e6ae9a0580f09963d33a0a111bf0.js](https://www.careerbuilder.com/cdn/assets/app-660900d9cb0159c29673387e02a7cfec4015e6ae9a0580f09963d33a0a111bf0.js) (for a particular user)).

```
dataLayer.push({event:"data-gtm",gtm_action:"footer",gtm_label:"linkedin"},!0}),$("#upload-cv").on("click",function(){return dataLayer.push({event:"data-gtm",gtm_action:"homev2",gtm_label:"upload_cv_link"},!0)}),$("#home #sbmt").on("click",function(){return"!=$("#Keywords").val()&&"===$("#Location").val()?(dataLayer.push({event:"data-gtm",gtm_action:"homev2",gtm_label:"search job submit with keywords"},!0):"!=$("#Location").val()&&"===$("#Keywords").val()?(dataLayer.push({event:"data-gtm",gtm_action:"homev2",gtm_label:"search job submit with location"},!0):"!=$("#Keywords").val()&&"===$("#Location").val()?(dataLayer.push({event:"data-gtm",gtm_action:"homev2",gtm_label:"search job submit with keywords and location"},!0):"===$("#Location").val()&&"===$("#Keywords").val()?(dataLayer.push({event:"data-gtm",gtm_action:"homev2",gtm_label:"search job submit with no criteria"},!0):void 0}),$("#jobs #sbmt").on("click",function(){return 0===$(".job").length&&dataLayer.push({event:"data-gtm",gtm_action:"jobsv2",gtm_label:"No results"},"!=$("#Keywords").val()&&"===$("#Location").val()?)
```

(<https://www.careerbuilder.com/cdn/assets/app->

[660900d9cb0159c29673387e02a7cfec4015e6ae9a0580f09963d33a0a111bf0.js](https://www.careerbuilder.com/cdn/assets/app-660900d9cb0159c29673387e02a7cfec4015e6ae9a0580f09963d33a0a111bf0.js) (for a particular user)).

90. 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 CareerBuilder.com server or local device storage), the location based upon a frequency of user requests for the customized page. On information and belief, template information that is part of the template program is stored for less frequently accessed files in a main storage server wherein frequently accessed files will be stored in local storage on the user's computer. On information and belief, 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 job listings, and other site

logic-based conditions. The template information can be stored in multiple locations including but not limited to (1) at runtime, in a Javascript object with the data structure called ContextData; (2) within browser local storage; and (3) browser cookies.

```
();var Le,Fe=function(e){var t=pe.noData[(e.nodeName+"
").toLowerCase()],n=e.nodeType||1;return(1===n||9===n)&&
(!t||!0!==t&&e.getAttribute("classid")===t)},He=/^(?:\{[\w\W]*\}|\{[\w\W]*\})$/ ,Me=/([A-
Z])/g;pe.extend({cache:{},noData:{"applet " :!0,"embed " :!0,"object " : "clsid:D27CDB6E-AE6D-11cf-96B8-
444553540000"},hasData:function(e){return!!(e=e.nodeType?
pe.cache[e[pe.expando]]:e[pe.expando])&&!1(e)},data:function(e,t,n){return
r(e,t,n)},removeData:function(e,t){return a(e,t)},_data:function(e,t,n){return
r(e,t,n,!0)},_removeData:function(e,t){return a(e,t,!0)}}),pe.fn.extend({data:function(e,t){var
n,r,i,o=this[0],a=o&&o.attributes;if(e!==undefined)return"object"===typeof e?this.each(function()
{pe.data(this,e)}):1<arguments.length?this.each(function(){pe.data(this,e,t)}):o?
u(o,e,pe.data(o,e)):undefined;if(this.length&&(i=pe.data(o,1===o.nodeType&&!pe._data(o,"parsedAttrs")))
{for(n=a.length;n--;)a[n]&&0===(r=a[n].name).indexOf("data-
```

([https://www.careerbuilder.com/cdn/assets/init_core-](https://www.careerbuilder.com/cdn/assets/init_core-94f2f942ccefd9b871605389ea154ff0dddee66990d23a7b33089d5ac5af4c0.js)

[94f2f942ccefd9b871605389ea154ff0dddee66990d23a7b33089d5ac5af4c0.js](https://www.careerbuilder.com/cdn/assets/init_core-94f2f942ccefd9b871605389ea154ff0dddee66990d23a7b33089d5ac5af4c0.js) (for a particular user)).

```
(e.contents.scripts=!1)),pe.ajaxSetup({accepts:{script:"text/javascript, application/javascript,
application/ecmascript, application/x-ecmascript"},contents:
{script:/\b(?:java|ecma)script\b/},converters:{"text script":function(e){return
pe.globalEval(e),e}}}),pe.ajaxPrefilter("script",function(e){e.cache===undefined&&
(e.cache=!1),e.crossDomain&&(e.type="GET",e.global=!1)}),pe.ajaxTransport("script",function(t)
{if(t.crossDomain){var r,i=re.head||pe("head")[0]||re.documentElement;return{send:function(e,n)
{(r=re.createElement("script")).async=!0,t.scriptCharset&&
(r.charset=t.scriptCharset),r.src=t.url,r.onload=r.onreadystatechange=function(e,t)
{(t||!r.readyState||/loaded|complete/.test(r.readyState))&&
(r.onload=r.onreadystatechange=null,r.parentNode&&r.parentNode.removeChild(r),r=null,t|n(200,"success"))
},i.insertBefore(r,i.firstChild)},abort:function(){r&&r.onload(undefine,!0)}}});var yn=[],vn=/(\=)\?(\?
```

([https://www.careerbuilder.com/cdn/assets/init_core-](https://www.careerbuilder.com/cdn/assets/init_core-94f2f942ccefd9b871605389ea154ff0dddee66990d23a7b33089d5ac5af4c0.js)

[94f2f942ccefd9b871605389ea154ff0dddee66990d23a7b33089d5ac5af4c0.js](https://www.careerbuilder.com/cdn/assets/init_core-94f2f942ccefd9b871605389ea154ff0dddee66990d23a7b33089d5ac5af4c0.js) (for a particular user)).

91. On information and belief, the Accused Instrumentality performs that step of executing the template program specific to the user (*e.g.*, generating user-specific web page by executing a template program which is composed of code, instructions, and data) using the real-time information stored in the shared local storage device (*e.g.*, job listings pulled from external

storage servers/databases and sent to a local CareerBuilder.com web/API server for processing and display) to generate the customized page. As shown above, a user's CareerBuilder.com page will be customized to show current job listings near the location linked to a user's account, and a user can also customize their CareerBuilder.com page by saving job listings and job searches so that job listings and job searches can be displayed.

92. On information and belief, the Accused Instrumentality performs the step of receiving user preferences for the user (*e.g.*, user location, saved jobs, saved searches, etc.), and for combining the user preferences with a generic template to form the template program specific to the user (*e.g.*, user-specific web page), wherein the user preferences indicate the items of interest to the user. On information and belief, the Accused Instrumentality uses a template program that is unique to the user to generate a customized webpage by combining customization information unique to the user and a global template that is generic to a plurality of users. The overall layout of a user's page will be shared among all users; however, the content of that page will differ for each user, this being dictated by a unique template program that is made by taking a general template that only defines layout and adding the data to be displayed within the layout. For example, the following screenshots of two different users that have varying current job listings 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 job listings) shows that the template program is varied so that each user can receive appropriately customized pages (*e.g.*, the code for each respective page is updated/adapted to pull from different resources so that the appropriate information/data can be referenced/displayed for each user).

First User:

Newark, DE 19702

More Than 5,000 Jobs Found

Sort by: Relevancy | Date

- 1 DAY AGO
Customer Service Agent
Collabera | Newark, DE | Contractor
\$16 - \$17 / hour
Easy Apply
- 2 DAYS AGO
Production Associate-1st shift
Staffmark | Newark, DE | Contractor
\$13 - \$14 / hour
Easy Apply
- 3 DAYS AGO
Customer Service Representa...
BCforward | Newark, DE | Full Time
Easy Apply
- 8 DAYS AGO
Medical Billing Clerk
Confidential | Newark, DE | Full Time

Collabera
Matching top professionals to jobs with the world's most respected organizations.

Customer Service Agent
Collabera | Newark, DE | Contractor
\$16.00 - \$17.00 / hour

Apply Now

Job Details Company Overview

Pre-Screening/Assessment Requirements:
Customer Service Assessment - Minimum 80%

Location
View larger map

(<https://www.careerbuilder.com/jobs?utf8=%E2%9C%93&keywords=&location=Newark%2C+DE+19702> (for a particular user)).

Second User:

Los Angeles, CA 90101

More Than 5,000 Jobs Found

Sort by: Relevancy | Date

- TODAY
Litigation Paralegal
Adams & Martin Group | Los Angeles, CA | Full Time
\$55,000 - \$125,000 / year
Easy Apply
- TODAY
Import Agent
Ultimate | Inglewood | Full Time
\$15 - \$18 / hour
Easy Apply
- TODAY
Inside Sales - Base+Commission
AppleOne | Los Angeles, CA | Full Time
\$35,400 / year
Easy Apply
- TODAY
Civil Litigation Secretary / Exe...
Special Counsel | Los Angeles, CA | Full Time

ADAMS & MARTIN GROUP

Litigation Paralegal
Adams & Martin Group | Los Angeles, CA | Full Time
\$55,000.00 - \$125,000.00 / year

Apply Now

Job Details Company Overview

Top Downtown Los Angeles law firm seeks talented Litigation Paralegal to join its team. The Litigation Paralegal should have at least 2+ years of experience as a Litigation Paralegal. The Litigation Paralegal should be proficient with Microsoft Office Suite including Word, Excel and Outlook. The Litigation Paralegal should have great written, verbal and interpersonal communication skills.

Litigation Paralegal responsibilities include:

- Discovery including responding to discovery responses and propounding discovery

Location
View larger map

(<https://www.careerbuilder.com/jobs?utf8=%E2%9C%93&keywords=&location=Los+Angeles%2C+CA+90101> (for a particular user)).

93. 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.

94. 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)

95. Plaintiff incorporates the above paragraphs herein by reference.

96. 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.

97. 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.

98. 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).

99. 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).

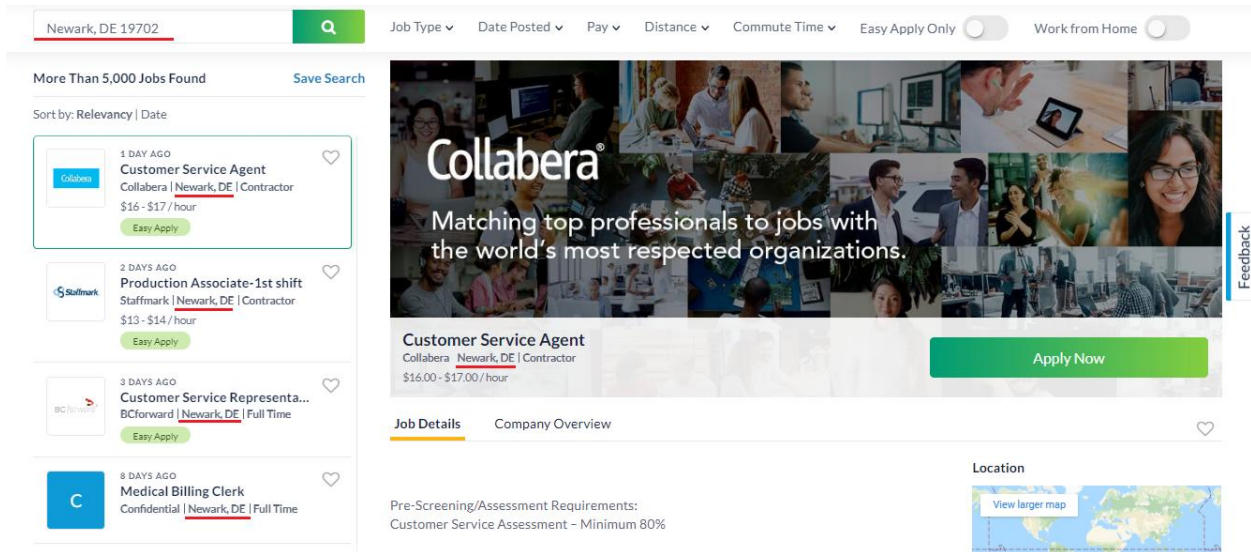
100. The '342 patent shares the identical specification as the '854 patent and therefore Digi Portal incorporates the background and discussion of the invention in Paragraphs 13-25.

101. **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 CareerBuilder.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 CareerBuilder.com website). (*E.g.*, <https://accounts.careerbuilder.com/share/login.aspx>).

102. On information and belief, the Accused Instrumentality performs the step of generating, via at least one server computer (*e.g.*, CareerBuilder.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), the template program that is unique to the user being used to form the user's customized web page, the template program that is unique to the user being generated using customization information unique to the user (*e.g.*, user location, saved searches, saved job listings) and a global template that is generic to a plurality of users. On information and belief, the Accused

Instrumentality uses a template program that is unique to the user to generate a customized webpage by combining customization information unique to the user and a global template that is generic to a plurality of users. The overall layout of a user’s page will be shared among all users; however, the content of that page will differ for each user, this being dictated by a unique template program that is made by taking a general template that only defines layout and combining the data selected based on customization information unique to the user to be displayed within the layout. For example, the following screenshots for two different users have varying job listings 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 job listings near a particular location).

First User:



(<https://www.careerbuilder.com/jobs?utf8=%E2%9C%93&keywords=&location=Newark%2C+DE+19702> (for a particular user)).

Second User:

Los Angeles, CA 90101

More Than 5,000 Jobs Found

Sort by: Relevancy | Date

- Litigation Paralegal**
Adams & Martin Group | Los Angeles, CA | Full Time
\$55,000 - \$125,000/year
Easy Apply
- Import Agent**
Ultimate | Inglewood | Full Time
\$15 - \$18/hour
Easy Apply
- Inside Sales - Base+Commission**
AppleOne | Los Angeles, CA | Full Time
\$35,400/year
Easy Apply
- Civil Litigation Secretary / Exe...**
Special Counsel | Los Angeles, CA | Full Time

Litigation Paralegal

Adams & Martin Group | Los Angeles, CA | Full-Time
\$55,000.00 - \$125,000.00/year

Apply Now

Job Details | Company Overview

Top Downtown Los Angeles law firm seeks talented Litigation Paralegal to join its team. The Litigation Paralegal should have at least 2+ years of experience as a Litigation Paralegal. The Litigation Paralegal should be proficient with Microsoft Office Suite including Word, Excel and Outlook. The Litigation Paralegal should have great written, verbal and interpersonal communication skills.

Location

View larger map
Pasadena
Los Angeles
Santa Monica

Litigation Paralegal responsibilities include:

- Discovery including responding to discovery responses and propounding discovery

(<https://www.careerbuilder.com/jobs?utf8=%E2%9C%93&keywords=&location=Los+Angeles%2C+CA+90101> (for a particular user)).

103. For example, a user can also customize their CareerBuilder.com page by selecting job listings to save, so that saved job listings can be displayed.

CAREERBUILDER
WORK CAN WORK™

Jobs Upload/Build Resume Career Development & Learning

My Saved Jobs

(<https://www.careerbuilder.com/saved-jobs> (for a particular user)).

Los Angeles, CA 90101

More Than 5,000 Jobs Found [Save Search](#)

Sort by: Relevancy | Date

- AppleOne | Los Angeles, CA | Full Time
\$22 /hour
[Easy Apply](#)
- 3 DAYS AGO
Entry Level Sales Management
AppleOne | Los Angeles, CA | Full Time
\$45,000 /year
[Easy Apply](#)
- 4 DAYS AGO
Trial Paralegal
Adams & Martin Group | Los Angeles, CA | Full Time
\$70,000 - \$95,000 /year
[Easy Apply](#)
- 4 DAYS AGO
Maintenance Manager
Staffmark | Los Angeles, CA | Full Time
\$110,000 - \$120,000 /year
[Easy Apply](#)

(https://www.careerbuilder.com/jobs?keywords=&location=Los+Angeles%2C+CA+90101&page_number=2 (for a particular user)).

First User:

CAREERBUILDER
WORK CAN WORK™

Jobs Upload/Build Resume Career Development & Learning

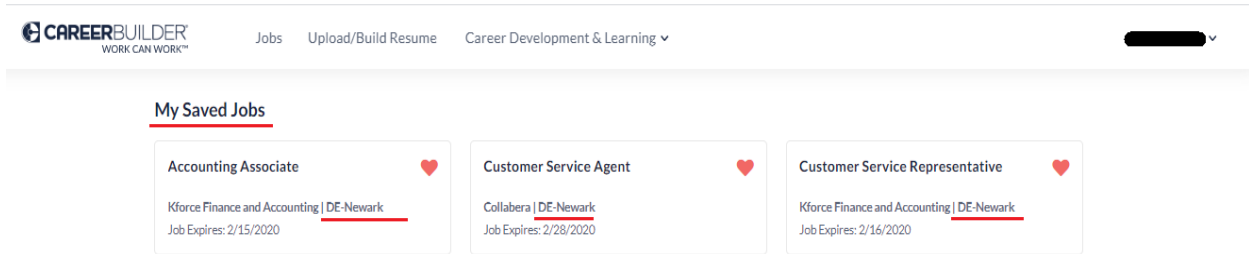
My Saved Jobs

- Entry Level Sales Management**
AppleOne | CA-Los Angeles
Job Expires: 2/26/2020
- Litigation Paralegal**
Adams & Martin Group | CA-Los Angeles
Job Expires: 2/28/2020
- Litigation Assistant**
Adams & Martin Group | CA-Los Angeles
Job Expires: 2/28/2020
- Trial Paralegal**
Adams & Martin Group | CA-Los Angeles
Job Expires: 2/26/2020

Feedback

(<https://www.careerbuilder.com/saved-jobs> (for a particular user)).

Second User:



(<https://www.careerbuilder.com/saved-jobs> (for a particular user)).

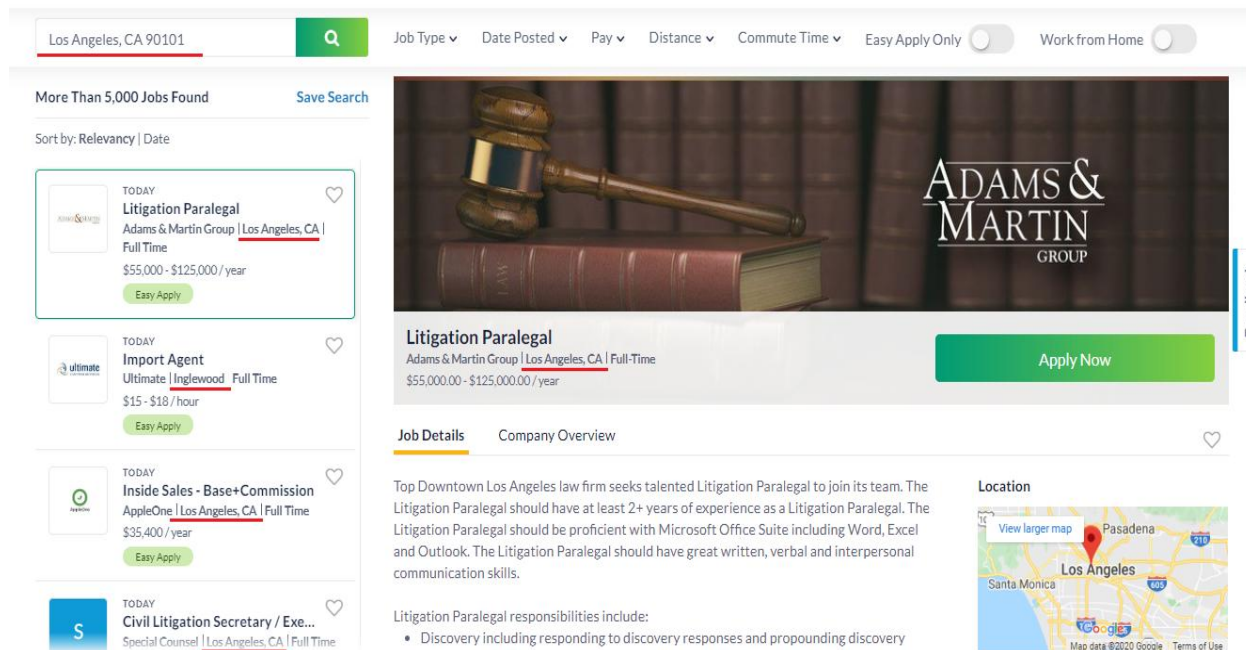
104. On information and belief, the Accused Instrumentality performs the step of executing, via the at least one server computer (e.g., CareerBuilder.com server), the user's template program (e.g., instructions, code and data used to create a user webpage) to generate the user's customized web page, the user's customized web page including real-time information (e.g., job listings) selected for the user's customized web page based on the customization information unique to the user (e.g., user location, job type). For example, a user's CareerBuilder.com page will be customized to show current job listings near the location linked to a user's account.

First User:



(<https://www.careerbuilder.com/jobs?utf8=%E2%9C%93&keywords=&location=Newark%2C+DE+19702> (for a particular user)).

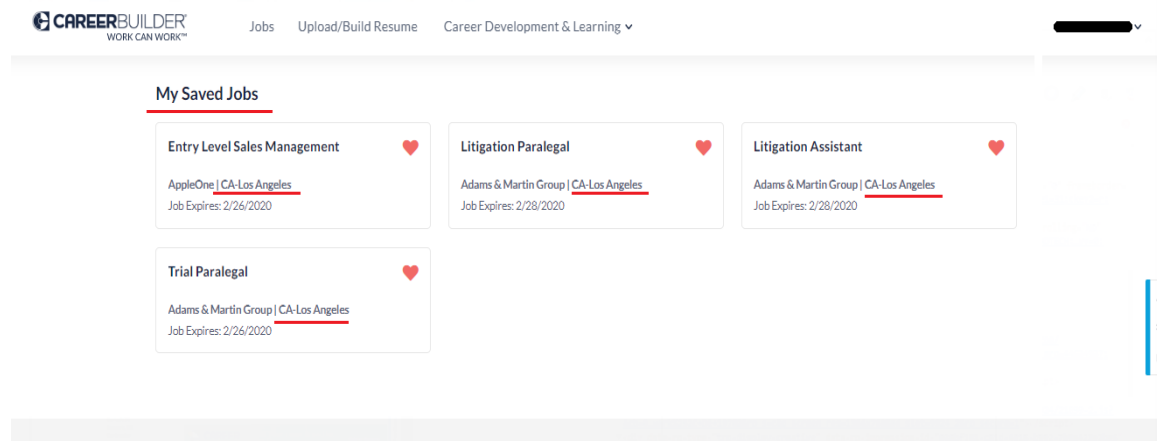
Second User:



(<https://www.careerbuilder.com/jobs?utf8=%E2%9C%93&keywords=&location=Los+Angeles%2C+CA+90101> (for a particular user)).

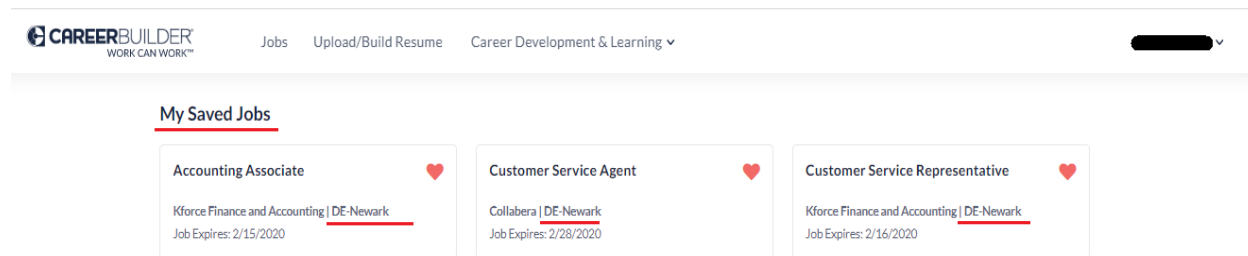
105. For example, a user can also customize their CareerBuilder.com page by selecting job listings to save, so that saved job listings can be displayed.

First User:



(<https://www.careerbuilder.com/saved-jobs> (for a particular user)).

Second User:



(<https://www.careerbuilder.com/saved-jobs> (for a particular user)).

106. 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.*, user login); receiving, via the at least one server computer (CareerBuilder.com server), the template program that is unique to the user from one of at least two locations (*e.g.*, main storage at a CareerBuilder.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. On information and belief, template information that is part of the template program is stored for less frequently accessed files in a main storage wherein frequently accessed files will be stored in storage on the user's

computer. Running the template program (page generation code, tiles, containers, and user data) creates the customized webpage. On information and belief, 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 job listings and other site logic-based conditions. On information and belief, the template information can be stored in multiple locations: (1) at runtime, in a Javascript object with the data structure called ContextData; (2) within browser local storage; and (3) browser cookies.

```
();var Le,Fe=function(e){var t=pe.noData[(e.nodeName+"
").toLowerCase()],n=e.nodeType||1;return(1===n||9===n)&&
(!t||!0!==t&&e.getAttribute("classid")===t)},He=/^(?:\{[\w\W]*\}|\{[\w\W]*\})$/ ,Me=/([A-
Z])/g;pe.extend({cache:{},noData:{"applet " :!0,"embed " :!0,"object " : "clsid:D27CDB6E-AE6D-11cf-96B8-
444553540000"},hasData:function(e){return!!(e=e.nodeType?
pe.cache[e[pe.expand]]:e[pe.expand])&&!1(e)},data:function(e,t,n){return
r(e,t,n)},removeData:function(e,t){return a(e,t)},_data:function(e,t,n){return
r(e,t,n,!0)},_removeData:function(e,t){return a(e,t,!0)}}),pe.fn.extend({data:function(e,t){var
n,r,i,o=this[0],a=o&&o.attributes;if(e!==undefined)return"object"===typeof e?this.each(function()
{pe.data(this,e)}):1<arguments.length?this.each(function(){pe.data(this,e,t)}):o?
u(o,e,pe.data(o,e)):undefined;if(this.length&&(i=pe.data(o),1===o.nodeType&&!pe._data(o,"parsedAttrs"))
{for(n=a.length;n--;)a[n]&&0===(r=a[n].name).indexOf("data-
```

[https://www.careerbuilder.com/cdn/assets/init_core-](https://www.careerbuilder.com/cdn/assets/init_core-94f2f942ccefd9b871605389ea154ff0dddee66990d23a7b33089d5ac5af4c0.js)

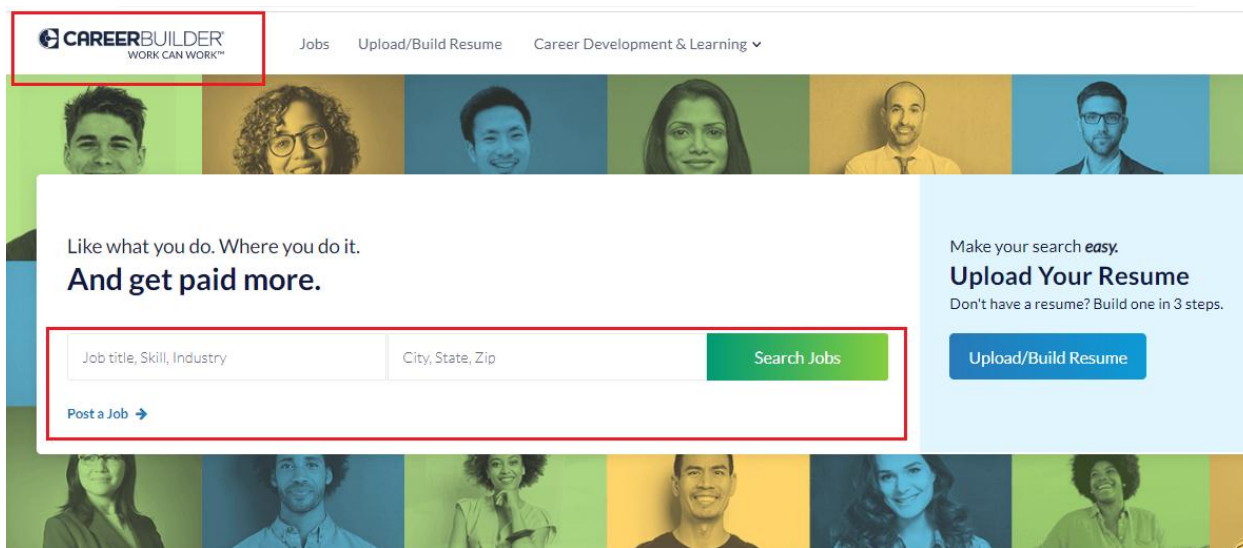
[94f2f942ccefd9b871605389ea154ff0dddee66990d23a7b33089d5ac5af4c0.js](https://www.careerbuilder.com/cdn/assets/init_core-94f2f942ccefd9b871605389ea154ff0dddee66990d23a7b33089d5ac5af4c0.js) (for a particular user)).

```
(e.contents.script=!1)),pe.ajaxSetup({accepts:{script:"text/javascript, application/javascript,
application/ecmascript, application/x-ecmascript"},contents:
{script:/\b(?:java|ecma)script\b/},converters:{"text script":function(e){return
pe.globalEval(e),e}}}),pe.ajaxPrefilter("script",function(e){e.cache===undefined&&
(e.cache=!1),e.crossDomain&&(e.type="GET",e.global=!1)}),pe.ajaxTransport("script",function(t)
{if(t.crossDomain){var r,i=re.head||pe("head")[0]||re.documentElement;return{send:function(e,n)
{(r=re.createElement("script")).async=!0,t.scriptCharset&&
(r.charset=t.scriptCharset),r.src=t.url,r.onload=r.onreadystatechange=function(e,t)
{(t||!r.readyState||/loaded|complete/.test(r.readyState))&&
(r.onload=r.onreadystatechange=null,r.parentNode&&r.parentNode.removeChild(r),r=null,t|n(200,"success"))
},i.insertBefore(r,i.firstChild)},abort:function(){r&&r.onload(undefine,!0)}}});var yn=[],vn=/(\=)\?(?
```

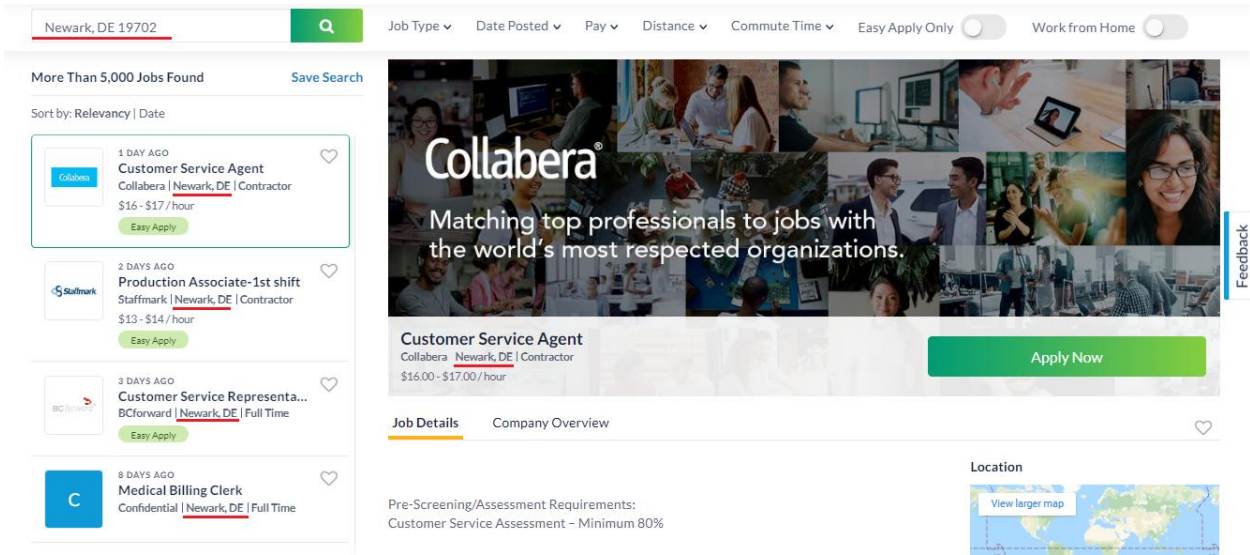
[https://www.careerbuilder.com/cdn/assets/init_core-](https://www.careerbuilder.com/cdn/assets/init_core-94f2f942ccefd9b871605389ea154ff0dddee66990d23a7b33089d5ac5af4c0.js)

[94f2f942ccefd9b871605389ea154ff0dddee66990d23a7b33089d5ac5af4c0.js](https://www.careerbuilder.com/cdn/assets/init_core-94f2f942ccefd9b871605389ea154ff0dddee66990d23a7b33089d5ac5af4c0.js) (for a particular user)).

107. On information and belief, the Accused Instrumentality performs the step of executing, via the at least one server computer (*e.g.*, CareerBuilder.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.*, current job listings) 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.*, user location, job type).



(<https://www.careerbuilder.com/> (for a particular user)).

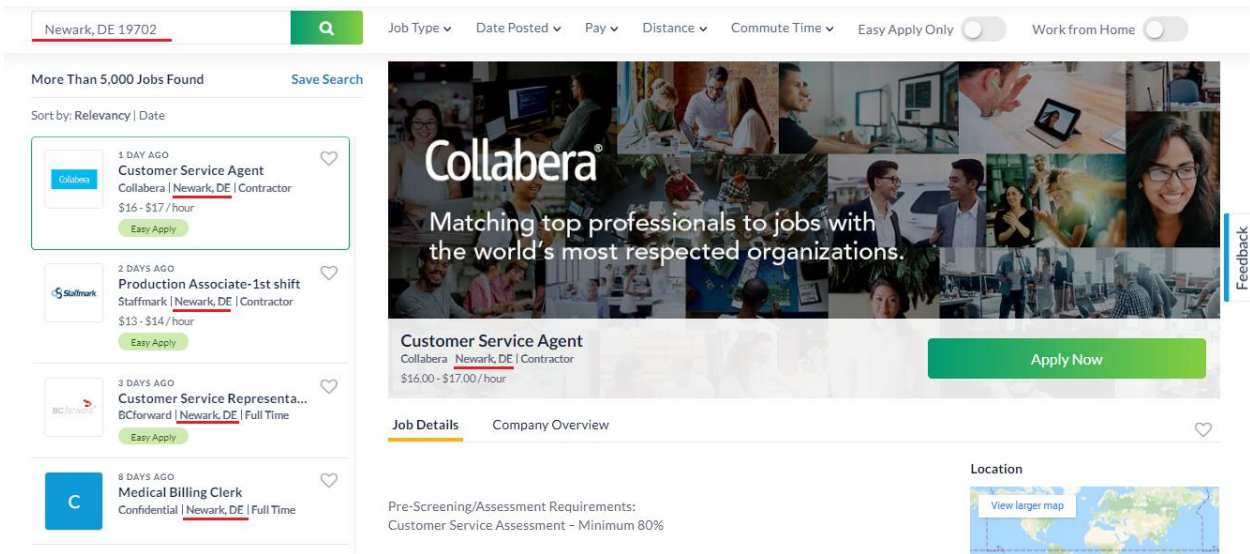


(<https://www.careerbuilder.com/jobs?utf8=%E2%9C%93&keywords=&location=Newark%2C+DE+19702> (for a particular user)).

108. For example, a user's CareerBuilder.com page will also be customized to show current job listings near the location linked to a user's account.

First

User



(<https://www.careerbuilder.com/jobs?utf8=%E2%9C%93&keywords=&location=Newark%2C+DE+19702> (for a particular user)).

Second User:

The screenshot displays a search results page on CareerBuilder. At the top, the search location is set to 'Los Angeles, CA 90101'. Below the search bar, there are filters for 'Job Type', 'Date Posted', 'Pay', 'Distance', 'Commute Time', 'Easy Apply Only', and 'Work from Home'. The search results show 'More Than 5,000 Jobs Found' and are sorted by 'Relevancy | Date'. A list of job listings is shown on the left, including 'Litigation Paralegal' at Adams & Martin Group, 'Import Agent' at Ultimate, 'Inside Sales - Base+Commission' at AppleOne, and 'Civil Litigation Secretary / Executive' at Special Counsel. The detailed view on the right is for the 'Litigation Paralegal' position at Adams & Martin Group, with a salary range of \$55,000.00 - \$125,000.00/year. The job details section includes a description of the role and a list of responsibilities, such as 'Discovery including responding to discovery responses and propounding discovery'. A location map shows the job is in Los Angeles, CA.

(<https://www.careerbuilder.com/jobs?utf8=%E2%9C%93&keywords=&location=Los+Angeles%2C+CA+90101> (for a particular user)).

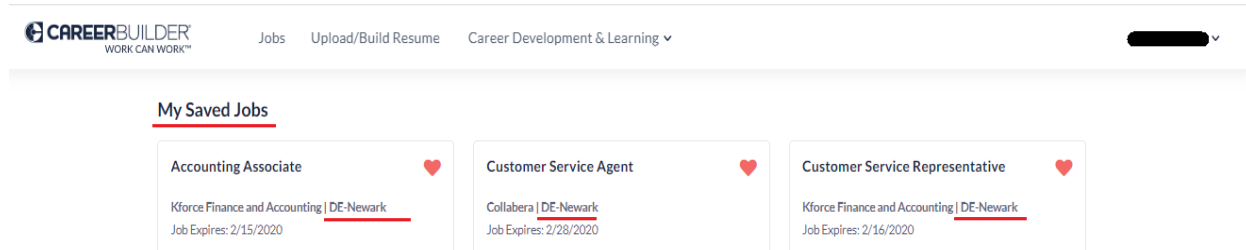
109. For example, a user can also customize their CareerBuilder.com page by selecting job listings to save, so that saved job listings can be displayed.

First User:

The screenshot shows the 'My Saved Jobs' page on CareerBuilder. The page header includes the CareerBuilder logo and navigation links for 'Jobs', 'Upload/Build Resume', and 'Career Development & Learning'. The 'My Saved Jobs' section displays a list of four saved job listings, each with a heart icon indicating it is saved. The listings are: 'Entry Level Sales Management' at AppleOne | CA-Los Angeles (Job Expires: 2/26/2020), 'Litigation Paralegal' at Adams & Martin Group | CA-Los Angeles (Job Expires: 2/28/2020), 'Litigation Assistant' at Adams & Martin Group | CA-Los Angeles (Job Expires: 2/28/2020), and 'Trial Paralegal' at Adams & Martin Group | CA-Los Angeles (Job Expires: 2/26/2020). A 'Feedback' button is visible on the right side of the page.

(<https://www.careerbuilder.com/saved-jobs> (for a particular user)).

Second User:



(<https://www.careerbuilder.com/saved-jobs> (for a particular user)).

110. On information and belief, the Accused Instrumentality performs the step of serving, via the at least one server computer (*e.g.*, CareerBuilder.com server), the user's customized web page (*e.g.*, webpage customized for a user with local job listings). (*E.g.*, screenshots in paragraph 109).

111. 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.

112. 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

CHONG LAW FIRM, P.A.

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