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9 **Attorneys for Plaintiff**
10 **Sockeye Licensing TX LLC**

11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
13 **SAN JOSE DIVISION**

14 **Sockeye Licensing TX LLC,**
15 Plaintiff,
16 v.
17 **Netgear, Inc.,**
18 Defendant.

Case No. _____
COMPLAINT FOR
(1) Direct Infringement of Plaintiff's Patent
(2) Indirect Infringement of Plaintiff's Patent
DEMAND FOR JURY TRIAL

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22 Plaintiff Sockeye Licensing TX LLC ("Sockeye"), through its attorney, Isaac Rabicoff,
23 complains against Defendant Netgear, Inc. ("Defendant") and alleges the following:
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25 **PARTIES**
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1 1. Plaintiff Sockeye Licensing TX LLC is a limited liability company organized and
2 existing under the laws of Texas with its principal place of business at 320 Wilmette Avenue,
3 Glenview, IL 60025.

4 2. Defendant Netgear, Inc. is a California corporation with its principal place of business
5 at 350 E. Plumeria Drive, San Jose, California 95134. Defendant can be served with process by
6 serving its registered agent for acceptance of service of process in the State of California, CT
7 Corporation System, 818 E. Seventh Street, Suite 930, Los Angeles, California 90017.
8 Defendant distributes products to Target, Staples and Best Buy retail stores in this district.
9

10 **JURISDICTION**

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

13 4. This Court has exclusive subject matter jurisdiction under 28 U.S.C. §§ 1331 and
14 1338(a).

15 5. This Court has personal jurisdiction over Defendant because it has engaged in
16 systematic and continuous business activities in the Northern District of California. Specifically,
17 Defendant provides its full range of services to residents in this District. As described below,
18 Defendant has committed acts of patent infringement giving rise to this action within this
19 District.
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21 **VENUE**

22 6. Venue is proper in this District under 28 U.S.C. § 1400(b) because Defendant has
23 sold infringing products in this District, and has an established place of business in this District.
24 In addition, Sockeye has suffered harm in this District.
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PATENT-IN-SUIT

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2 7. Sockeye is the assignee of all right, title, and interest in United States Patent No.
3 9,547,981 (the “’981 Patent” or the “Patent-In-Suit”), including all rights to enforce and
4 prosecute actions for infringement and to collect damages for all relevant times against
5 infringers of the Patent-In-Suit. Accordingly, Sockeye possesses the exclusive right and
6 standing to prosecute the present action for infringement of the Patent-In-Suit by Defendant.
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8 8. On January 17, 2017, the United States Patent and Trademark Office issued the ’981
9 Patent. The ’981 Patent is titled “System, Method and Apparatus for Using a Wireless Device to
10 Control Other Devices.” The application leading to the ’981 Patent was filed on November 3,
11 2014, which is a continuation of U.S. Application No. 13/418,829; which was filed on March 13,
12 2012; which is a divisional application of U.S. Application No. 11/898,912, now the ’342 Patent,
13 which was filed on September 17, 2007; which claims priority from provisional application
14 number 60/844,645, which was filed on September 15, 2006. A true and correct copy of the
15 ’981 Patent is attached hereto as Exhibit A and incorporated herein by reference. A true and
16 correct copy of the parent patent, the ’342 Patent, is attached hereto as Exhibit B and
17 incorporated herein by reference.
18

19 9. Prior to the filing of the applications that matured into the ’981 patent and its parent
20 ’342 patent in 2006, state of the art cell phone designs emphasized their use as standalone
21 devices. In the industry it was widely expected that, as the multimedia capabilities of the cell
22 phone became richer, the cell phone itself would serve as a multimedia player and alternative to
23 traditional modes of viewing video, such as via television screens. Accordingly, cell phone
24 manufacturers at the time of filing focused on developing the “onboard” capabilities of their
25 products, rather than adapting them to connect with and control a higher resolution device.
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1 Thus, for example, the Nokia N92 mobile device announced in 2005 was marketed as a phone
2 for watching TV. The Nokia N92, while capable of playing “mobile TV,” was designed as an
3 alternate platform for watching television, and it operated as a standalone device, wholly-
4 independent of television sets of the period. The ’981 patent went further. In contrast to the
5 standalone approach of the Nokia N92, the ’981 patent taught particular methods by which the
6 cell phone could connect with and control a higher resolution display device, streaming video
7 thereto. The state-of-the-art cell phones of the day were not equipped to operate in this way, nor
8 was this their goal. Indeed, as Nokia stated at the time, the “Nokia N92 offers easy access to TV
9 programs *without* having to sit in front of a television set.” Exhibit C. Notably, so-called
10 “[t]hird generation mobile phones” or “3G mobiles” which were capable of “multi-media
11 communication” of this kind—i.e., “viewing TV on a mobile phone”—were far from the norm in
12 2006. Exhibit D. As NEC stated at the time, although such devices were “expected to be
13 extremely popular,” using a cell phone to view television was itself a “groundbreaking way to
14 use mobile phones.” *Id.* Still more groundbreaking was the inventive approach of the ’981
15 patent, which went beyond the cell phones merely equipped to play television, such as the Nokia
16 N92 and the NEC e636, and taught particular methods by which the cell phone could connect
17 with and control a higher resolution display device for streaming video. The claimed inventions
18 would have been inoperable on even the most sophisticated cell phones of the period, such as the
19 Nokia N92 and NEC e636, because they required significant technical advancements and
20 improvements to the hardware and software “stack” of the cell phone in order to enable their
21 inventive functionality. *See* Exhibit E.
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The '981 Patent

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2 10. The '981 patent taught the hardware and software “stack” necessary to implement
3 the particular methods claimed in the patents. For example, Figure 3D illustrates the
4 relationships between the hardware and software components of the cell phone itself, as well as
5 the internet and a high-resolution display device, in terms of their hierarchy and I/O
6 requirements and functions. Figure 3D teaches a cell phone operating system that supports
7 TCP/IP services, a desktop browser and operating system within the cell phone, and the device
8 drivers necessary to manage streaming media as it is received from the network, rendered by the
9 operating system, and communicated to external devices. Figure 3D teaches that the cell
10 phone’s device drivers interact with the peripheral communications hardware and software that,
11 in turn, communicates with external display devices. Further, Figure 3B shows that the
12 peripheral communications hardware and software interacts with multichannel USB, and IEEE
13 1394 and IEEE 802.11 protocols that, in turn, use a multiport wireless interface to communicate
14 with a high-resolution digital display device. Without the hardware and software stack (or its
15 equivalents) disclosed, *inter alia*, in Figures 3B and 3D of the '981 patent, the claimed
16 inventions would have been inoperable. The hardware and software stack disclosed in the patent
17 was absent from the more advanced cell phones of the day (e.g., the Nokia N92 and NEC e636),
18 which were designed as mere standalone devices—a completely different paradigm than
19 disclosed in the '981 patent, which teaches the cell phone connecting with and controlling a
20 higher resolution display device on which media may be streamed.
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24 13. In the few prior art examples where a cell phone was actually connected to another
25 device, the cell phone was used in a manner completely different than that claimed in the '981
26 patent, and for different purposes. As the inventor pointed out during prosecution of the parent
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1 '342 patent, the prior art merely “describe[d] a conventional tethering operation of a cell phone
2 to a computer, and not peripheral cell phone control of the claimed invention.” Exhibit F
3 [Prosecution History of '342 Parent Patent, Amendment, May 31, 2011, at 11]. According to the
4 “conventional tethering operation[s]” of the prior art, the “PC or laptop connects to the internet
5 via another PC’s or a cell phone’s wireless Internet connection, providing a bridge connection
6 but not ceding control.” *Id.* By contrast, the “instant invention,” the inventor explained, “does
7 not use a cell phone to connect a ‘computer’ to the Internet” — “[q]uite the reverse, the instant
8 invention connects peripheral devices (connected to the computer) to the cell phone to create a
9 desktop computing environment on the cell phone.” *Id.* As the inventor described it in a later
10 amendment during prosecution of the '342 parent patent, the “present invention” was one
11 “directed to an innovative approach to employ a cell phone or like PDA . . . to create a media
12 center controlled by the user through the cell phone—without the usage of the computing power
13 of the peripherals’ PC.” Exhibit G. [Prosecution History of '342 Patent, Amendment, January
14 17, 2012, at 31]. The inventor emphasized that in the prior art “the portable device is a mere
15 tether” and “has zero control – the network server is running things directly” in the “traditional
16 client/server relationship.” *Id.* at 32. By contrast, the parent '342 patent “expressly involves and
17 claims control of the peripheral device by the portable device, not at network control.” *Id.* Thus,
18 at best, the prior art contemplated the “conventional tethering” of the cell phone to the computer
19 for the purpose of improving the functionality of the computer according to the “traditional
20 client/server relationship.” The '981 patent, however—which shares a specification with the
21 parent '342 patent—teaches improvements in the cell phone hardware and software “stack,”
22 enabling it to control the high-resolution display device, in a clear reversal of the “traditional
23 client/server relationship” and departure from “conventional tethering.” As the inventor stated
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1 during prosecution of the '981 patent, quoting the summary of the invention, “ ‘[t]he user may
2 access’ the movies and videos ‘using the desktop monitor’ because, for example the ‘user
3 interfaces’ of the web site providing this content ‘can be displayed through’ the ‘desktop
4 monitor’ ” and “[t]hose ‘user interfaces are sent to the ‘desktop monitor’ by means of the
5 ‘wireless cell phone.’ ” Exhibit H [Prosecution History of '981 Patent, Sept. 7, 2016,
6 Declaration of Michael D. Harold, at pages 3-4, para 7(a)(4)]. None of the prior art discloses the
7 hardware and software “stack” necessary to execute this novel functionality or to accomplish the
8 objectives of the '981 patent.
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10 14. As the inventor pointed out during prosecution of the '981 patent, the methods
11 employed in the prior art failed to disclose, for example, the claimed step of “transmitting by the
12 mobile communications device of at least some of the particular movie or video to the display
13 device for display thereon **simultaneously** while at least some of the particular movie or video is
14 being downloaded from the server to the mobile communications device.” Exhibit I
15 [Prosecution History of '981 Patent, Sept. 9, 2016 Amendment, at 8] (emphasis added). This
16 step of claim 1 of the '981 patent not only distinguishes it from prior art methods but constitutes
17 one of the '981 patent’s “inventive concepts,” both in its own right as well as in combination
18 with other claim elements, rendering the patent eligible under 35 U.S.C. § 101. Indeed, the
19 inventor pointed out that this step “teaches away” from the prior art, which merely “discloses
20 that a document must be fully downloaded before it can be accessed,” from prior art wherein
21 “content is fully downloaded *before* the mobile device ‘detects’ the display” or from prior art
22 wherein “a video conference is received or initiated *before* it is routed to the external display.”
23 (Emphasis added). As such, the inventor noted, the prior art “teach[es] away from the claimed
24 methods.” *Id.* at 8-9.
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1 15. As the inventor further noted during prosecution of the '981 patent, the “claims are
2 specifically limited to the field of consumer electronic entertainment, as contemplated by the
3 specification.” For example, claim 1 specifically limits the “electrical coupling” between the
4 display device and the mobile communications device to be “for consumer electronic
5 entertainment purposes,” which puts “limitations . . . on the type of electrical couplings that are
6 covered by the claims.” *Id.* at 10-11.

7
8 16. The USPTO issued the '981 patent on January 17, 2017, without ever having
9 rejected any of the claims under 35 U.S.C. § 101 during prosecution.

10 17. The inventor of the '981 patent conceived of the inventions disclosed and claimed
11 therein and worked to commercialize them for several years. Among his goals (and later those
12 of his company, Zamboola) was to provide hardware and software solutions for the mobile
13 market to allow the interfacing of user information between devices in an enhanced way.
14 Accordingly, after filing in 2006 the applications that eventually issued as the '981 patent and its
15 parent '342 patent, he set to work prototyping solutions that reduced the claimed inventions to
16 practice. Mr. Harold began by modifying an “open source” cell phone released after filing, the
17 Openmoko “Neo,” which had an operating system and some of the hardware necessary to
18 support streaming media from the Internet to a high-resolution display device. However,
19 because the software on the Neo proved to be too unstable for the purposes of the claimed
20 inventions, the inventor was forced to migrate to an “Android” operating system. Still more
21 modifications were necessary after migrating to the Android OS, which was not designed for the
22 purpose of streaming media to a high-resolution display device, and lacked the architecture for
23 concurrent, multi-threaded operations and inter-process communications. Subsequently, the
24 inventor adapted open source device drivers to these purposes. Additionally, because the Neo
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1 had a USB port, the inventor developed a USB-to-VGA connector that allowed the cell phone to
2 display media at the higher resolution VGA, controlled by the user via the Neo touchscreen.
3 Thus, the conventional software and hardware components available required significant
4 modifications from their original form before it was possible to integrate them into a prototype
5 incorporating the claimed inventions.

6 18. The '981 Patent is valid and enforceable.

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8 19. The '981 Patent describes a need to provide an improved paradigm for using a
9 wireless cell phone or other such communications device as a central component of a desktop or
10 other such computing environment. Ex. A, 2:61-64.

11 20. The '981 Patent describes a system, method and apparatus in which the user of a
12 wireless cell phone device establishes a direct connection with a desktop computer monitor,
13 keyboard, mouse or other component using any combination of wireline connections and
14 wireless connections. *Id.* at 1:30-36.

15
16 21. The '981 Patent is not directed to a method of organizing human activity or to a
17 fundamental economic practice long prevalent in commerce. The '981 Patent describes a system
18 that addresses a technical problem—using a wireless cell phone as a central component of a
19 desktop or other computing environment that includes, in addition to a desktop computer
20 monitor and a desktop keyboard and mouse, using the use of desktop speakers and a desktop
21 printer. *Id.* at 3:7-12—with a technical solution: increasing the use of a cell phone as a
22 connection, communications and controlling device for desktop computers, digital display
23 monitor and keyboard and mouse. *Id.* at 3:41-48.

24
25 22. The '981 Patent does not preempt the field or preclude the use of other wireless cell
26 phones. For example, many companies offer currently offer rudimentary products that allow a
27

1 cell phone to project images, presentations and movies onto a nearby wall or surface. *Id.* at 2:9-
2 12. The prior art also only uses cell phones as computing devices and not as a full-sized
3 computer monitor or other full-size digital output device for manipulating data or issuing
4 commands remotely through the handheld communications devices. *Id.* at 3:20-27.

5 23. The '981 Patent does not take a well-known or established business method or
6 process and apply it to a general-purpose computer. Instead, in an exemplary embodiment, it
7 uses a wireless cell phone as a central component of a desktop or other computing environment
8 that includes, in addition to a desktop computer monitor and a desktop keyboard and mouse, the
9 use of desktop speakers and a desktop printer. *Id.* at 3:7-12. The desktop computer monitor or
10 other full-size digital display device is also used as a visual output device, and a full-size
11 keyboard and mouse are used as user input devices. *Id.* 2:66-3:1.

12 24. In the application leading to the '981 Patent, the Examiner expressly considered all
13 of the IPR petitions filed against the '342 Patent, *see* ¶ 29 *infra*, and allowed the '981 Patent to
14 issue over all the prior art cited in those IPR petitions.

15 **COUNT I: INFRINGEMENT OF THE '981 PATENT**

16 25. Sockeye incorporates paragraphs 1-24 above herein by this reference.

17 26. **Direct Infringement.** Defendant has been and continues to directly infringe at least
18 claim 1 of the '981 Patent in this District and elsewhere in the United States by, for example,
19 distributing in the United States and in this district at least the Netgear Push2TV wireless display
20 adapter and other similar devices ("Infringing Products"). An exemplary infringing product can
21 be found at [https://www.netgear.com/home/products/connected-entertainment/wireless-display-](https://www.netgear.com/home/products/connected-entertainment/wireless-display-adapters/PTV3000.aspx)
22 [adapters/PTV3000.aspx](https://www.netgear.com/home/products/connected-entertainment/wireless-display-adapters/PTV3000.aspx). The Infringing Products allow, for example, a YouTube video to be
23 selected and then downloaded from a YouTube server to the user's smartphone, and then
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1 wirelessly cast from the smartphone to the casting circuitry inside the Infringing Products for
2 display on a television set to which the Infringing Product is connected.

3 27. Defendant has been and continues to directly infringe at least claim 1 of the '981
4 patent by engaging in the internal use, development, and testing of the Infringing Products. For
5 example, the user manual for the exemplary infringing product mentioned above—the Push2TV
6 Wireless Display Adapter PTV3000—states that “[t]his equipment has been tested.”

7 http://www.downloads.netgear.com/files/GDC/PTV3000/PTV3000_UM_23Apr2013.pdf at 48.

8 On information and belief, Defendant also employs a number of engineers responsible for
9 Quality Assurance with respect to the Infringing Products, which necessarily entails the use,
10 development and testing of the Infringing Products, including the Push2TV device. Further,
11 Defendant also provides technical support for the Infringing Products, which necessarily
12 involves putting the invention into service and hence directly infringes at least claim 1 of the
13 '981 Patent. *See* <https://www.netgear.com/support/product/PTV3000.aspx>.

14 28. When the Infringing Products are used as generally described in paragraph 24, that
15 use involves the performance of all of the steps of recited in at least claim 1 of the '981 patent.

16 29. Defendant uses the exemplary Infringing Product—the Push2TV Wireless Display
17 Adapter PTV3000—to perform the steps of all claim elements of at least claim 1 of the '981
18 patent when Defendant engages in internal development and testing of the device, and/or by
19 providing technical support. For example:
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22 a. Claim 1 recites a “method for downloading and viewing a video or video display
23 device.” Corresponding to this limitation of Claim 1, Defendant’s Push2TV device includes
24 casting circuitry that provides a screen mirroring or casting functionality. This allows Defendant
25 to cause, e.g., a YouTube video to be downloaded from a YouTube server to Defendant’s
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1 smartphone, and then wirelessly cast from the smartphone to the casting circuitry inside the
2 Netgear Push2TV device for display on a TV to which it is connected.

3 b. Claim 1 recites “electrically coupling for consumer electronic entertainment
4 purposes a display device suitable for use in a media center environment with a mobile
5 communications device that does not form a part of the media center environment.”

6 Corresponding to this limitation of Claim 1, the TV to which Defendant’s Push2TV device is
7 connected forms a “display device” that is suitable for use in a media center environment where
8 a movie or video can be watched or online games can be played. Defendant utilizes a mobile
9 communications device, e.g., a smartphone, that is not a part of that environment. Defendant’s
10 smartphone is coupled to the casting circuitry inside Defendant’s Push2TV device by means of a
11 wireless network connection.
12

13 c. Claim 1 recites “causing a first graphic user interface to be displayed on the
14 display device that conveys information to a viewer of the display device about videos or videos
15 that are individually downloadable from a server for display on the display device for consumer
16 electronic entertainment purposes.” Corresponding to this limitation of Claim 1, when selecting
17 a video, the YouTube graphic user interface (“GUI”) is cast from the smartphone to the casting
18 circuitry which then causes it to be displayed to the user on the TV to which the Defendant’s
19 Push2TV device is connected. By viewing the YouTube GUI, Defendant can select a video to
20 watch on the TV to which Defendant’s Push2TV is connected.
21

22 d. Claim 1 recites “receiving entertainment selection commands by the mobile
23 communications device to allow a particular one of the videos or videos to be selected for
24 downloading from the server based on visual feedback the viewer receives by reading or
25 interacting with the first graphic user interface shown on the display device.” Corresponding to
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1 this limitation of Claim 1, Defendant selects a video to watch by entering commands into the
2 smartphone. Defendant makes the selection by reading the YouTube GUI that is displayed on
3 the TV to which the Defendant's Push2TV device is connected.

4 e. Claim 1 recites "receiving by the mobile communications device of the particular
5 video or video that is sent to it from the server based on the viewer's reading or interaction with
6 the first graphic user interface shown on the display device." Corresponding to this limitation of
7 Claim 1, by selecting a particular video to be watched, Defendant's smartphone indicates to the
8 YouTube servers that the particular video should be sent to Defendant's smartphone. Defendant
9 makes the selection by reading the YouTube GUI that is displayed on the TV to which the
10 Defendant's Push2TV is connected.

12 f. Claim 1 recites "transmitting by the mobile communications device of at least
13 some of the particular video or video to the display device for display thereon simultaneously
14 while at least some of the particular video or video is being downloaded from the server to the
15 mobile communications device." Corresponding to this limitation of Claim 1, the particular
16 video that Defendant selected is streamed from the YouTube server to the casting circuitry inside
17 Defendant's Push2TV device via Defendant's smartphone or tablet.

19 g. Claim 1 recites "wherein the electrical coupling between the mobile
20 communications device and the display device allows the particular video or video to be sent
21 there between when the mobile communications device is located a distance away from the
22 display device at which a person watches a video at home." Corresponding to this limitation of
23 Claim 1, the wireless connection between Defendant's Push2TV device and Defendant's
24 smartphone is sufficiently strong and robust to allow Defendant to watch the video when the
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1 smartphone is located, for example, between 10-15 away from Defendant’s Push2Talk Device
2 and the TV to which it is connected.

3 30. Sockeye is entitled to recover damages adequate to compensate it for such
4 infringement in an amount no less than a reasonable royalty under 35 U.S.C. § 284.

5 31. **Willful Infringement.** Defendant has had actual knowledge of its infringement of
6 the ‘981 Patent since at least December 16, 2019, when Sockeye filed a complaint against
7 Defendant for infringement of the ‘981 Patent in the United States District Court for the
8 Northern District of Illinois. *See Sockeye Licensing TX LLC v. Netgear, Inc.*, 1:19-cv-08188
9 (N.D. Ill. Dec. 16, 2019).
10

11 32. **Induced Infringement.** Defendant has also actively induced, and continues to
12 induce, the infringement of at least claim 1 of the ‘981 Patent by actively inducing its customers,
13 including merchants and end-users, to use the Infringing Products in an infringing manner as
14 described above. Upon information and belief, Defendant has specifically intended that its
15 customers use the Infringing Products that infringes at least claim 1 of the ‘981 Patent by, at a
16 minimum, providing access to, support for, training and instructions for its website to its
17 customers to enable them to infringe at least claim 1 of the ‘981 Patent, as described above.
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19 33. Since that time, Defendant has continued to advise and direct its customers to use
20 the Infringing Products, such as the Push2TV device, in an infringing manner. For example,
21 Defendant’s user manual explains how to connect a TV to the customer’s “smartphone,” and that
22 “[a]fter a successful connection, the smartphone...and TV screen display the same images,”
23 including “videos.”
24

25 http://www.downloads.netgear.com/files/GDC/PTV3000/PTV3000_UM_23Apr2013.pdf at 18.

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1 34. Similarly, Defendant’s website continues to promote infringing uses of the
2 Push2TV device, stating that “[w]hether it’s streaming movies...or watching hours of YouTube,
3 Push2TV allows you to do it all on your big screen TV, and that’s without having to connect
4 your mobile device to the TV using HDMI cables.”

5 [https://www.netgear.com/home/products/connected-entertainment/wireless-display-
7 adapters/PTV3000.aspx#tab-features](https://www.netgear.com/home/products/connected-entertainment/wireless-display-
6 adapters/PTV3000.aspx#tab-features). Indeed, Defendant describes “watch[ing] movies, TV
8 shows and videos on the big screen” “from your phone or table on your big screen TV”
9 “[w]irelessly” as among the “Ideal Uses” for the Push2TV device.

10 [https://www.netgear.com/home/products/connected-entertainment/wireless-display-
12 adapters/PTV3000.aspx#tab-idealuses](https://www.netgear.com/home/products/connected-entertainment/wireless-display-
11 adapters/PTV3000.aspx#tab-idealuses).

13 35. Thus, by promoting the above-mentioned uses of its Push2TV device, Defendant
14 actively induces its customers to use the device to perform the steps of all claim elements of at
15 least claim 1 of the ‘981 patent for the reasons discussed above in paragraph 27.

16 36. Sockeye is entitled to recover damages adequate to compensate it for such
17 infringement in an amount no less than a reasonable royalty under 35 U.S.C. § 284.

18 **JURY DEMAND**

19 37. Under Rule 38(b) of the Federal Rules of Civil Procedure, Sockeye respectfully
20 requests a trial by jury on all issues so triable.

21 **PRAYER FOR RELIEF**

22 WHEREFORE, Sockeye asks this Court to enter judgment against Defendant, granting the
23 following relief:

24 A. A declaration that Defendant has infringed the Patent-In-Suit;
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1 B. An award of damages to compensate Sockeye for Defendant's direct infringement
2 of the Patent-In-Suit;

3 C. An award of damages, including trebling of all damages, sufficient to remedy
4 Defendant's infringement of the Patent-In-Suit under 35 U.S.C. § 284;

5 D. An accounting of all damages not presented at trial;

6 E. A declaration that Defendant has willfully infringed the Patent-in-Suit since
7 December 16, 2019, and an award of treble damages based upon that willful infringement.
8

9 F. A declaration that this case is exceptional, and an award to Sockeye of reasonable
10 attorneys' fees, expenses and costs under 35 U.S.C. § 285;

11 G. An award of prejudgment and post-judgment interest; and

12 H. Such other relief as this Court or jury may deem proper and just.
13

14 Dated: August 3, 2020

Respectfully submitted,

15
16 /s/ Michael J. Glenn

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