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14 *Attorneys for Plaintiff*
15 Zodex Data Systems LLC

16 **UNITED STATES DISTRICT COURT**
17 **CENTRAL DISTRICT OF CALIFORNIA**

18 ZODEX DATA SYSTEMS LLC, a
19 Delaware limited liability company,

20 Plaintiff,

21 v.

22 Wix.com Inc., a Delaware corporation,

23 Defendant.

Case No. 2:22-cv-4115

**COMPLAINT FOR PATENT
INFRINGEMENT**

DEMAND FOR JURY TRIAL

1 Plaintiff Zodex Data Systems LLC (“Zodex” or “Plaintiff”), for its Complaint
2 against Wix.com Inc. (“Wix” or “Defendant”) alleges the following:

3 **I. NATURE OF THE ACTION**

4 1. This is an action for patent infringement of United States Patent No.
5 6,396,507 (the “’507 Patent” or the “patent in suit”), arising under the Patent Laws of
6 the United States, 35 U.S.C. § 1, *et seq.*, seeking damages and other relief under 35
7 U.S.C. § 281, *et seq.*

8 **II. THE PARTIES**

9 2. Plaintiff is a limited liability company organized and existing under the
10 laws of the State of Delaware with a principal office at 3107 Boardwalk, Atlantic
11 City, NJ 08401.

12 3. Upon information and belief, Defendant is a corporation organized under
13 the laws of Delaware with a registered agent CTC, 1209 Orange Street, Wilmington,
14 DE 19801.

15 4. Upon information and belief, Defendant sells and offers to sell products
16 and services throughout the United States, including in this District, and introduces
17 products and services into the stream of commerce and that incorporate infringing
18 technology knowing that they would be sold in this District and elsewhere in the
19 United States.

20 5. Upon information and belief, Defendant conducts a significant,
21 persistent and regular amount of business in this District through product sales by its
22 distributors, customers, and resellers and through online marketing, and derives
23 substantial revenue from such business.

24 6. Upon information and belief, Defendant has offices in this District
25 located in Los Angeles and San Francisco, California.

26 **III. JURISDICTION AND VENUE**

27 7. This is an action for patent infringement arising under the Patent Laws
28 of the United States, Title 35 of the United States Code.

1 13. As set forth above, the inventions of the '507 Patent resolve technical
2 problems related to viewing different portions of an image with greater detail. (*See*
3 Ex. 1 at Abstract, Figs. 3A-3E, 4 and corresponding description in the specification.)
4 When viewing remote images on a server, the zoom in feature on the client of the
5 '507 Patent focuses only on the selected portion of interest for the user. (*Id.*)

6 14. The claims of the '507 Patent do not merely recite the performance of
7 some business practice known from the pre-Internet world along with the requirement
8 to perform it on the Internet. Instead, the claims of the '507 Patent recite one or more
9 inventive concepts that are rooted in computerized user graphical interface technology
10 that works seamlessly in a client-server computing technology, and overcome
11 problems specifically arising in the realm of client access to documents on the server
12 in client-server technologies. (*See id.* at 2:66-8:9.)

13 15. As set forth above, the claims of the '507 Patent recite an invention that
14 is not merely the routine or conventional use of computers. (*See id.* at 1:13-2:64
15 describing the background of the invention and problems solved.) Instead, the
16 invention makes use of specific client-server computer architecture functionalities.
17 The '507 Patent claims thus specify how computing devices and remote servers are
18 manipulated to yield a desired result.

19 16. The technology claimed in the '507 Patent does not preempt all ways of
20 using client-server computing architectures or the use of all communication session
21 technologies, or any other well-known or prior art technology.

22 17. Each claim of the '507 Patent recites a combination of elements
23 sufficient to ensure that the claim in practice amounts to significantly more than a
24 patent on an ineligible concept.

25 18. The '507 Patent claims, in a data storage/access network system that
26 access images on a server from a remote client device, for zooming image, data
27 extraction for extracting a portion of image data in accordance with a request from a
28 client machine occurs for the image from the server machine. When a request for

1 enlarging a partial region is issued from the client side, the image data in the requested
2 partial region is dynamically extracted and displayed for the user to zoom in and view
3 with greater detail.

4 **VII. ACCUSED PRODUCTS AND/OR SERVICES**

5 19. Defendant manufactures, provides, uses, sells, offers for sale, imports,
6 and/or distributes infringing software for image viewing that allows for designating
7 portions of images that are of interest, reading out and transmitting the designated
8 portions, including, for example, imaging software Wix Website Editor images
9 including, but not limited to Wix Website Editor products and/or services, that
10 operates using Defendant’s servers and Defendant’s client-side software that is
11 connected through networks including, for example, Mobile Applications, Web
12 browser interface and/or Desktop Applications (collectively, “Accused Products
13 and/or Services”).

14 **COUNT I**

15 **INFRINGEMENT OF U.S. PATENT NO. 6,396,507**

16 20. Plaintiff hereby restates the allegations contained in the preceding
17 paragraphs above as if fully set forth herein.

18 21. On May 28, 2002, U.S. Patent No. 6,396,507, entitled “Data
19 Storage/Access Network System for zooming image and method of the
20 storage/access,” was duly and legally issued by the United States Patent and
21 Trademark Office. A true and correct copy of the ’507 Patent is attached as Exhibit
22 1. Related U.S. application data is set forth on the face of the patent.

23 22. Plaintiff is the assignee and owner of the right, title, and interest in and
24 to the ’507 Patent, including the right to assert all causes of action arising under the
25 ’507 Patent and the right to any remedies for infringement of the ’507 Patent.

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1 23. Defendant has been directly infringing at least claim 1¹ of the '507 Patent
2 by making, using, selling, offering to sell, importing and/or providing and causing to
3 be used the Wix Website Editor images including, but not limited to Wix Website
4 Editor products and/or services which satisfy, literally or under the doctrine of
5 equivalents, each and every claim limitation of claim 1 of the '507 Patent. The
6 correspondence between the limitations of claim 1 of the '507 Patent and the Wix
7 Website Editor images including, but not limited to Wix Website Editor products
8 and/or services is shown in the claim chart attached hereto as Exhibit 2. The claim
9 chart is incorporated by reference as if set forth herein.

10 24. Defendant has infringed and continues to infringe at least claim 1 of the
11 '507 Patent under 35 U.S.C. § 271(a), literally or under the doctrine of equivalents,
12 by making, using, selling, and/or offering for sale in the United States, and/or
13 importing into the United States, Accused Products and/or Services (hereafter
14 "Accused Instrumentalities"). At a minimum, Accused Instrumentalities include Wix
15 Website Editor images including, but not limited to Wix Website Editor products
16 and/or services.

17 25. As just one non-limiting example, set forth in the claim chart, attached
18 as Exhibit 2 is a description of exemplary claim 1 of the '507 Patent. Plaintiff reserves
19 the right to modify this description, including on the basis of information it obtains
20 during discovery.

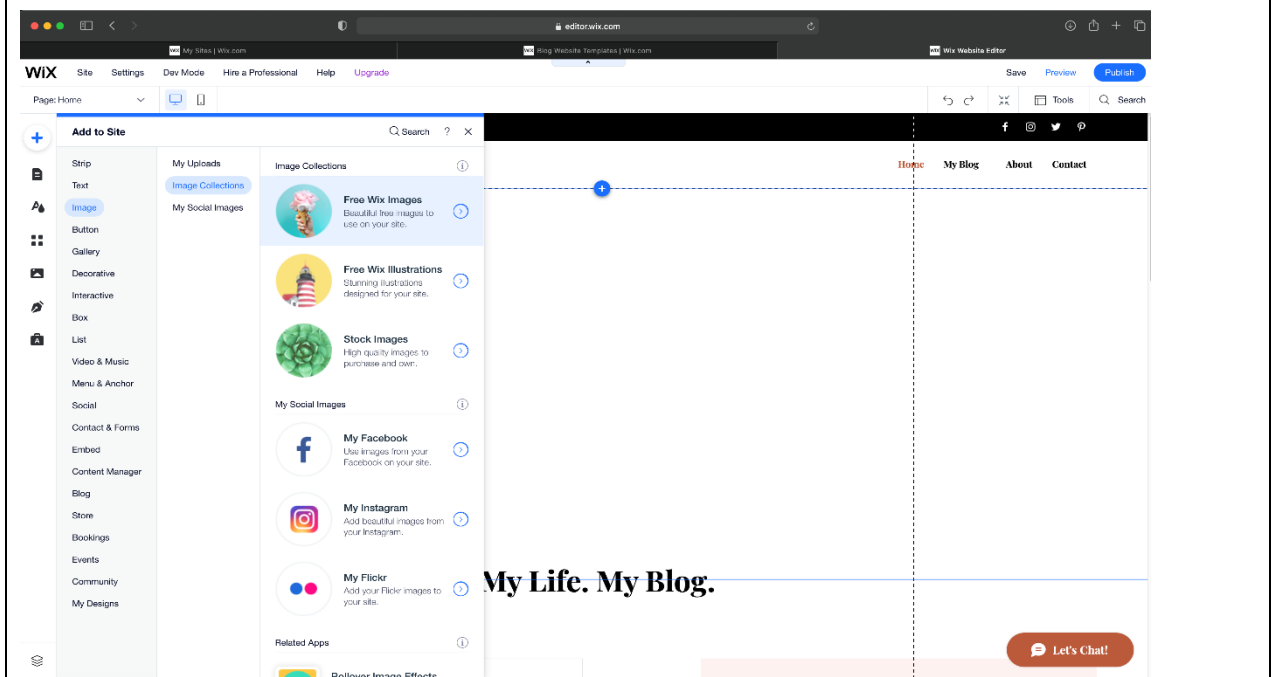
21 26. For example, the Accused Products and/or Services meet all of the claim
22 limitations of claim 1 of the '507 Patent, set forth below with claim language in italics.
23 To the extent the preamble is limiting, the Accused Products and/or Services include
24

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26 ¹ Plaintiff reserves the right to identify additional asserted claims and accused
27 products as this litigation proceeds. For example, Plaintiff expressly reserves the right
28 to identify additional asserted claims and accused products in its infringement
contentions to be served during the discovery process.

1 “A data reading method applied to a network system in which an image data storage
2 device and an access device are connected.”

3 [https://editor.wix.com/html/editor/web/renderer/edit/3273f93c-489d-4bf2-9680-
f5a1c41fd853?metaSiteId=de3b7e97-4fbf-43b8-bade-
51311c5afcf5&editorSessionId=f3082a0d-aa91-44ec-ba7d-
3487ab2f9457&_gl=1*65wbb0*_ga*OTQ3NDAYnJgzLjE2NTAyOTkzMTY.*_g
a_H314XQHSPY*MTY1MDI5OTM3NC4xLjAuMTY1MDI5OTM3Ny41Nw..](https://editor.wix.com/html/editor/web/renderer/edit/3273f93c-489d-4bf2-9680-
4 f5a1c41fd853?metaSiteId=de3b7e97-4fbf-43b8-bade-
5 51311c5afcf5&editorSessionId=f3082a0d-aa91-44ec-ba7d-
6 3487ab2f9457&_gl=1*65wbb0*_ga*OTQ3NDAYnJgzLjE2NTAyOTkzMTY.*_g
7 a_H314XQHSPY*MTY1MDI5OTM3NC4xLjAuMTY1MDI5OTM3Ny41Nw..)



20
21 27. The Accused Products and/or Services include “transmitting image data
22 in a file from said storage device to said access device,”

23 Accessing Your Editor

24 For your convenience, you can access the Editor directly from your site's dashboard.

25 To edit your site:

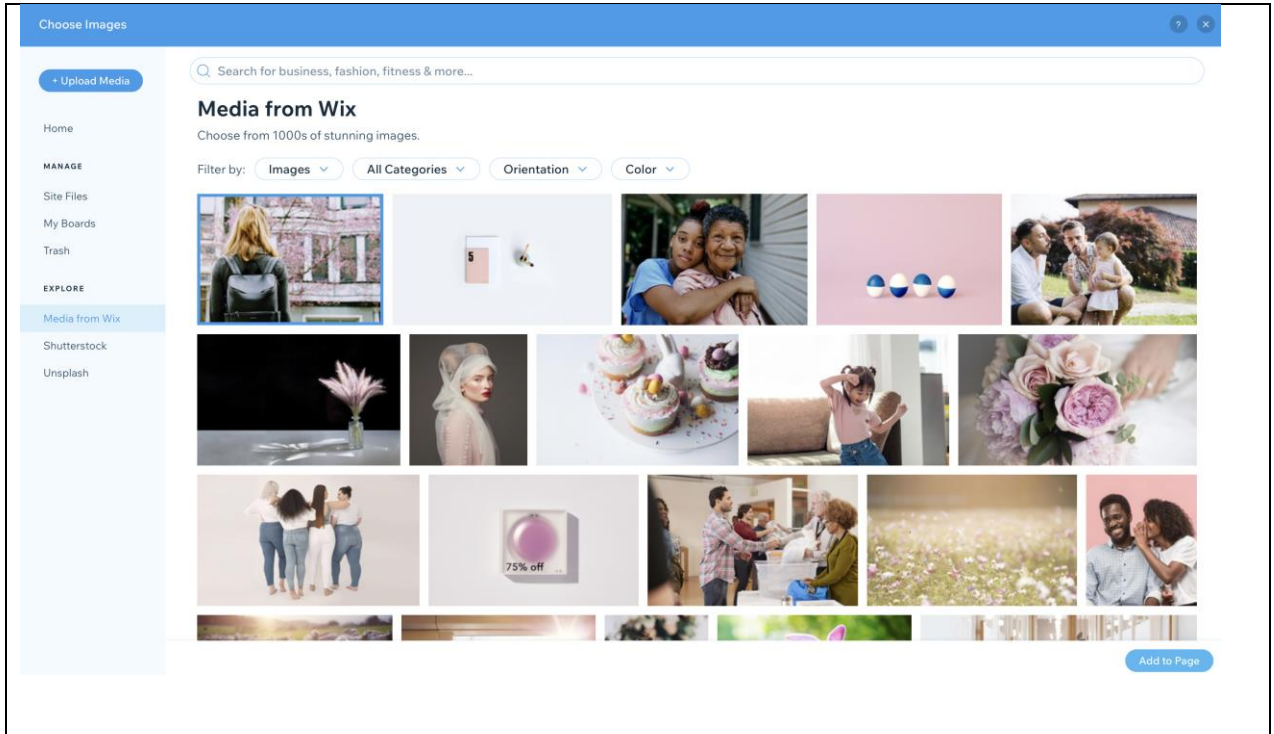
- 26 1. [Go to your site's dashboard.](#)
- 27 2. Click **Edit Site** next to your site's name.

Take me to Wix Editor →

<https://support.wix.com/en/article/accessing-your-editor>

<https://support.wix.com/en/article/wix-photo-albums-about-wix-photo-albums>

28. The Accused Products and/or Services include “*designating an arbitrary portion of said image data transmitted and displayed on said access device.*”



29. The Accused Products and/or Services include “*reading out only wanting image data in said arbitrary portion designated on said access device from the same file as said file of said image data transmitted.*”

Wix Editor: Editing an Image in the Editor or with Wix Photo Studio

You can edit any image you have uploaded in the Editor by adding a frame, cropping your image using shape crop and more. However, the edited version of an image is not saved in the Media Manager so that you can use the image again.

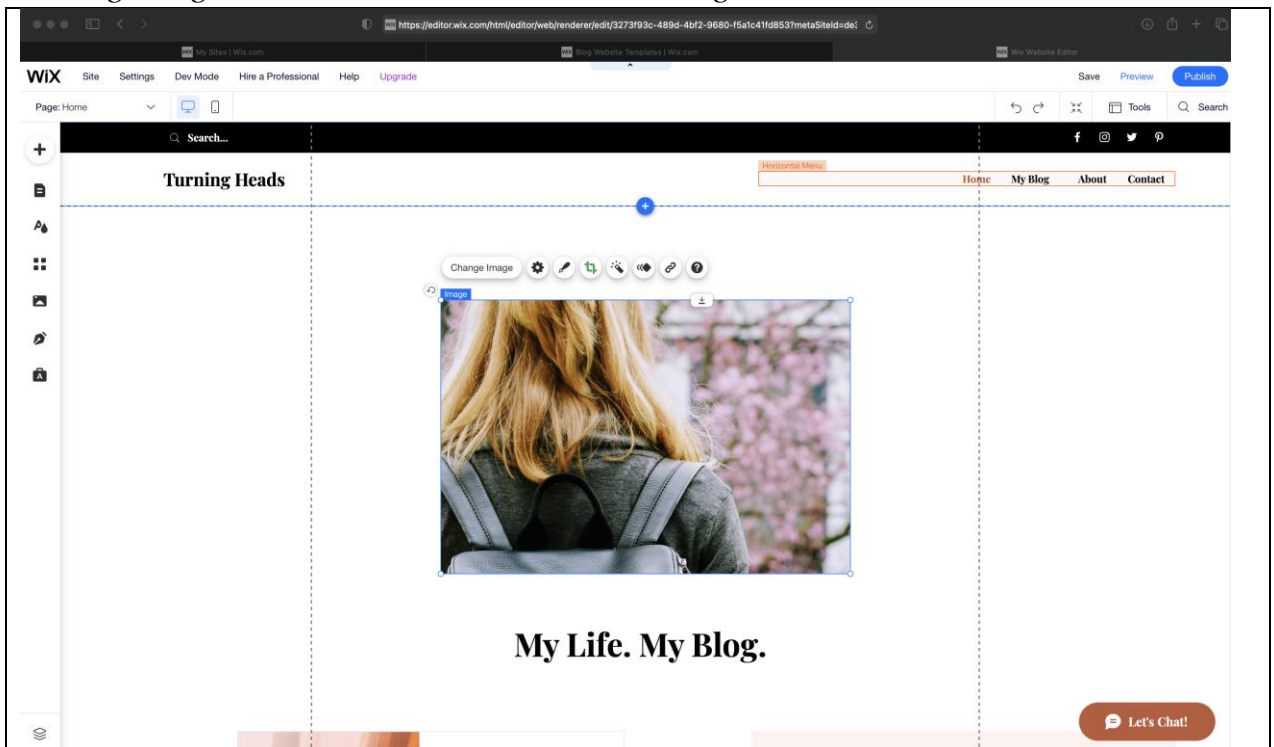
Instead, you can use the Wix Photo Studio in the Media Manager to create stunning images without leaving the Editor. The Photo Studio allows you to edit images that

1 you've uploaded to your site and save the edited version in your Media Manager.
2 Add filters, rotate or crop an image and more with Wix Photo Studio.

3
4 [https://support.wix.com/en/article/wix-editor-editing-an-image-in-the-editor-or-](https://support.wix.com/en/article/wix-editor-editing-an-image-in-the-editor-or-with-wix-photo-studio)
5 [with-wix-photo-studio](https://support.wix.com/en/article/wix-editor-editing-an-image-in-the-editor-or-with-wix-photo-studio)

6 [https://support.wix.com/en/managing-your-media/editing-images-wix-photo-](https://support.wix.com/en/managing-your-media/editing-images-wix-photo-studio)
7 [studio](https://support.wix.com/en/managing-your-media/editing-images-wix-photo-studio)

8
9 30. The Accused Products and/or Services include “*transferring said*
10 *wanting image data to said access device through a network.*”



23 [https://editor.wix.com/html/editor/web/renderer/edit/3273f93c-489d-4bf2-9680-](https://editor.wix.com/html/editor/web/renderer/edit/3273f93c-489d-4bf2-9680-f5a1c41fd853?metaSiteId=de3b7e97-4fbf-43b8-bade-51311c5afcf5&editorSessionId=f3082a0d-aa91-44ec-ba7d-3487ab2f9457&_gl=1*65wbb0*_ga*OTQ3NDAYNjgzLjE2NTAyOTkzMTY.*_g_a_H314XQHSPY*MTY1MDI5OTM3NC4xLjAuMTY1MDI5OTM3Ny41Nw..)
24 [f5a1c41fd853?metaSiteId=de3b7e97-4fbf-43b8-bade-](https://editor.wix.com/html/editor/web/renderer/edit/3273f93c-489d-4bf2-9680-f5a1c41fd853?metaSiteId=de3b7e97-4fbf-43b8-bade-51311c5afcf5&editorSessionId=f3082a0d-aa91-44ec-ba7d-3487ab2f9457&_gl=1*65wbb0*_ga*OTQ3NDAYNjgzLjE2NTAyOTkzMTY.*_g_a_H314XQHSPY*MTY1MDI5OTM3NC4xLjAuMTY1MDI5OTM3Ny41Nw..)
25 [51311c5afcf5&editorSessionId=f3082a0d-aa91-44ec-ba7d-](https://editor.wix.com/html/editor/web/renderer/edit/3273f93c-489d-4bf2-9680-f5a1c41fd853?metaSiteId=de3b7e97-4fbf-43b8-bade-51311c5afcf5&editorSessionId=f3082a0d-aa91-44ec-ba7d-3487ab2f9457&_gl=1*65wbb0*_ga*OTQ3NDAYNjgzLjE2NTAyOTkzMTY.*_g_a_H314XQHSPY*MTY1MDI5OTM3NC4xLjAuMTY1MDI5OTM3Ny41Nw..)
26 [3487ab2f9457&_gl=1*65wbb0*_ga*OTQ3NDAYNjgzLjE2NTAyOTkzMTY.*_g](https://editor.wix.com/html/editor/web/renderer/edit/3273f93c-489d-4bf2-9680-f5a1c41fd853?metaSiteId=de3b7e97-4fbf-43b8-bade-51311c5afcf5&editorSessionId=f3082a0d-aa91-44ec-ba7d-3487ab2f9457&_gl=1*65wbb0*_ga*OTQ3NDAYNjgzLjE2NTAyOTkzMTY.*_g_a_H314XQHSPY*MTY1MDI5OTM3NC4xLjAuMTY1MDI5OTM3Ny41Nw..)
27 [a_H314XQHSPY*MTY1MDI5OTM3NC4xLjAuMTY1MDI5OTM3Ny41Nw..](https://editor.wix.com/html/editor/web/renderer/edit/3273f93c-489d-4bf2-9680-f5a1c41fd853?metaSiteId=de3b7e97-4fbf-43b8-bade-51311c5afcf5&editorSessionId=f3082a0d-aa91-44ec-ba7d-3487ab2f9457&_gl=1*65wbb0*_ga*OTQ3NDAYNjgzLjE2NTAyOTkzMTY.*_g_a_H314XQHSPY*MTY1MDI5OTM3NC4xLjAuMTY1MDI5OTM3Ny41Nw..)

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1 b) Awarding damages arising out of Defendant’s infringement of the ’507
2 Patent to Zodex, together with prejudgment and post-judgment interest, in an
3 amount according to proof.

4 c) Awarding attorneys’ fees to Zodex pursuant to 35 U.S.C. § 285 or as
5 otherwise permitted by law.

6 d) Awarding such other costs and further relief as the Court may deem
7 just and proper.

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9 Dated: June 15, 2022

DEVLIN LAW FIRM, LLC

By: /s/ Deepali A. Brahmbhatt
Deepali A. Brahmbhatt

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Attorney for Plaintiff,
Zodex Data Systems LLC

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DEMAND FOR JURY TRIAL

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Plaintiff requests a jury trial of all issues in this action so triable.

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17 Dated: June 15, 2022

DEVLIN LAW FIRM, LLC

By: /s/ Deepali A. Brahmbhatt
Deepali A. Brahmbhatt

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Attorney for Plaintiff,
Zodex Data Systems LLC

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