

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

FISCALNOTE, INC.,

*Plaintiff,*

v.

QUORUM ANALYTICS INC.,

*Defendant.*

Civil Action No. \_\_\_\_\_

**JURY TRIAL DEMANDED**

**FISCALNOTE INC.’S COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff FiscalNote, Inc. (“FiscalNote”) claims relief from Defendant Quorum Analytics, Inc. (“Quorum”), by its attorneys, and alleges as follows:

**THE NATURE OF THE ACTION**

1. This is an action for infringement of United States Patent Nos. 10,593,002 (“the ’002 patent”) and 10,672,092 (“the ’092 patent”) (collectively, the “Asserted Patents”) under the Patent Laws of the United States, 35 U.S.C. § 100 *et seq.*, relating to Quorum’s Software and systems running such software, including Quorum’s cloud-based platform (the “Accused Products”).

**THE PARTIES**

2. FiscalNote is incorporated in Delaware and has a principal place of business at 1201 Pennsylvania Ave. NW, Suite 600, Washington, DC 20004.

3. On information and belief, Quorum is incorporated in Delaware and has a principal place of business at 1111 19<sup>th</sup> Street NW, Suite 801, Washington, DC 20036.

## **JURISDICTION AND VENUE**

4. This action for patent infringement arises under the laws of the United States, Title 35 of the United States Code, 35 U.S.C. § 100, *et seq.*, including 35 U.S.C. §§ 271, 281-285. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338.

5. This Court has personal jurisdiction over Defendant because, *inter alia*, Quorum has committed acts of patent infringement and/or contributed to or induced acts of patent infringement by others in this District and continue to do so. Quorum regularly does business or solicits business, engages in other persistent courses of conduct, and/or derives substantial revenue from products and/or services provided to individuals over the Internet, including in this District.

6. Moreover, Quorum is a Delaware corporation with a registered office in Delaware. Quorum has designated the Corporation Service Company, 251 Little Falls Drive, New Castle County, Wilmington, DE, 19808 as Quorum's Registered Agent in the state of Delaware for service of process. Quorum has been conducting and/or is presently conducting business in this District on a regular basis.

7. This Court has specific jurisdiction over Quorum because Quorum possesses the requisite "minimum contacts" within this forum, including but not limited to the sale of products used in Delaware in furtherance of the acts giving rise to this litigation.

8. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391 and 1400.

## **BACKGROUND**

### **FiscalNote and Its Story of Innovation**

9. FiscalNote is a global technology and media company focused on delivering timely and relevant policy information in a complex and evolving world. Founded in 2013 by three childhood friends, FiscalNote is a technology startup success story, now with over 400 employees

and growing. Forbes recently named FiscalNote as one of America's Best Startup Employers for 2020. More than 4,000 clients worldwide—from small nonprofits to government agencies and large corporations (including approximately half of the Fortune 100)—rely on FiscalNote for policy news and analysis, tracking, collaboration, and advocacy tools.

10. While working in government, FiscalNote cofounder Tim Hwang noticed that getting access to easily consumable legislative and regulatory activity at the local, state, or federal level was challenging. By harnessing modern technology such as artificial intelligence (AI), Mr. Hwang and his fellow cofounders knew they could bring clarity to these unstructured and disparate government sources, ultimately helping people and organizations better understand and act on issues that matter to them.

11. Over the past seven years, FiscalNote has invested tens of millions of dollars and over one hundred thousand man-hours in developing its unique, innovative solutions. Today, FiscalNote's core technology powers a suite of products and services including software tools, AI-driven insights, comprehensive domestic and international data, and authored news and analysis for over 4,000 clients ranging from small nonprofits to government agencies to large corporations. FiscalNote's products include solutions for Policy Monitoring, Issues Management, News & Analysis, Stakeholder Management, and Collaboration.

12. FiscalNote's technology addresses difficulties associated with making sense of the ever increasing amount of unstructured data. Structured data is well organized, formatted, and has clearly represented relationships within it, such as a tabular format with rows and columns. In contrast, unstructured data comes in a variety of formats and types and is not organized in a clear manner, requiring additional analysis to create a usable structure. By some estimates, unstructured data accounts for over 80% of digital data and doubles in volume every three months. Most

government information comes in the form of unstructured data. Moreover, policymaking results in the production of large numbers of text documents, most of which are unstructured.

13. Examples of such unstructured data include text data, such as legislation, regulation, enforcement actions, news databases, websites, blogs, RSS feeds, social media activity, and databases that aggregate data over one or more sources for unstructured data. Ex. A ('002 Patent) at 12:33-56; 16:19-50. Other examples of unstructured data include local databases that store information related to specific locales. *Id.* at 16:8-13. Given the differences between locales, governmental milestones (e.g., introduction of a bill, passing of bill, and a floor vote on a bill or motion hearings, decisions on motions, and decision on cases) among locales are likely to vary.

14. FiscalNote's success rests on technical innovation, achieved through its substantial research and development investments. As such, the company takes the development and enforcement of its patent portfolio seriously. FiscalNote is compelled to bring forth this complaint, even as the world navigates through the evolving challenges of the pandemic, to stop Quorum from continuing its wrongful and unauthorized use of FiscalNote's patented technology that enables FiscalNote to create jobs and help its clients navigate the policymaking world with confidence.

### **Quorum**

15. Quorum is a public affairs software platform. Founded in 2014, after FiscalNote's founding, Quorum offers software products that compete directly with FiscalNote's products. Quorum's software products allow for tracking of legislation and regulations at the federal, state, and local levels. Quorum's software products also allow for stakeholder management.

16. Quorum has infringed, literally or under the doctrine of equivalents, one or more claims of the Asserted Patents by making, having made, using, offering to sell, selling the Accused

Products.

17. Quorum has had actual knowledge and notice of FiscalNote's Asserted Patents and its infringement since at least the filing and service of this complaint, including the claim charts attached hereto.

18. Quorum's acts of infringement have caused injury and damage to FiscalNote and will cause additional severe and irreparable injury and damages in the future.

19. Accordingly, FiscalNote seeks in this action, among other things, monetary damages for Quorum's infringement, as well as an injunction prohibiting such infringement.

### **THE PATENTS-IN-SUIT**

20. On March 17, 2020, United States Patent No. 10,593,002 ("the '002 patent"), entitled "Systems and Methods for Analyzing Policymaker Alignment with Organizational Posture," was duly and legally issued by the United States Patent and Trademark Office from U.S. Patent Application Serial No. 15/494,323, which was filed on April 21, 2017. A true and correct copy of the '002 patent is attached to this Complaint as Exhibit A.

21. FiscalNote is the owner, by valid assignment, of the entire right, title, and interest in and to the '002 patent. Prior to issuance, the inventors of the '002 patent assigned all right, title, and interest in U.S. Patent Application Serial No. 15/494,323 to FiscalNote. This assignment is recorded at the United States Patent and Trademark Office ("USPTO") at Reel/Frame 04225/0713. The '002 patent is valid, enforceable, and is currently in full force and effect.

22. On June 2, 2020, United States Patent No. 10,672,092 ("the '092 patent"), entitled "Systems and Methods for Mapping to Milestones in a Policymaking Process," was duly and legally issued by the United States Patent and Trademark Office from U.S. Patent Application Serial No. 15/494,393, which was filed on April 21, 2017. A true and correct copy of the '092

patent is attached to this Complaint as Exhibit B.

23. FiscalNote is the owner, by valid assignment, of the entire right, title, and interest in and to the '092 patent. Prior to issuance, the inventors of the '092 patent assigned all right, title, and interest in U.S. Patent Application Serial No. 15/494,393 to FiscalNote. This assignment is recorded at the USPTO at Reel/Frame 042255/0113. The '092 patent is valid, enforceable, and is currently in full force and effect.

24. The inventions of the '002 and '092 patent describe techniques that improve on conventional data analytics techniques. The inventions of the '002 and '092 provide techniques to gather, organize, and analyze the vast array of unstructured data as the unstructured data becomes available.

25. At a high level, the '002 patent describes using inputs from the user concerning an organization's posture on certain issues combined with unstructured data and potentially other data to arrive at alignment position data for individual policymakers. The alignment position data is then transformed into a graphical user display that presents the alignment data for multiple policymakers on issues selected by the user. The result of the '002 patent is a data analytics platform that provides alignment position data that is tailored to the interests of an organization by assessing unstructured data for numerous policymakers and presenting that alignment data in a manner that is easy to understand for the user.

26. The claims of the '002 patent reflect this innovative platform. For example, claim 1 of the '002 patent recites specific improvements to conventional technology by (1) accessing unstructured data from disparate data sources over the Internet through scraping, (2) allowing the user to select issues of interest for the unstructured data, which can be used to calculate a policymaker's alignment position, and (3) calculating a policymaker's alignment data by applying

the user-selected issues to the unstructured data and identifying within the unstructured data information associated with the policymaker. In doing so, the claimed invention dynamically converts unstructured data from varying sources into alignment position data that measures of “how each of the plurality of policymakers is oriented relative to an organizational posture of the organization, and not an indicator of whether a particular legislative bill will pass.” That data (alignment position data) is then graphically displayed for multiple policy makers on agenda issues selected as being of interest to the organization. Thus, the ’002 patents’ claims improve the relevant technology by converting unstructured data from disparate sources, and combining and filtering that data based on user-selected input.

27. Furthermore, the claims of the ’002 patent accomplish this improvement in novel, innovative, and non-conventional ways. As the patent explains, for example, there was “a need for improved aggregation techniques coupled with analysis that [was] both multi-variate and dynamic,” and that could effectively process and convert vast quantities of data on the Internet. Ex. A (’002 Patent) at 1:43-62, 1:54-2:11. Improving on conventional systems and approaches, the claimed invention allows the user to customize issues for which policymaker data can be collected and used in calculating the policymakers’ alignment position on those issues. Such issues may include, but are not limited to, government bodies, regulatory agenda issues, or legislative agenda issues. Thus, the claimed invention allows the user to monitor and analyze issues across different levels of government and/or governmental units, thereby providing “analysis or context for the vast quantities of materials stored in disparate databases,” for which the existing, conventional algorithms could not have accounted. *Id.* at 1:54-62.

28. In addition, the ’002 patent explains that prior existing methods “d[id] not account for more complex indicators of political position” outside of “cosponsorship and/or voting

records.” *Id.* at 1:64-2:3. The ’002 patent’s invention, embodied in its claims, improves upon prior attempts to address this issue by providing a multi-variate software system specially programmed to calculate the positional data for individual policymakers, using a variety of sources, specifically including unstructured data, relative to a user’s unique positional data on multiple user-identified issues, and subsequently transform that data into a graphical representation. For example, claim 1 describes calculating alignment position data from individual policymaker data collected from information scraped from the Internet. Such information is more current than the data used in the prior, simplistic algorithms that did not account for the collection and analysis of unstructured data. The specification further explains that such individual policymaker data is made up of a variety of sources, including, but not limited to, “a legislator’s previous history, including voting behavior, sponsoring behavior, statements, [and] received financial contributions,” *id.* at 55:19-23, and an organization’s “proprietary data, including private conversations,” *id.* at 55:25-26. Thus, the claimed alignment position of each policymaker recites a technique to account for an organization’s own preferences while factoring in dynamic, multi-variate, unstructured data scraped from the Internet. The result is a system that distills vast arrays of unstructured data concerning multiple issues and spanning multiple policymakers into an easy to understand graphical display for particular issues of interest to an organization. The graphical display provides for comparison of the alignment of multiple policymakers on multiple issues interest to the organization. This is an inventive solution well beyond the routine, well-understood, conventional methods available at the time.

29. At a high level, the ’092 patent describes normalizing unstructured and potentially other data from different localities. Due to differences across different locales, data for different localities contain different information and different formats. Among these differences are



differences in terms and milestones within each locality. The '092 patent describes normalizing these differences by mapping the local terms and milestones to normalized terms and milestones. The normalized terms are then displayed in a timeline that is easy to understand for the user.

30. The claims of the '092 patent reflect this improvement over conventional systems and approaches. For example, the '092 patent's specification explains that the existing solutions at the time of the patent's filing were "often limited in that they d[id] not provide any analysis or context for the vast quantities of materials stored in disparate databases" and locations on the Internet. *See, e.g.*, Ex. B ('092 Patent) at 1:54-2:11. The specification identifies that prior, conventional algorithms were "typically limited to one level of government and/or one governmental unit." *Id.* at 1:56-58. The claimed invention improves upon conventional ways of addressing these issues, for example, by "determining a mapping of each of the localized terms for each temporal local milestone to a normalized term for each milestone," and having the localized terms be gathered from a "plurality of local databases" from a "plurality of localities," as recited in claim 1. These different locales may include different state governments, or the federal government and a state government. *Id.* at 33:63-67. By reciting an invention that converts unstructured data having different formats from disparate sources, into a normalized structure, the '092 patent claims specific improvement over the routine, well understood, and conventional.

### **COUNT 1: INFRINGEMENT OF THE '002 PATENT**

31. FiscalNote hereby incorporates by reference and realleges its allegations contained in all of the preceding paragraphs of this Complaint as though fully set forth herein.

32. Upon information and belief, Quorum has infringed and continues to infringe, either literally or under the doctrine of equivalents, at least claims 1 and 24 of the '002 patent pursuant to 35 U.S.C. §§ 271(a), (b), and (c) by making, using, offering to sell, and/or selling in

the United States the Accused Products.

33. Claim 1 of the '002 patent is generally directed to an Internet-based data analysis system used to determine and display policymakers' positions on selected issues relative to the user's position on such issues. Claim 1 recites:

An Internet-based agenda data analysis system, the system comprising:

at least one processor configured to:

maintain a list of user-selectable agenda issues;

present to a user via a user interface, the list of user-selectable agenda issues, wherein each of the listed user-selectable agenda issues is configured to be selected by the user via input received from the user;

receive via the user interface, based on the input received from the user, agenda issues of interest to an organization, the agenda issues having been selected from the list of user-selectable agenda issues;

access information scraped from the Internet to determine, for a plurality of policymakers, individual policymaker data from which an alignment position of each policymaker on each of the agenda issues selected as being of interest to the organization is determinable;

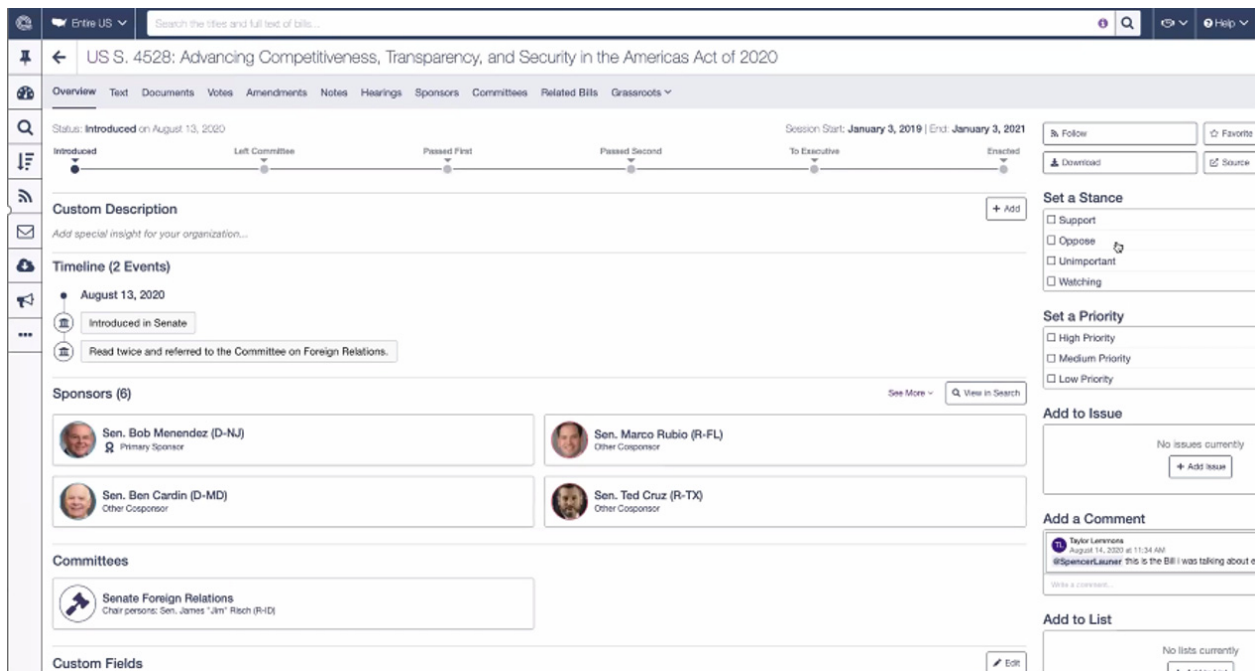
calculate alignment position data from the individual policymaker data, the alignment position data corresponding to relative positions of each of the plurality of policymakers on each of the plurality of selected agenda issues selected as being of interest to the organization, the alignment position data comprising a measure of how each of the plurality of policymakers is oriented relative to an organizational posture of the organization, the organizational posture comprising a stance or political position of an organization on the selected agenda issues, and not an indicator of whether a particular legislative bill will pass; and

transform the alignment position data into a graphical display that presents the alignment positions of multiple policymakers on each of the agenda issues selected as being of interest to the organization.

Claim 24 recites a "non-transitory computer-readable medium comprising instructions that, when executed by at least one processor, cause the at least one processor to perform operations including" the operations set forth in claim 1.

34. The Accused Products infringe at least claims 1 and 24 of the '002 patent, as illustrated in an exemplary claim chart attached hereto as Exhibit C.

35. For example, the Accused Products include Quorum's Software and systems running such software, including Quorum's cloud-based platform. The Accused Products maintain a list of user selectable agenda issues and presents to a user via a user interface, the list of user-selectable agenda issues, wherein each of the listed user-selectable agenda issues is configured to be selected by the user via input received from the user. The Accused Product allows data to be assigned to particular agenda issues. For example, a bill may be tagged with a particular "Issue," by selecting "Add to Issue," as shown in the figure below. A bill may also be set with a certain Stance or Priority.



The Accused Products also allows data to be filtered by agenda issues pertaining to the data. For example, data can be filtered based on assigned Issues, Stance, or Priority.

The screenshot displays the Quorum US legislative tracking interface. At the top, there is a navigation bar with tabs for Documents, Bills, Officials, Regulations, Notes, and News Articles. Below this, a search bar and a filter bar are visible. The main content area shows a list of bills, each with a title, a brief description, and a progress bar indicating its status. The bills listed include:

- Georgia: S.B.68: Local School Systems; financial management; strengthen provisions. Became Public Law on July 1st, 2021 | Effective Date.
- Georgia: S.B.313: Pharmacy Benefits Managers; regulation and licensure; extensive revisions; provide. Became Public Law on July 1st, 2021 | Effective Date.
- Georgia: S.B.303: 'Georgia Right to Shop Act'; greater transparency of prices for nonemergency healthcare services; provide. Became Public Law on July 1st, 2021 | Effective Date.
- Georgia: H.B.86: Education; complaints policy for teachers and other school personnel; provisions. Became Public Law on July 1st, 2021 | Effective Date.
- Georgia: H.B.855: State Board of Education; determine eligibility criteria for foster care students to receive special education and related services; provisions. Became Public Law on July 1st, 2021 | Effective Date.
- Alabama: H.B.17: ALEA, felony drug trafficking wiretapping, interception of wire, oral, or electronic communications, Attorney General to authorize to apply for intercept and to apply for intercept orders, disclosure of recorded communications, penalties for violations, Secs. 20-2A-1 to 20-2A-15, inclusive, added; Sec. Referred to House committee on February 2nd, 2021 | Read for the first time and referred to the House of Representatives committee on Judiciary.
- Alabama: H.B.11: Agricultural lime, required to be labeled with relative neutralizing value as defined, Secs. 2-23-2, 2-23-4 am'd. Referred to House committee on February 2nd, 2021 | Read for the first time and referred to the House of Representatives committee on Agriculture and Forestry.

On the left side, there is a sidebar with various filters and options, including Custom Fields, Date, Bill Type, Current Status, Title, Region, Committee, Sponsors, Issues, Tracking Dashboard, Lists, Organization Stance, and Priority.

The agenda issues may be selected by the user via input received from the user; for example, a user may select from a list of agenda issues when utilizing the Quorum Sheets functionality.

The screenshot displays the Quorum Sheets / Choosing Issues interface. At the top, there is a header bar with the text "Sheets / Choosing Issues (61 Total, 1 Selected)" and buttons for "What's this page?", "Show Selected", "Select All", and "Clear Selections". Below this, there is a sidebar with filters for Issue Type and Custom Fields. The main content area shows a list of issues, each with an icon and a title. The issues listed include:

- Right to Protest (Sub-issue of Civil Rights)
- Traffic Interference (Sub-issue of Right to Protest)
- Client A (Primary Issue)
- Bike Lane (Sub-issue of Client A)
- Helmet Safety (Sub-issue of Client A)

At the bottom, there are two buttons: "Cancel" and "Submit 1 Selection".

36. The Accused Products receive via the user interface, based on input received from the user, agenda issues of interest to the organization, the agenda issues having been selected from the list of user-selectable agenda issues. The Accused Products access information scraped from the Internet to determine, for a plurality of policymakers, individual policymaker data from which

an alignment position of each policy maker on each of the agenda issues selected as being of interest to the organization is determinable. For example, Quorum's cofounder, Alex Wirth, has stated that Quorum "scrapes the Internet" for information, <https://www.youtube.com/watch?v=CbpMNAFPQRM> (at 6:30), and Jonathan Marks, Quorum's cofounder, also stated that "much of the data in Quorum comes from publicly available sources," Ex. G. Upon information and belief, the information scraped from the Internet includes information concerning policymakers. For example, the Quorum software offers user the ability to create "scorecards for each policymaker." Ex. M. These scorecards utilize data to present alignment position of the policymaker. As part building a scorecard, the Accused Products allow an organization to determine metrics used in scoring the policymakers (i.e., legislators). See Ex. N; Ex. O. In addition, Quorum's Interest-Influence Matrix also allows users to access information for policymakers (e.g., stakeholders) based on a plurality of issues, as shown below:

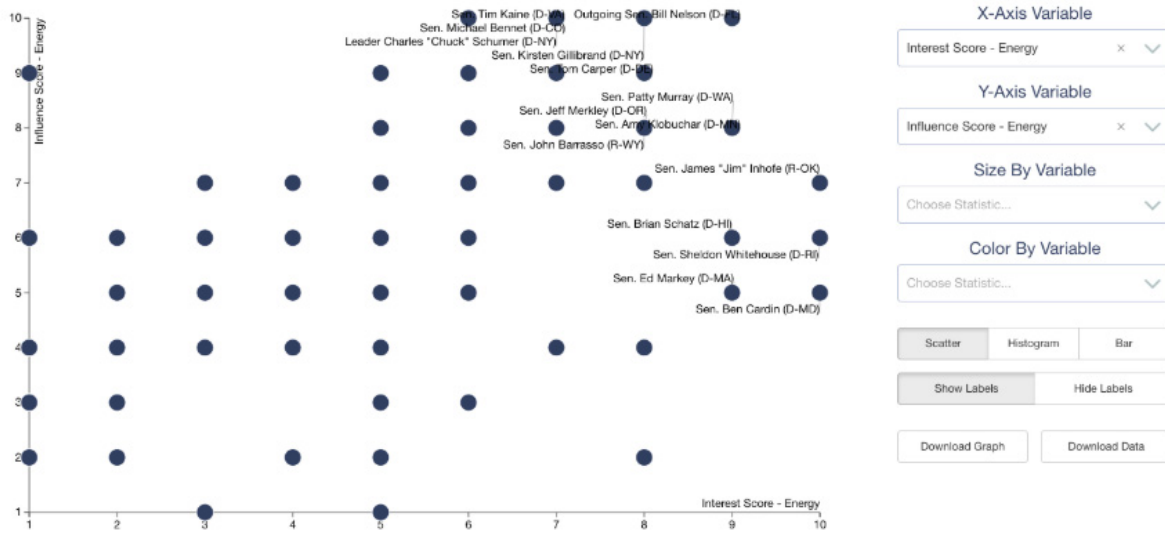


37. The Accused Products also calculate alignment position data from the individual policymaker data, the alignment position data corresponding to relative positions of each of the plurality of policymakers on each of the plurality of selected agenda issues selected as being of

interest to the organization, the alignment position data comprising a measure of how each of the plurality of policymakers is oriented relative to an organizational posture of the organization, the organizational posture comprising a stance or political position of an organization on the selected agenda issues, and not an indicator of whether a particular legislative bill will pass. The Accused Products allow users to input data related to policymaker's alignment on selected agenda issues relative to the organization's posture. For example, the alignment information may be grouped into several categories that is determined by the organization. *See* Ex. P. The Accused Products allow a user to customize the agenda issues and metrics used to score each policymaker. *See id.* The Accused Products utilize the customized metrics and weighting to calculate alignment position data.

38. The Accused Products also transform the alignment position data into a graphical display that presents the alignment positions of multiple policymakers on each of the agenda issues selected as being of interest to the organization. For example, the Accused Products include the ability for users to enter their organization's position related to selected issues using Quorum Sheets. That data can then be incorporated into various graphs that can be displayed via user interface. *See* Ex. Q. Specifically, Quorum has identified at least five ways for an organization/user to map its stakeholders, including using an interest-influence matrix. *See id.* In addition, Quorum recommends that organizations set up a system to "tag" each stakeholder to specific issue(s). *See id.* Team members may then update the individual stakeholder data, depending on what information the organization chose to monitor related that issue. *See id.* The Accused Products further allow an organization to calculate the alignment position data for multiple policymakers on a variety of agenda issues and the "Visualize" option creates an "Interest-Influence Matrix" as shown below:

Visualize Sheet: 3. Stakeholder Mapping: By Interest-Influence Matrix



*Id.*

39. Upon information and belief, upon knowledge of the '002 patent, Quorum has actively induced and continues to actively induce others, including customers, who use the Accused Products in the United States, to directly infringe claims of the '002 patent. On information and belief, purchasers who use the Accused Products make routine use of the Accused Products in a manner that directly infringes claims of the '002 patent, including at least claims 1 and 24. Quorum has had actual knowledge of the '002 patent at least as of the date when FiscalNote filed and served this Complaint asserting the '002 patent against Quorum. Further, on information and belief, in light of the above and upon knowledge of the '002 patent, Quorum has provided and continues to provide at least manuals, white papers, training, webinars, blogs, social media posts, and/or other support, to encourage others, such as its customers, to perform acts that directly infringe at least claims 1 and 24 of the '002 patent either with specific intent that the third parties infringe the '002 patent or knowing that there was a high probability that the third parties would infringe the '002 patent while remaining willfully blind to the infringing nature of the third



parties' actions.

40. Upon information and belief, upon knowledge of the '002 patent, Quorum has contributed and continues to contribute to infringement of the claims of the '002 patent, including at least claims 1 and 24, by others, including customers, who customize and use the Accused Products, by providing the Accused Products, which are specially made or adapted for use in an infringement of these claims and are not staple articles of commerce suitable for substantial noninfringing use. Quorum has had actual knowledge of the '002 patent at least as of the date when FiscalNote filed and served this Complaint asserting the '002 patent against Quorum. In light of these allegations and upon knowledge of the '002 patent, Quorum had knowledge that the Accused Products were specially made or adapted for use in an infringement of the '002 patent and are not a staple article of commerce suitable for substantial noninfringing use.

41. As a result of Quorum's ongoing and continuous unlawful infringement of the '002 patent, FiscalNote has suffered and will continue to suffer damages. FiscalNote is entitled to recover from Quorum compensation and monetary relief to the fullest extent allowed by law, which has yet to be determined.

42. Any further sales, offers for sale, or uses by Quorum of infringing products or services will demonstrate a deliberate and conscious decision to infringe the '002 patent or, at the very least, a reckless disregard of FiscalNote's patent rights. If Quorum continues to make, use, offer to sell, or sell or import infringing products or services following notice of the '002 patent claims, Quorum's infringement will be willful and FiscalNote will be entitled to treble damages and attorney's fees and costs incurred in this action, along with prejudgment interest under 35 U.S.C. §§ 284, 285.

43. Quorum will continue to infringe the '002 patent unless and until it is enjoined by



this Court. Quorum's acts of infringement have caused and will continue to cause irreparable harm to FiscalNote unless and until enjoined by this Court.

**COUNT 2: INFRINGEMENT OF THE '092 PATENT**

44. FiscalNote hereby incorporates by reference and realleges its allegations contained in all of the preceding paragraphs of this Complaint as though fully set forth herein.

45. Upon information and belief, Quorum has infringed and continues to infringe, either literally or under the doctrine of equivalents, at least claims 1 and 20 of the '092 patent pursuant to 35 U.S.C. §§ 271(a), (b), and (c) by making, using, offering to sell, and/or selling in the United States the Accused Products.

46. Claim 1 of the '092 patent is generally directed to a system for tracking and normalizing policy data aggregated from multiple disparate sources. Claim 1 recites:

A system for normalizing aggregated electronic data from at least one Internet server, the system comprising:

at least one processor configured to execute instructions; and

a memory storing the instructions to:

access data scraped from the Internet, the data having been gathered from a plurality of local databases for a plurality of temporal local milestones, wherein each local database stores localized terms for characterizing the temporal local milestones, such that at least a first localized term for at least a first temporal milestone in a first local database associated with a first locale differs from at least a second localized term for a similar second temporal milestone in a second localized database associated with a second locale,

store the temporal local milestones in a central database,

determine a mapping of each of the localized terms for each temporal local milestone to a normalized term for each milestone,

identify, in a displayed timeline associated with the first locale, each associated temporal local milestone using the normalized term for each milestone, even when the normalized term is not officially recognized in the first locale, and

identify, in a displayed timeline associated with the second locale, each associated temporal local milestone using the normalized term for each milestone, even when the normalized term is not officially recognized in the second locale.

Claim 20 recites a “non-transitory computer-readable storage media storing instructions for normalizing aggregated electronic data from at least one Internet server prediction, the instructions comprising” the operations set forth in claim 1.

47. The Accused Products infringe at least claims 1 and 20 of the '092 patent, as illustrated in an exemplary claim chart attached hereto as Exhibit D.

48. For example, the Accused Products include Quorum’s Software and systems running such software, including Quorum’s cloud-based platform. *See* Ex. E; Ex I. The Accused Products normalize aggregated electronic data (e.g., legislative data obtained from each state) from at least one Internet server. *See* Ex. K; Ex. L. *See also* <https://www.youtube.com/watch?v=CbpMNAFPQRM> at 6:30 (Quorum cofounder Alex Wirth describing how Quorum’s Software scrapes data from publicly available information on the Internet). The Accused Products access data scraped from the Internet that is has been gathered from a plurality of local databases for a plurality of temporal local milestones from a plurality of localities. *Id.* For example, the Accused Products aggregate legislative data corresponding to, e.g., bills, votes, press releases, floor statements (i.e., plurality of temporal local milestones) from at least multiple states (i.e., plurality of localities) by scraping the Internet. According to Quorum cofounder Jonathan Marks:

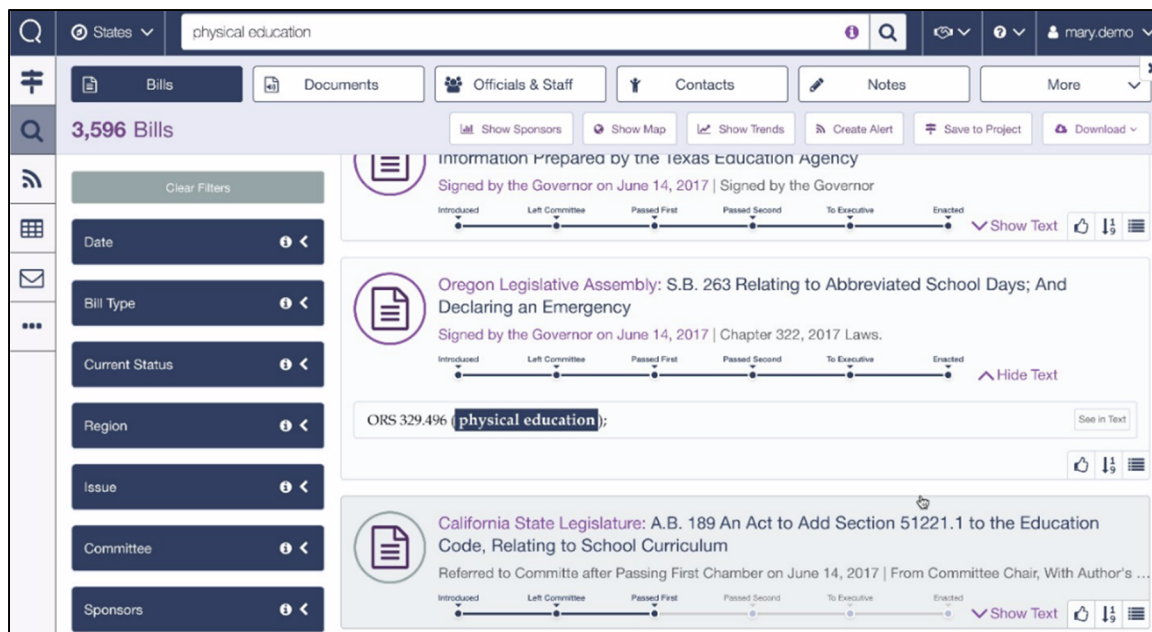
Much of the data in Quorum comes from publicly available sources. Anyone is able to go on a member’s website and find their press releases, for example. What we did was build scraping algorithms to continuously and automatically pull all of the bills, votes, press releases, “Dear Colleague” letters, tweets, Facebook posts, floor statements, and more, from every member of Congress and every state legislator. We aggregate all of that information and run a series of analytics and natural language processing tools over it to provide valuable insights.

Many of our users have found the ability to search through tweets and Facebook posts from every member of Congress and state legislator incredibly useful because they can easily see how members are reacting to a hot-button issue. With this information, our users can then develop more targeted strategies.

Ex. G. *See also* Ex. K; Ex. L. Each local database stores localized terms for characterizing

the temporal local milestones, such that at least a first localized term for at least a first temporal milestone in a first local database associated with a first locale of the plurality of localities differs from at least a second localized term for a similar second temporal milestone in a second localized database associated with a second locale of the plurality of localities. For example, the “temporal local milestones” can include the various steps undertaken to pass a bill in a particular state (e.g., bill introduced, floor statements, votes, passage in a house). *Id.* Thus, each locale will have its own localized terms for characterizing temporal local milestones. *See* Ex. R; Ex. S.

49. The Accused Products store the temporal local milestones in a central database. For example, the Accused Products are described as an “online legislative platform” that “automatically pulls information from a variety of nontraditional data sources.” Ex. G. The company bills itself as “the world’s most comprehensive database of legislative information.” *Id.* *See also* Ex. T; Ex. F; Ex. V. The Accused Products also determine a mapping of each localized term for each temporal milestone to a normalized term for each milestone. For example, as seen in the image below (a screenshot of the Software’s search interface), bills related to “physical education” are shown for at least two states, Oregon and California, each of which has its own legislative process for introducing and passing a bill into law. *See* Ex. Z; Ex. AA. Regardless of how each legislative step (temporal local milestone) may have been defined or characterized in each state’s respective local database (localized term), the step’s name is presented uniformly and consistently in the Software’s interface after having been normalized. *Id.* *See also* Ex. K; Ex. L. The normalized terms, presented on a timeline, are Introduced, Left Committee, Passed First, Passed Second, To Executive, and Enacted, as shown below.



50. The Accused Products identify, in a displayed timeline associated with the first locale, each associated temporal local milestone using the normalized term, even when the normalized term is not officially recognized in the first local. They also identify, in a displayed timeline associated with the second locale, each associated temporal local milestone using the normalized term, even when the normalized term is not officially recognized in the second local. In the example above, Oregon represents the “first locale” and California represents the “second locale.”

51. Upon information and belief, upon knowledge of the '092 patent, Quorum has actively induced and continues to actively induce others, including customers, who use the Accused Products in the United States, to directly infringe claims of the '092 patent. On information and belief, purchasers who use the Accused Products make routine use of the Accused Products in a manner that directly infringes claims of the '092 patent, including at least claims 1 and 20. Quorum has actual knowledge of the '092 patent at least as of the date when FiscalNote filed and served this Complaint asserting the '092 patent against Quorum. Further, on information

and belief, in light of the above and upon knowledge of the '092 patent, Quorum has provided and continues to provide at least manuals, white papers, training, webinars, blogs, social media posts, and/or other support, to encourage others, such as its customers, to perform acts that directly infringe at least claims 1 and 20 of the '092 patent either with specific intent that the third parties infringe the '092 patent or knowing that there was a high probability that the third parties would infringe the '092 patent while remaining willfully blind to the infringing nature of the third parties' actions.

52. Upon information and belief, upon knowledge of the '092 patent, Quorum has contributed and continues to contribute to infringement of the claims of the '092 patent, including at least claims 1 and 20, by others, including customers, who customize and use the Accused Products, by providing the Accused Products, which are specially made or adapted for use in an infringement of these claims and are not staple articles of commerce suitable for substantial noninfringing use. Quorum has had actual knowledge of the '092 patent at least as of the date when FiscalNote filed and served this Complaint asserting the '092 patent against Quorum. In light of these allegations and upon knowledge of the '092 patent, Quorum had knowledge that the Accused Products were specially made or adapted for use in an infringement of the '092 patent and are not a staple article of commerce suitable for substantial noninfringing use.

53. As a result of Quorum's ongoing and continuous infringement of the '092 patent, FiscalNote has suffered and will continue to suffer damages. FiscalNote is entitled to recover from Quorum compensation and monetary relief to the fullest extent allowed by law, which has yet to be determined.

54. Any further sales, offers for sale, or uses by Quorum of infringing products or services will demonstrate a deliberate and conscious decision to infringe the '092 patent or, at the

very least, a reckless disregard of FiscalNote's patent rights. If Quorum continues to make, use, offer to sell, or sell or import infringing products or services following notice of the '092 patent claims, Quorum's infringement will be willful and FiscalNote will be entitled to treble damages and attorney's fees and costs incurred in this action, along with prejudgment interest under 35 U.S.C. §§ 284, 285.

55. Quorum will continue to infringe the '092 patent unless and until it is enjoined by this Court. Quorum's acts of infringement have caused and will continue to cause irreparable harm to FiscalNote unless and until enjoined by this Court.

#### **EXCEPTIONAL CASE**

56. This case is exceptional against Quorum.

#### **PRAYER FOR RELIEF**

WHEREFORE, FiscalNote prays for judgment in its favor against Quorum and granting relief as follows:

A. For a judgment declaring that Quorum has infringed each of the Asserted Patents directly, contributorily, and by inducement;

B. For a judgment declaring that Quorum's infringement of each of the Asserted Patents is willful pursuant to 35 U.S.C. § 284;

C. For a grant of an injunction pursuant to 35 U.S.C. § 283, enjoining Quorum together with its respective officers, directors, agents, servants, employees, and attorneys, and upon those persons in active concert or participation with them from infringing each of the Asserted Patents by engaging in any commercial manufacture, use, offer to sell, or sale within the United States, or importation into the United States, of any product covered by each of the Asserted Patents for the

full terms thereof or any additional period of exclusivity to which FiscalNote and/or such Asserted Patents are, or become, entitled, and from inducing or contributing to such activities;

D. The entry of an order declaring that FiscalNote be awarded damages in an amount sufficient to compensate them for Quorum's infringement of each of the Asserted Patents, together with prejudgment and post-judgment interest and costs;

E. That Quorum be ordered to provide an accounting for the damages resulting from infringement of each of the Asserted Patents, together with interests and costs, and all other damages permitted by 35 U.S.C. § 284, including an accounting for infringing acts not presented at trial and an award by the court of additional damages for any such infringing acts;

F. For a judgment declaring that this case is exceptional and awarding FiscalNote its expenses, costs, and attorneys' fees in accordance with 35 U.S.C. § 285, Rule 54(d) of the Federal Rules of Civil Procedure, and all other applicable statutes, rules, and common law;

G. The taxation of all allowable costs against Quorum; and

H. For such other and further relief as the Court deems just and proper under the circumstances.

**DEMAND FOR A JURY TRIAL**

FiscalNote hereby demands a trial by jury in this action.

Respectfully submitted,

By: /s/ Robert M. Oakes

Robert M. Oakes (#5217)  
FISH & RICHARDSON P.C.  
222 Delaware Avenue, 17th Floor  
P.O. Box 1114  
Wilmington, DE 19899  
Telephone: (302) 652-5070  
oakes@fr.com

Lauren A. Degnan (*pro hac* pending)  
Linhong Zhang (#5083)  
Taylor Burgener (*pro hac* pending)  
Raj Utreja (*pro hac* pending)  
FISH & RICHARDSON P.C.  
1000 Maine Ave., SW  
Suite 1000  
Washington, DC 20024  
Telephone: (202) 783-5070  
Facsimile: (202) 783-2331  
degnan@fr.com  
lwzhang@fr.com  
tburgener@fr.com  
utreja@fr.com

*Counsel for FiscalNote, Inc.*

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