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3 UNITED STATES DISTRICT COURT  
4 FOR THE WESTERN DISTRICT OF WASHINGTON  
5 AT SEATTLE  
6

7 **REALM LICENSING LLC,**

8 Plaintiff,

9 v.

10 **SMARTSHEET INC.,**

11 Defendant.  
12

CASE NO. 20-CV-1759

**COMPLAINT FOR PATENT  
INFRINGEMENT**

**JURY TRIAL DEMANDED**

13 **COMPLAINT FOR PATENT INFRINGEMENT**

14 Plaintiff Realm Licensing LLC (“Plaintiff”), through its attorneys, complains  
15 of Smartsheet Inc. (“Defendant”), and alleges the following:  
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17 **PARTIES**

18 1. Plaintiff Realm Licensing LLC is a corporation organized and existing  
19 under the laws of Texas that maintains its principal place of business at 5570 FM  
20 423, Suite 250-2015, Frisco, TX 75034.  
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22 2. Defendant Smartsheet Inc. is a corporation organized and existing  
23 under the laws of Washington that maintains an established place of business at  
24 10500 NE 8th St., Ste 1300, Bellevue, WA, 98004.  
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possesses the exclusive right and standing to prosecute the present action for infringement of the Patents-in-Suit by Defendant.

**THE '551 PATENT**

8. The '551 Patent is entitled "Self-contained document management based on document properties," and issued 11/27/2001. The application leading to the '551 Patent was filed on 08/31/1998. A true and correct copy of the '551 Patent is attached hereto as Exhibit 1 and incorporated herein by reference.

9. The '551 Patent is valid and enforceable.

**THE '573 PATENT**

10. The '573 Patent is entitled "Maintaining document identity across hierarchy and non-hierarchy file systems," and issued 12/11/2001. The application leading to the '573 Patent was filed on 08/31/1998. A true and correct copy of the '573 Patent is attached hereto as Exhibit 2 and incorporated herein by reference.

11. The '573 Patent is valid and enforceable.

**THE '356 PATENT**

12. The '356 Patent is entitled "Text searching and categorization tools," and issued 08/09/2011. The application leading to the '356 Patent was filed

on 03/24/2005. A true and correct copy of the '356 Patent is attached hereto as Exhibit 3 and incorporated herein by reference.

13. The '356 Patent is valid and enforceable.

**COUNT 1: INFRINGEMENT OF THE '551 PATENT**

14. Plaintiff incorporates the above paragraphs herein by reference.

15. **Direct Infringement.** Defendant has been and continues to directly infringe one or more claims of the '551 Patent in at least this District by making, using, offering to sell, selling and/or importing, without limitation, at least the Defendant products identified in the charts incorporated into this Count below (among the "Exemplary Defendant Products") that infringe at least the exemplary claims of the '551 Patent also identified in the charts incorporated into this Count below (the "Exemplary '551 Patent Claims") literally or by the doctrine of equivalents. On information and belief, numerous other devices that infringe the claims of the '551 Patent have been made, used, sold, imported, and offered for sale by Defendant and/or its customers.

16. Defendant also has and continues to directly infringe, literally or under the doctrine of equivalents, the Exemplary '551 Patent Claims, by having its employees internally test and use these Exemplary Products.

17. Exhibit 4 includes charts comparing the Exemplary '551 Patent  
1 Claims to the Exemplary Defendant Products. As set forth in these charts, the  
2 Exemplary Defendant Products practice the technology claimed by the '551 Patent.  
3 Accordingly, the Exemplary Defendant Products incorporated in these charts  
4 satisfy all elements of the Exemplary '551 Patent Claims.  
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7 18. Plaintiff therefore incorporates by reference in its allegations herein  
8 the claim charts of Exhibit 4.  
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10 19. Plaintiff is entitled to recover damages adequate to compensate for  
11 Defendants infringement.  
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13 **COUNT 2: INFRINGEMENT OF THE '573 PATENT**  
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15 20. Plaintiff incorporates the above paragraphs herein by reference.  
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17 21. **Direct Infringement.** Defendant has been and continues to directly  
18 infringe one or more claims of the '573 Patent in at least this District by making,  
19 using, offering to sell, selling and/or importing, without limitation, at least the  
20 Defendant products identified in the charts incorporated into this Count below  
21 (among the "Exemplary Defendant Products") that infringe at least the exemplary  
22 claims of the '573 Patent also identified in the charts incorporated into this Count  
23 below (the "Exemplary '573 Patent Claims") literally or by the doctrine of  
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1 equivalents. On information and belief, numerous other devices that infringe the  
2 claims of the '573 Patent have been made, used, sold, imported, and offered for  
3 sale by Defendant and/or its customers.

4 22. Defendant also has and continues to directly infringe, literally or  
5 under the doctrine of equivalents, the Exemplary '573 Patent Claims, by having its  
6 employees internally test and use these Exemplary Products.  
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8 23. Exhibit 5 includes charts comparing the Exemplary '573 Patent  
9 Claims to the Exemplary Defendant Products. As set forth in these charts, the  
10 Exemplary Defendant Products practice the technology claimed by the '573 Patent.  
11 Accordingly, the Exemplary Defendant Products incorporated in these charts  
12 satisfy all elements of the Exemplary '573 Patent Claims.  
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14 24. Plaintiff therefore incorporates by reference in its allegations herein  
15 the claim charts of Exhibit 5.  
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17 25. Plaintiff is entitled to recover damages adequate to compensate for  
18 Defendants infringement.  
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22 **COUNT 3: INFRINGEMENT OF THE '356 PATENT**

23 26. Plaintiff incorporates the above paragraphs herein by reference.  
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1 27. **Direct Infringement.** Defendant has been and continues to directly  
2 infringe one or more claims of the '356 Patent in at least this District by making,  
3 using, offering to sell, selling and/or importing, without limitation, at least the  
4 Defendant products identified in the charts incorporated into this Court below  
5 (among the "Exemplary Defendant Products") that infringe at least the exemplary  
6 claims of the '356 Patent also identified in the charts incorporated into this Court  
7 below (the "Exemplary '356 Patent Claims") literally or by the doctrine of  
8 equivalents. On information and belief, numerous other devices that infringe the  
9 claims of the '356 Patent have been made, used, sold, imported, and offered for  
10 sale by Defendant and/or its customers.  
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13 28. Defendant also has and continues to directly infringe, literally or  
14 under the doctrine of equivalents, the Exemplary '356 Patent Claims, by having its  
15 employees internally test and use these Exemplary Products.  
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18 29. Exhibit 6 includes charts comparing the Exemplary '356 Patent  
19 Claims to the Exemplary Defendant Products. As set forth in these charts, the  
20 Exemplary Defendant Products practice the technology claimed by the '356 Patent.  
21 Accordingly, the Exemplary Defendant Products incorporated in these charts  
22 satisfy all elements of the Exemplary '356 Patent Claims.  
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1 30. Plaintiff therefore incorporates by reference in its allegations herein  
2 the claim charts of Exhibit 6.

3 31. Plaintiff is entitled to recover damages adequate to compensate for  
4 Defendants infringement.

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6 **JURY DEMAND**

7 32. Under Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff  
8 respectfully requests a trial by jury on all issues so triable.  
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10 **PRAYER FOR RELIEF**

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12 WHEREFORE, Plaintiff respectfully requests the following relief:

- 13 A. A judgment that the '551 Patent is valid and enforceable  
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15 B. A judgment that the '573 Patent is valid and enforceable  
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17 C. A judgment that the '356 Patent is valid and enforceable  
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19 D. A judgment that Defendant has infringed directly one or more  
claims of the '551 Patent;  
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21 E. A judgment that Defendant has infringed directly one or more  
claims of the '573 Patent;  
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23 F. A judgment that Defendant has infringed directly one or more  
claims of the '356 Patent;  
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25 G. An accounting of all damages not presented at trial;  
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1           H.           A judgment that awards Plaintiff all appropriate damages under  
2                   35 U.S.C. § 284 for Defendants past infringement with respect  
3                   to the '551 Patent.

4           I.           A judgment that awards Plaintiff all appropriate damages under  
5                   35 U.S.C. § 284 for Defendants past infringement with respect  
6                   to the '573 Patent.

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8           J.           A judgment that awards Plaintiff all appropriate damages under  
9                   35 U.S.C. § 284 for Defendants past infringement with respect  
10                  to the '356 Patent.

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12          K.           And, if necessary, to adequately compensate Plaintiff for  
13                  Defendants infringement, an accounting:

14                   i.           that this case be declared exceptional within the  
15                   meaning of 35 U.S.C. § 285 and that Plaintiff be  
16                   awarded its reasonable attorneys fees against  
17                   Defendant that it incurs in prosecuting this action;

18                   ii.          that Plaintiff be awarded costs, and expenses that it  
19                   incurs in prosecuting this action; and

20                   iii.         that Plaintiff be awarded such further relief at law  
21                   or in equity as the Court deems just and proper.  
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DATED this 30<sup>th</sup> day of November, 2020.

1  
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