

THE HONORABLE JAMES L. ROBERT

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

WEPLE IP HOLDINGS LLC,

Plaintiff,

v.

META PLATFORMS, INC.,

Defendant.

CASE NO.: 2:24-cv-01316-JLR

**FIRST AMENDED COMPLAINT  
FOR PATENT INFRINGEMENT**

**JURY TRIAL REQUESTED**

Plaintiff Weple IP Holdings LLC (“Weple”) files this First Amended Complaint and demand for a jury trial seeking relief for patent infringement by Defendant Meta Platforms, Inc., (“Meta”). Plaintiff states and alleges the following:

**THE PARTIES**

1. Weple IP Holdings LLC is a limited liability company organized and existing under the laws of the State of Texas with a registered address at 5900 Balcones Drive, Suite 100, Austin, TX, 78731.

2. Meta is a corporation organized under the laws of Delaware. Meta is registered to do business in the state of Washington and maintains several business locations within the Western District of Washington, including locations in Bellevue, Redmond, and Seattle.

**BACKGROUND**

1  
2 3. Mary Anne Fletcher is an entrepreneur and the innovator behind several social  
3 media platforms, such as MeetGreet<sup>®</sup>, Meet<sup>®</sup>, and Weple<sup>®</sup>. Ms. Fletcher is also the sole  
4 inventor on 15 issued United States patents directed to social media platforms, including the  
5 patents asserted in this action.

6 4. Before her efforts on social media platform development, Ms. Fletcher worked  
7 as a professional model, during which time she collaborated with premier fashion and lifestyle  
8 brands such as Armani, Versace, Hugo Boss, Tommy Hilfiger, Reebok, Levi's, Evian, and  
9 Tiffany & Co. Ms. Fletcher established a substantial following through her visibility in print  
10 magazines, commercial advertisements, and fashion shows. Through her work with magazines,  
11 designers, photographers, and fashion creatives, Ms. Fletcher appreciated the power and impact  
12 of creative media in promoting brands and products. These experiences informed her  
13 development of a social media platform that empowered users to create, control, and market  
14 their personal image and media content.

15 5. Ms. Fletcher recognized the shortcomings of the existing social media  
16 landscape, particularly in mobile engagement, and sought to develop an improved platform that  
17 addressed its limitations. For example, existing social media platforms constrained users by  
18 offering a limited selection of content creative formats and ways to deliver content to their  
19 audience, which hampered creative expression and audience engagement. These platforms  
20 often lacked video tools for content creators, particularly live streaming, which is important for  
21 real-time engagement with audiences. They also offered inadequate options for users to  
22 manage personal promotion and commercialization of their name, image, and likeness. E-  
23 commerce integration was lacking, which prevented users from selling merchandise directly  
24 through the platforms. Additionally, platforms lacked advertising opportunities, which could  
25 provide substantial revenue streams to content creators and social media platform operators  
26 alike.

1           6.       Ms. Fletcher’s solution is a comprehensive platform that facilitates the creation,  
2 management, distribution, and monetization of diverse content in a mobile environment. This  
3 innovative platform includes features such as advanced video content capabilities, allowing for  
4 the embedding of external images and audio to supplement native footage. The platform  
5 includes live streaming, along with the ability to notify followers of the initiation thereof, to  
6 facilitate real-time audience engagement. In addition, the platform provides multiple media  
7 streams with the flexibility to switch between them. User interaction is enabled through  
8 commenting, sharing, and bookmarking functionalities. The platform includes a media  
9 scheduling feature that allows users to define the time frame for which their content will be  
10 accessible, providing effective content management and advertising capabilities. Ms.  
11 Fletcher’s solution also introduces an e-commerce component, encompassing in-app  
12 transactions, targeted advertising, sponsorship models, as well as mechanisms for gifting and  
13 donations. Through these features, Ms. Fletcher’s platform offers individuals control over the  
14 distribution and economic potential of their digital content in ways previously unavailable.

15           7.       Recognizing the significant value of her innovative platform, Ms. Fletcher filed  
16 a provisional patent application on her inventions in early 2010. This initial filing was  
17 followed by a non-provisional patent application a year later, which further described the  
18 unique aspects of her inventions.

19           8.       Ms. Fletcher then began to develop and market a social media platform she  
20 called Weple<sup>®</sup>—an abbreviation reflecting the ethos of “We the People” and the goal of helping  
21 to democratize social media platforms for content creators. Weple<sup>®</sup> was designed to embody  
22 many aspects of Ms. Fletcher’s invention so that users could support one another and generate  
23 income while sharing their lives.

24           9.       Development of the Weple<sup>®</sup> social media platform faced significant obstacles  
25 when prominent platforms like Facebook and Instagram, both of which are controlled by Meta,  
26 integrated some of Weple’s patented inventions. This eroded the distinctiveness of Weple’s  
27

1 offerings and complicated efforts to attract the capital necessary to develop Weple<sup>®</sup> to its full  
2 envisioned potential.

3 **THE ASSERTED PATENTS**

4 10. This is a civil action for infringement of U.S. Patent No. 11,734,730 (the “’730  
5 patent”), U.S. Patent No. 11,966,952 (the “’952 patent”), U.S. Patent No. 12,112,357 (the  
6 “’2357 patent”), U.S. Patent No. 12,118,591 (the “’591 patent”), U.S. Patent No. 12,131,356  
7 (the “’356 patent”), and U.S. Patent No. 12,131,357 (the “’1357 patent”) (collectively, the  
8 “Asserted Patents”).

9 11. The ’730 patent is entitled “Mobile Device Streaming Media Application” and  
10 issued on August 22, 2023. The ’730 patent stems from Application No. 17/705,331, filed on  
11 March 27, 2022, and Provisional Application No. 61/304,331, filed on February 12, 2010.  
12 Weple owns the entire right, title, and interest in and to the ’730 patent. A true and correct  
13 copy of the ’730 patent is attached to this Complaint as Exhibit A.

14 12. The ’952 patent is entitled “Mobile Device Streaming Media Application” and  
15 issued on April 23, 2024. The ’952 patent stems from Application No. 18/423,193, filed on  
16 January 25, 2024, and Provisional Application No. 61/304,331, filed on February 12, 2010.  
17 Weple owns the entire right, title, and interest in and to the ’952 patent. A true and correct  
18 copy of the ’952 patent is attached to this Complaint as Exhibit B.

19 13. The ’2357 patent is entitled “Mobile Device Streaming Media Application” and  
20 issued on October 8, 2024. The ’2357 patent stems from Application No. 18/423,160, filed on  
21 January 25, 2024, and Provisional Application No. 61/304,331, filed on February 12, 2010.  
22 Weple owns the entire right, title, and interest in and to the ’2357 patent. A true and correct  
23 copy of the ’2357 patent is attached to this Complaint as Exhibit C.

24 14. The ’591 patent is entitled “Mobile Device Streaming Media Application” and  
25 issued on October 15, 2024. The ’591 patent stems from Application No. 18/739,850, filed on  
26 June 11, 2024, and Provisional Application No. 61/304,331, filed on February 12, 2010. Weple  
27

1 owns the entire right, title, and interest in and to the '591 patent. A true and correct copy of the  
2 '591 patent is attached to this Complaint as Exhibit D.

3 15. The '356 patent is entitled "Mobile Device Streaming Media Application" and  
4 issued on October 29, 2024. The '356 patent stems from Application No. 18/423,144, filed on  
5 January 25, 2024, and Provisional Application No. 61/304,331, filed on February 12, 2010.  
6 Weple owns the entire right, title, and interest in and to the '356 patent. A true and correct  
7 copy of the '356 patent is attached to this Complaint as Exhibit E.

8 16. The '1357 patent is entitled "Mobile Device Streaming Media Application" and  
9 issued on October 29, 2024. The '1357 patent stems from Application No. 18/423,180, filed on  
10 January 25, 2024, and Provisional Application No. 61/304,331, filed on February 12, 2010.  
11 Weple owns the entire right, title, and interest in and to the '1357 patent. A true and correct  
12 copy of the '1357 patent is attached to this Complaint as Exhibit F.

13 17. To the extent applicable, Weple has complied with 35 U.S.C. § 287 for each of  
14 the Asserted Patents.

15 18. The '730 patent is directed to improved methods of coordinating video message  
16 delivery to mobile applications that addressed the shortcomings of platforms existing at the  
17 time.

18 19. The popularity of sharing video content through social media has increased in  
19 recent years. The preference for video over other formats has been attributed to it being more  
20 engaging and relatively easier to consume. Video enables brands to tell compelling stories,  
21 showcase products effectively, and establish an emotional connection with their audience.  
22 Statistically, video has shown the ability to attract more shares, likes, and comments, thereby  
23 increasing overall engagement with the underlying media content.

24 20. Before the inventions of the '730 patent, the video creation capabilities available  
25 through social media platforms were limited. The associated video messaging systems for such  
26 platforms predominantly functioned through desktop applications, with separate applications  
27 needed for creating and viewing content. Video messaging systems often lacked the

1 synchronous display of text and audio within the video messages and interactive capabilities  
2 like commenting directly within the video player, thus limiting user engagement. Further, live  
3 streaming and video messaging were typically isolated from one another, thereby failing to  
4 provide an integrated user experience.

5 21. The '730 patent describes and claims a technological advancement over prior art  
6 video messaging methods. The methods of the '730 patent provide a seamless integration  
7 within mobile applications for both creating and viewing video messages, also allowing for  
8 attached text and audio to be simultaneously presented within video messages, creating a more  
9 engaging multimedia experience. The methods also provide commenting capabilities for  
10 specific video messages, further allowing audience engagement. In addition, the methods  
11 integrate live streaming capabilities with video messaging within the same mobile application  
12 and include a notification system to alert users of available live streams within the video  
13 messaging application, ensuring users are promptly informed and able to join live sessions.  
14 The seamless transition between recorded video messages and live streams within the same  
15 application was a significant improvement in user experience over the prior art.<sup>1</sup>

16 22. The '952 patent and the '591 patent are directed to improved systems and  
17 methods of managing and presenting media messages delivered within mobile application  
18 feeds, which addressed the shortcomings of platforms existing at the time.

19 23. Before the inventions of the '952 patent and the '591 patent, social media  
20 platforms delivered user content through media feeds, with some allowing content uploads via  
21 mobile applications, but offered users limited control over the airing and distribution of their  
22 content. For example, they lacked the functionality for users to determine the availability of  
23 their media messages placed in feeds based on scheduled airtimes and expiration information  
24 associated with the media messages.

25  
26 <sup>1</sup> For example, Meta recognized the innovation and benefits of live stream integration within  
27 the Facebook social media platform. (<https://about.fb.com/news/2016/04/introducing-new-ways-to-create-share-and-discover-live-video-on-facebook/>) (last visited Aug. 21, 2024).

1           24.     The '952 patent and the '591 patent disclose innovative systems and methods  
2 that address the limitations of the prior art through dynamic curation and selection of in-feed  
3 media messages, specifically advertising media messages, based on associated scheduled  
4 airtimes and expiration times. These systems and methods afford users control over when their  
5 media messages are available for distribution on the social media platform, an option not  
6 previously available to users of mobile applications. Media messages can be coordinated into  
7 multiple feeds that are then provided to multiple other users of the mobile applications or  
8 multiple feeds within the same mobile application. The inventive concepts of the '952 patent  
9 allow for strategic timing of media message releases, aligning them with optimal audience  
10 engagement times, which provides content management based on relevance and timeliness,  
11 thus enhancing the effectiveness and reach of social media campaigns and promotional efforts.<sup>2</sup>  
12 The inventive concepts of the '591 patent enable distribution of expiration-bound media  
13 messages across multiple feeds within the same application, allowing media messages to  
14 appear in multiple presentation contexts, thus broadening the associated audience exposure.

15           25.     The '2357 patent and the '356 patent disclose improved systems and methods to  
16 manage the distribution of time-limited media messages across multiple social media feeds  
17 within one or more mobile applications, providing users access to media messages within  
18 switchable feeds and allowing advertisers extended reach and engagement across mobile  
19 applications.

20           26.     The '2357 patent discloses an interactive, multi-feed experience within a single  
21 mobile application, wherein users can switch between at least two feeds. Media messages  
22 within expiration limits are placed across the feed structures, and displayed with a share  
23 prompt, further enhancing user interaction and potential reach through the generation of a  
24 shareable link back to the media message. The '356 patent advances the scope of distribution  
25 by extending it across mobile applications. The '356 patent discloses platform configurations

26 <sup>2</sup> For example, the industry recognized the significant impact and innovation of in-feed mobile  
27 advertising. (<https://venturebeat.com/mobile/facebook-mobile-ads-boom/>) (last visited Aug. 21,  
2024).

1 such that media messages with expiration limits appear in at least two switchable feeds within a  
2 single application and also in at least a third feed on a different mobile application. The  
3 inventions of the '356 patent allow delivery of limited-duration content across a broader mobile  
4 application ecosystem in ways single-feed or static placements could not achieve.

5 27. The '1357 patent is also directed to improved systems and methods of managing  
6 and presenting media messages delivered within mobile application feeds. The '1357 patent  
7 discloses improved systems and methods for enhancing user interaction with media messages  
8 placed in mobile application feeds. Media messages are displayed with prompts for sharing,  
9 bookmarking, and commenting on the media message, which fosters active engagement,  
10 allowing users to connect with content and providing advertisers and content creators the  
11 opportunity for expanded reach and user-driven promotion. The '1357 also discloses  
12 distribution of media messages across switchable feeds within a mobile application.

13 **JURISDICTION AND VENUE**

14 28. This is an action for patent infringement arising under the patent laws of the  
15 United States, 35 U.S.C. §§ 1, *et seq.* This Court has original subject matter jurisdiction over  
16 this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

17 29. This Court has personal jurisdiction over Meta consistent with the requirements  
18 of the Due Process Clause of the United States Constitution and the Washington Long-Arm  
19 Statute because Meta has committed acts within this Judicial District giving rise to this action.  
20 Meta, directly and through its subsidiaries, agents, and/or intermediaries, has committed and  
21 continues to commit acts of infringement in this Judicial District by, among other things,  
22 making and using social media platforms that infringe the Asserted Patents. Meta transacts  
23 business throughout the United States, including within the state of Washington where Meta  
24 also maintains business offices and facilities, which upon information and belief, support  
25 employees whose activities are relevant to the accused platforms and functionality at issue in  
26 this action.



1 30. Venue is proper in this Judicial District under 28 U.S.C. § 1400(b) as Meta has  
2 committed acts of patent infringement within this Judicial District that have given rise to this  
3 action, and Meta maintains business offices and facilities in the Western District of  
4 Washington.

5 **PRE-SUIT COMMUNICATIONS**

6 31. Meta owns and operates social media platforms, such as Facebook, Instagram,  
7 and Messenger (the “Meta Platforms”). These platforms include mobile applications operating  
8 on mobile devices, such as the Facebook mobile application, the Instagram mobile application,  
9 the Meta Ads Manager mobile application, and the Meta Business Suite mobile application (the  
10 “Meta Mobile Applications”).

11 32. On February 8, 2024, Weple sent a notice letter and infringement claim chart to  
12 Meta detailing Meta’s infringement of the ’730 patent through the operation of certain Meta  
13 Platforms and Meta Mobile Applications. The letter also explained how Meta could contact  
14 Weple to discuss an amicable resolution.

15 33. On May 3, 2024, after the issuance of the ’952 patent, Weple sent a second  
16 notice letter and infringement claim chart to Meta detailing Meta’s infringement of the ’952  
17 patent through the operation of certain Meta Platforms and Meta Mobile Applications. This  
18 letter reiterated Weple’s willingness to discuss a resolution.

19 34. Weple attempted to engage Meta in discussions regarding the ’730 and ’952  
20 patents. Despite Weple’s efforts, Meta did not respond to Weple’s letters or infringement  
21 allegations, forcing Weple to file its initial Complaint for patent infringement on August 22,  
22 2024.

23 35. On October 29, 2024, Weple sent a notice letter and infringement claim charts to  
24 Meta detailing Meta’s infringement of the recently issued ’2357, ’591, ’356, and ’1357 patents.

25 36. Meta knew of the ’730 and ’952 patents, as well as its infringement of those  
26 patents, no later than May 2024.

1 37. Meta knew of the '2357, '591, '356, and '1357 patents, as well as its  
2 infringement of those patents, no later than October 29, 2024.

3 38. Meta does not have a license to the Asserted Patents, either express or implied.

4 39. On information and belief, Meta has not taken any affirmative steps to avoid  
5 infringing any of the Asserted Patents after learning of them.

6 **COUNT I**

7 **(Infringement of the '730 Patent)**

8 40. Weple restates and realleges all the foregoing paragraphs as if fully stated  
9 herein.

10 41. On information and belief, Meta operates and controls its Facebook and  
11 Instagram social media platforms, which include servers, and hardware and software  
12 components thereof, including non-transitory computer readable media that store computer-  
13 executable instructions and hardware and software that enable interaction with and include the  
14 Facebook and Instagram mobile applications (collectively “the '730 Accused  
15 Instrumentalities”). Meta has directly infringed and continues to directly infringe one or more  
16 claims of the '730 patent under 35 U.S.C. § 271(a), either literally or under the doctrine of  
17 equivalents, because Meta operates and controls the '730 Accused Instrumentalities by virtue  
18 of, for example, designing, programing, building, maintaining, and updating the '730 Accused  
19 Instrumentalities to perform one or more claims of the '730 patent.

20 42. Attached to this Complaint as Exhibit A1 is a representative chart that, on  
21 information and belief, describes how, as a non-limiting example, the elements of exemplary  
22 claim 1 of the '730 patent are met by the '730 Accused Instrumentalities. On information and  
23 belief, Meta’s source code and/or other non-public documentation will also confirm that Meta’s  
24 '730 Accused Instrumentalities have met and currently meet the elements of one or more  
25 claims of the '730 patent, as discussed herein and in Exhibit A1.

26 43. On information and belief, Meta has been aware of the inventions described and  
27 claimed in the '730 patent since at least shortly after the issuance of the '730 patent in August

1 2023, or was willfully blind to the existence of the patent. On information and belief, Meta has  
2 known that the making and/or using of their '730 Accused Instrumentalities constitutes an act  
3 of direct infringement of the '730 patent. Moreover, Meta has had such knowledge upon  
4 service of Weple's February 2024 letter, which provided Meta with such knowledge, as  
5 demonstrated by the claim charts attached to the letter, and upon the filing and service of the  
6 initial Complaint, as demonstrated by the claim charts attached thereto. To the extent Meta did  
7 not have actual knowledge of its infringement, Meta's lack of actual knowledge is due to its  
8 deliberate decision to avoid learning of these facts. Meta, therefore, had knowledge that the  
9 making and/or using of Meta's '730 Accused Instrumentalities infringes the '730 patent or  
10 Meta was otherwise willfully blind to that fact.

11 44. On information and belief, Meta's infringement of the '730 patent has been and  
12 continues to be willful and merits enhanced damages.

13 45. For example, Meta has known of the '730 patent and its infringement of the  
14 '730 patent as described herein.

15 46. On information and belief, since knowing of the '730 patent and its infringement  
16 thereof, Meta has not taken any affirmative steps to avoid infringing the '730 patent.

17 47. On information and belief, Meta has made no attempt to design around the  
18 claims of the '730 patent.

19 48. On information and belief, Meta has no reasonable basis for believing that the  
20 claims of the '730 patent are either invalid or not infringed by the '730 Accused  
21 Instrumentalities and/or or its activities concerning the '730 Accused Instrumentalities.

22 49. Weple has been damaged as the result of Meta's willful infringement.

23 50. On information and belief, Meta will continue to infringe one or more claims of  
24 the '730 patent unless and until it is enjoined by this Court.

25 51. On information and belief, Meta has caused and will continue to cause Weple  
26 irreparable injury and damage by infringing the '730 patent. Weple will suffer further  
27

1 irreparable injury and damage, for which it has no adequate remedy at law, unless and until  
2 Meta is enjoined from infringing the claims of the '730 patent.

3 **COUNT II**

4 **(Infringement of the '952 Patent)**

5 52. Weple restates and realleges the allegations of all the foregoing paragraphs as if  
6 fully stated herein.

7 53. On information and belief, Meta has directly infringed and continues to directly  
8 infringe one or more claims of the '952 patent under 35 U.S.C. § 271(a), either literally or  
9 under the doctrine of equivalents, because it has made, used, sold, offered for sale, and/or  
10 imported and is currently making, using, selling, offering for sale, and/or importing, Facebook,  
11 Instagram, and Messenger social media platforms, which include servers, and hardware and  
12 software components thereof, including non-transitory computer readable media that store  
13 computer-executable instructions and hardware and software that enable interaction with and  
14 include the Facebook, Instagram, and Messenger mobile applications, as well as the Meta Ads  
15 Manager and Meta Business Suite mobile applications (collectively “the '952 Accused  
16 Instrumentalities”). Meta has also directly infringed and continues to directly infringe one or  
17 more claims of the '952 patent under 35 U.S.C. § 271(a), either literally or under the doctrine  
18 of equivalents, because Meta operates and controls the '952 Accused Instrumentalities by  
19 virtue of, for example, designing, programing, building, maintaining, and updating the '952  
20 Accused Instrumentalities to perform one or more method claims of the '952 patent.

21 54. Attached to this Complaint as Exhibit B1 is a representative chart that, on  
22 information and belief, describes how, as a non-limiting example, the elements of exemplary  
23 claim 1 of the '952 patent are met by the '952 Accused Instrumentalities. On information and  
24 belief, Meta’s source code and/or other non-public documentation will also confirm that Meta’s  
25 '952 Accused Instrumentalities have met and currently meet the elements of one or more  
26 claims of the '952 patent, as discussed herein and in Exhibit B1.

27 55. Meta’s infringement of the '952 patent has also been indirect.

1           56.     On information and belief, Meta has indirectly infringed and continues to  
2 indirectly infringe one or more claims of the '952 patent under 35 U.S.C. § 271(b) because it  
3 has induced, and continues to induce, third parties (including individual users and businesses)  
4 to use the '952 Accused Instrumentalities, in such manners that constitute direct infringement  
5 of one or more claims of the '952 patent.

6           57.     For example, Meta has supplied, and continues to supply, such induced third  
7 parties with help pages, websites, instructions, tutorials, and other materials that instruct them  
8 how to use the '952 Accused Instrumentalities, with knowledge that usage in accordance with  
9 its instructions directly infringes at least claim 8 of the '952 patent, or with willful blindness to  
10 that fact. *See* Exhibit B1 (including the citations referenced therein). On information and  
11 belief, Meta will continue to encourage, aid, or otherwise cause these third parties to use the  
12 '952 Accused Instrumentalities in ways that directly infringe the '952 patent, and Meta has and  
13 will continue to encourage these acts with the specific intent to infringe the '952 patent.  
14 Alternatively, Meta has acted with willful blindness to these facts. On information and belief,  
15 Meta knows that there is a high probability that the use of Meta's '952 Accused  
16 Instrumentalities constitutes direct infringement of the '952 patent but took deliberate actions to  
17 avoid learning of these facts.

18           58.     On information and belief, Meta has been aware of the inventions described and  
19 claimed in the '952 patent since at least shortly after the issuance of the '952 patent in  
20 January 2024, or was willfully blind to the existence of the patent. On information and belief,  
21 Meta has known that the making and/or using of their '952 Accused Instrumentalities  
22 constitutes an act of direct infringement of the '952 patent. Moreover, Meta has had such  
23 knowledge upon service of Weple's May 2024 letter, which provided Meta with such  
24 knowledge, as demonstrated by the claim charts attached to the letter, and upon the filing and  
25 service of the initial Complaint, as demonstrated by the claim charts attached thereto. To the  
26 extent Meta did not have actual knowledge of its infringement, Meta's lack of actual  
27 knowledge is due to its deliberate decision to avoid learning of these facts. Meta, therefore,

1 had knowledge that the using of Meta's '952 Accused Instrumentalities by third parties  
2 infringes the '952 patent or Meta was otherwise willfully blind to that fact.

3 59. On information and belief, Meta has also indirectly infringed and continues to  
4 indirectly infringe the '952 patent under 35 U.S.C. § 271(f)(2) by supplying in or from the  
5 United States, one or more components of the '952 Accused Instrumentalities to third parties  
6 (including their foreign subsidiaries, customers, and other end users), and intending these third  
7 parties combine the components in a manner that would directly infringe at least claim 8 of the  
8 '952 patent if such combination occurred within the United States. For example, Meta has  
9 supplied, and continues to supply, such third parties outside of the United States with one or  
10 more components of the '952 Accused Instrumentalities (including software components  
11 associated with enabling the Facebook, Instagram, and Messenger social media platforms) with  
12 full knowledge of the '952 patent. These third parties have made or used the '952 Accused  
13 Instrumentalities according to instructions, manuals, brochures, documentation, tutorials,  
14 videos, mobile applications, website materials, promotional materials and the like that  
15 instructed/instruct them how to combine the components of the '952 Accused Instrumentalities  
16 to use them in ways that would infringe the '952 patent if such combination occurred within the  
17 United States. Meta provides these instructions to the third parties with the knowledge that  
18 assembly and usage in accordance with their instructions would infringe the '952 patent if such  
19 assembly and usage took place in the United States. Additionally, Meta's components are  
20 especially made and/or especially adapted for use in an infringing manner and Meta's  
21 components were/are not staple articles or commodities of commerce suitable for substantial  
22 noninfringing uses.

23 60. On information and belief, Meta's actions demonstrate an intent not only to have  
24 caused the acts described herein that form the basis of direct infringement by third parties (or  
25 would form the basis of direct infringement if they occurred within the United States), but also  
26 that Meta caused these acts with the specific intent to infringe the '952 patent. At a minimum,  
27 Meta's conduct demonstrates that Meta either knew or should have known that the acts of such

1 third parties directly infringed/infringe the '952 patent (or would have infringed if those acts  
2 occurred within the United States).

3 61. On information and belief, Meta's infringement of the '952 patent has been and  
4 continues to be willful and merits enhanced damages.

5 62. For example, Meta has known of the '952 patent and its infringement of the  
6 '952 patent as described herein.

7 63. On information and belief, since knowing of the '952 patent and its infringement  
8 thereof, Meta has not taken any affirmative steps to avoid infringing the '952 patent.

9 64. On information and belief, Meta has made no attempt to design around the  
10 claims of the '952 patent.

11 65. On information and belief, Meta has no reasonable basis for believing that the  
12 claims of the '952 patent are either invalid or not infringed by the '952 Accused  
13 Instrumentalities and/or or its activities concerning the '952 Accused Instrumentalities.

14 66. Weple has been damaged as the result of Meta's willful infringement.

15 67. On information and belief, Meta will continue to infringe one or more claims of  
16 the '952 patent unless and until it is enjoined by this Court.

17 68. On information and belief, Meta has caused and will continue to cause Weple  
18 irreparable injury and damage by infringing the '952 patent. Weple will suffer further  
19 irreparable injury and damage, for which it has no adequate remedy at law, unless and until  
20 Meta is enjoined from infringing the claims of the '952 patent.

21 **COUNT III**

22 **(Infringement of the '2357 Patent)**

23 69. Weple restates and realleges the allegations of all the foregoing paragraphs as if  
24 fully stated herein.

25 70. On information and belief, Meta has directly infringed and continues to directly  
26 infringe one or more claims of the '2357 patent under 35 U.S.C. § 271(a), either literally or  
27 under the doctrine of equivalents, because it has made, used, sold, offered for sale, and/or

1 imported and is currently making, using, selling, offering for sale, and/or importing, Facebook,  
2 Instagram, and Messenger social media platforms, which include servers, and hardware and  
3 software components thereof, including non-transitory computer readable media that store  
4 computer-executable instructions and hardware and software that enable interaction with and  
5 include the Facebook, Instagram, and Messenger mobile applications, as well as the Meta Ads  
6 Manager and Meta Business Suite mobile applications (collectively “the ’2357 Accused  
7 Instrumentalities”). Meta has also directly infringed and continues to directly infringe one or  
8 more claims of the ’2357 patent under 35 U.S.C. § 271(a), either literally or under the doctrine  
9 of equivalents, because Meta operates and controls the ’2357 Accused Instrumentalities by  
10 virtue of, for example, designing, programing, building, maintaining, and updating the ’2357  
11 Accused Instrumentalities to perform one or more method claims of the ’2357 patent.

12 71. Attached to this Complaint as Exhibit C1 is a representative chart that, on  
13 information and belief, describes how, as a non-limiting example, the elements of exemplary  
14 claims 1 and 9 of the ’2357 patent are met by the ’2357 Accused Instrumentalities. On  
15 information and belief, Meta’s source code and/or other non-public documentation will also  
16 confirm that Meta’s ’2357 Accused Instrumentalities have met and currently meet the elements  
17 of one or more claims of the ’2357 patent, as discussed herein and in Exhibit C1.

18 72. Meta’s infringement of the ’2357 patent has also been indirect.

19 73. On information and belief, Meta has indirectly infringed and continues to  
20 indirectly infringe one or more claims of the ’2357 patent under 35 U.S.C. § 271(b) because it  
21 has induced, and continues to induce, third parties (including individual users and businesses)  
22 to use the ’2357 Accused Instrumentalities, in such manners that constitute direct infringement  
23 of one or more claims of the ’2357 patent.

24 74. For example, Meta has supplied, and continues to supply, such induced third  
25 parties with help pages, websites, instructions, tutorials, and other materials that instruct them  
26 how to use the ’2357 Accused Instrumentalities, with knowledge that usage in accordance with  
27 its instructions directly infringes at least claims 16 and 24 of the ’2357 patent, or with willful



1 blindness to that fact. *See* Exhibit C1 (including the citations referenced therein). On  
2 information and belief, Meta will continue to encourage, aid, or otherwise cause these third  
3 parties to use the '2357 Accused Instrumentalities in ways that directly infringe the '2357  
4 patent, and Meta has and will continue to encourage these acts with the specific intent to  
5 infringe the '2357 patent. Alternatively, Meta has acted with willful blindness to these facts.  
6 On information and belief, Meta knows that there is a high probability that the use of Meta's  
7 '2357 Accused Instrumentalities constitutes direct infringement of the '2357 patent but took  
8 deliberate actions to avoid learning of these facts.

9 75. On information and belief, Meta has been aware of the inventions described and  
10 claimed in the '2357 patent since at least shortly after the issuance of the '2357 patent on  
11 October 8, 2024, or was willfully blind to the existence of the patent. On information and  
12 belief, Meta has known that the making and/or using of their '2357 Accused Instrumentalities  
13 constitutes an act of direct infringement of the '2357 patent. Moreover, Meta has had such  
14 knowledge upon service of Weple's October 29, 2024 letter, which provided Meta with such  
15 knowledge, as demonstrated by the claim charts attached to the letter. To the extent Meta did  
16 not have actual knowledge of its infringement, Meta's lack of actual knowledge is due to its  
17 deliberate decision to avoid learning of these facts. Meta, therefore, had knowledge that the  
18 using of Meta's '2357 Accused Instrumentalities by third parties infringes the '2357 patent or  
19 Meta was otherwise willfully blind to that fact.

20 76. On information and belief, Meta has also indirectly infringed and continues to  
21 indirectly infringe the '2357 patent under 35 U.S.C. § 271(f)(2) by supplying in or from the  
22 United States, one or more components of the '2357 Accused Instrumentalities to third parties  
23 (including their foreign subsidiaries, customers, and other end users), and intending these third  
24 parties combine the components in a manner that would directly infringe at least claims 16 and  
25 24 of the '2357 patent if such combination occurred within the United States. For example,  
26 Meta has supplied, and continues to supply, such third parties outside of the United States with  
27 one or more components of the '2357 Accused Instrumentalities (including software

1 components associated with enabling the Facebook, Instagram, and Messenger social media  
2 platforms) with full knowledge of the '2357 patent. These third parties have made or used the  
3 '2357 Accused Instrumentalities according to instructions, manuals, brochures, documentation,  
4 tutorials, videos, mobile applications, website materials, promotional materials and the like that  
5 instructed/instruct them how to combine the components of the '2357 Accused  
6 Instrumentalities to use them in ways that would infringe the '2357 patent if such combination  
7 occurred within the United States. Meta provides these instructions to the third parties with the  
8 knowledge that assembly and usage in accordance with their instructions would infringe the  
9 '2357 patent if such assembly and usage took place in the United States. Additionally, Meta's  
10 components are especially made and/or especially adapted for use in an infringing manner and  
11 Meta's components were/are not staple articles or commodities of commerce suitable for  
12 substantial noninfringing uses.

13 77. On information and belief, Meta's actions demonstrate an intent not only to have  
14 caused the acts described herein that form the basis of direct infringement by third parties (or  
15 would form the basis of direct infringement if they occurred within the United States), but also  
16 that Meta caused these acts with the specific intent to infringe the '2357 patent. At a minimum,  
17 Meta's conduct demonstrates that Meta either knew or should have known that the acts of such  
18 third parties directly infringed/infringe the '2357 patent (or would have infringed if those acts  
19 occurred within the United States).

20 78. On information and belief, Meta's infringement of the '2357 patent has been and  
21 continues to be willful and merits enhanced damages.

22 79. For example, Meta has known of the '2357 patent and its infringement of the  
23 '2357 patent as described herein.

24 80. On information and belief, since knowing of the '2357 patent and its  
25 infringement thereof, Meta has not taken any affirmative steps to avoid infringing the '2357  
26 patent.

1 81. On information and belief, Meta has made no attempt to design around the  
2 claims of the '2357 patent.

3 82. On information and belief, Meta has no reasonable basis for believing that the  
4 claims of the '2357 patent are either invalid or not infringed by the '2357 Accused  
5 Instrumentalities and/or its activities concerning the '2357 Accused Instrumentalities.

6 83. Weple has been damaged as the result of Meta's willful infringement.

7 84. On information and belief, Meta will continue to infringe one or more claims of  
8 the '2357 patent unless and until it is enjoined by this Court.

9 85. On information and belief, Meta has caused and will continue to cause Weple  
10 irreparable injury and damage by infringing the '2357 patent. Weple will suffer further  
11 irreparable injury and damage, for which it has no adequate remedy at law, unless and until  
12 Meta is enjoined from infringing the claims of the '2357 patent.

13 **COUNT IV**

14 **(Infringement of the '591 Patent)**

15 86. Weple restates and realleges the allegations of all the foregoing paragraphs as if  
16 fully stated herein.

17 87. On information and belief, Meta has directly infringed and continues to directly  
18 infringe one or more claims of the '591 patent under 35 U.S.C. § 271(a), either literally or  
19 under the doctrine of equivalents, because it has made, used, sold, offered for sale, and/or  
20 imported and is currently making, using, selling, offering for sale, and/or importing, Facebook,  
21 Instagram, and Messenger social media platforms, which include servers, and hardware and  
22 software components thereof, including non-transitory computer readable media that store  
23 computer-executable instructions and hardware and software that enable interaction with and  
24 include the Facebook, Instagram, and Messenger mobile applications, as well as the Facebook  
25 desktop application, the Meta Ads Manager mobile and desktop applications, and the Meta  
26 Business Suite mobile and desktop applications (collectively "the '591 Accused  
27 Instrumentalities"). Meta has also directly infringed and continues to directly infringe one or

1 more claims of the '591 patent under 35 U.S.C. § 271(a), either literally or under the doctrine  
2 of equivalents, because Meta operates and controls the '591 Accused Instrumentalities by  
3 virtue of, for example, designing, programing, building, maintaining, and updating the '591  
4 Accused Instrumentalities to perform one or more method claims of the '591 patent.

5 88. Attached to this Complaint as Exhibit D1 is a representative chart that, on  
6 information and belief, describes how, as a non-limiting example, the elements of exemplary  
7 claim 1 of the '591 patent are met by the '591 Accused Instrumentalities. On information and  
8 belief, Meta's source code and/or other non-public documentation will also confirm that Meta's  
9 '591 Accused Instrumentalities have met and currently meet the elements of one or more  
10 claims of the '591 patent, as discussed herein and in Exhibit D1.

11 89. Meta's infringement of the '591 patent has also been indirect.

12 90. On information and belief, Meta has indirectly infringed and continues to  
13 indirectly infringe one or more claims of the '591 patent under 35 U.S.C. § 271(b) because it  
14 has induced, and continues to induce, third parties (including individual users and businesses)  
15 to use the '591 Accused Instrumentalities, in such manners that constitute direct infringement  
16 of one or more claims of the '591 patent.

17 91. For example, Meta has supplied, and continues to supply, such induced third  
18 parties with help pages, websites, instructions, tutorials, and other materials that instruct them  
19 how to use the '591 Accused Instrumentalities, with knowledge that usage in accordance with  
20 its instructions directly infringes at least claim 11 of the '591 patent, or with willful blindness  
21 to that fact. *See* Exhibit D1 (including the citations referenced therein). On information and  
22 belief, Meta will continue to encourage, aid, or otherwise cause these third parties to use the  
23 '591 Accused Instrumentalities in ways that directly infringe the '591 patent, and Meta has and  
24 will continue to encourage these acts with the specific intent to infringe the '591 patent.

25 Alternatively, Meta has acted with willful blindness to these facts. On information and belief,  
26 Meta knows that there is a high probability that the use of Meta's '591 Accused  
27

1 Instrumentalities constitutes direct infringement of the '591 patent but took deliberate actions to  
2 avoid learning of these facts.

3 92. On information and belief, Meta has been aware of the inventions described and  
4 claimed in the '591 patent since at least shortly after the issuance of the '591 patent on  
5 October 15, 2024, or was willfully blind to the existence of the patent. On information and  
6 belief, Meta has known that the making and/or using of their '591 Accused Instrumentalities  
7 constitutes an act of direct infringement of the '591 patent. Moreover, Meta has had such  
8 knowledge upon service of Weple's October 29, 2024 letter, which provided Meta with such  
9 knowledge, as demonstrated by the claim charts attached to the letter. To the extent Meta did  
10 not have actual knowledge of its infringement, Meta's lack of actual knowledge is due to its  
11 deliberate decision to avoid learning of these facts. Meta, therefore, had knowledge that the  
12 using of Meta's '591 Accused Instrumentalities by third parties infringes the '591 patent or  
13 Meta was otherwise willfully blind to that fact.

14 93. On information and belief, Meta has also indirectly infringed and continues to  
15 indirectly infringe the '591 patent under 35 U.S.C. § 271(f)(2) by supplying in or from the  
16 United States, one or more components of the '591 Accused Instrumentalities to third parties  
17 (including their foreign subsidiaries, customers, and other end users), and intending these third  
18 parties combine the components in a manner that would directly infringe at least claim 11 of  
19 the '591 patent if such combination occurred within the United States. For example, Meta has  
20 supplied, and continues to supply, such third parties outside of the United States with one or  
21 more components of the '591 Accused Instrumentalities (including software components  
22 associated with enabling the Facebook, Instagram, and Messenger social media platforms) with  
23 full knowledge of the '591 patent. These third parties have made or used the '591 Accused  
24 Instrumentalities according to instructions, manuals, brochures, documentation, tutorials,  
25 videos, mobile applications, website materials, promotional materials and the like that  
26 instructed/instruct them how to combine the components of the '591 Accused Instrumentalities  
27 to use them in ways that would infringe the '591 patent if such combination occurred within the

1 United States. Meta provides these instructions to the third parties with the knowledge that  
2 assembly and usage in accordance with their instructions would infringe the '591 patent if such  
3 assembly and usage took place in the United States. Additionally, Meta's components are  
4 especially made and/or especially adapted for use in an infringing manner and Meta's  
5 components were/are not staple articles or commodities of commerce suitable for substantial  
6 noninfringing uses.

7 94. On information and belief, Meta's actions demonstrate an intent not only to have  
8 caused the acts described herein that form the basis of direct infringement by third parties (or  
9 would form the basis of direct infringement if they occurred within the United States), but also  
10 that Meta caused these acts with the specific intent to infringe the '591 patent. At a minimum,  
11 Meta's conduct demonstrates that Meta either knew or should have known that the acts of such  
12 third parties directly infringed/infringe the '591 patent (or would have infringed if those acts  
13 occurred within the United States).

14 95. On information and belief, Meta's infringement of the '591 patent has been and  
15 continues to be willful and merits enhanced damages.

16 96. For example, Meta has known of the '591 patent and its infringement of the  
17 '591 patent as described herein.

18 97. On information and belief, since knowing of the '591 patent and its infringement  
19 thereof, Meta has not taken any affirmative steps to avoid infringing the '591 patent.

20 98. On information and belief, Meta has made no attempt to design around the  
21 claims of the '591 patent.

22 99. On information and belief, Meta has no reasonable basis for believing that the  
23 claims of the '591 patent are either invalid or not infringed by the '591 Accused  
24 Instrumentalities and/or or its activities concerning the '591 Accused Instrumentalities.

25 100. Weple has been damaged as the result of Meta's willful infringement.

26 101. On information and belief, Meta will continue to infringe one or more claims of  
27 the '591 patent unless and until it is enjoined by this Court.

**COUNT V**

**(Infringement of the '356 Patent)**

102. Weple restates and realleges the allegations of all the foregoing paragraphs as if fully stated herein.

103. On information and belief, Meta has directly infringed and continues to directly infringe one or more claims of the '356 patent under 35 U.S.C. § 271(a), either literally or under the doctrine of equivalents, because it has made, used, sold, offered for sale, and/or imported and is currently making, using, selling, offering for sale, and/or importing, Facebook, Instagram, and Messenger social media platforms, which include servers, and hardware and software components thereof, including non-transitory computer readable media that store computer-executable instructions and hardware and software that enable interaction with and include the Facebook, Instagram, and Messenger mobile applications, as well as the Meta Ads Manager and Meta Business Suite mobile applications (collectively “the '356 Accused Instrumentalities”). Meta has also directly infringed and continues to directly infringe one or more claims of the '356 patent under 35 U.S.C. § 271(a), either literally or under the doctrine of equivalents, because Meta operates and controls the '356 Accused Instrumentalities by virtue of, for example, designing, programing, building, maintaining, and updating the '356 Accused Instrumentalities to perform one or more method claims of the '356 patent.

104. Attached to this Complaint as Exhibit E1 is a representative chart that, on information and belief, describes how, as a non-limiting example, the elements of exemplary claims 1 and 9 of the '356 patent are met by the '356 Accused Instrumentalities. On information and belief, Meta’s source code and/or other non-public documentation will also confirm that Meta’s '356 Accused Instrumentalities have met and currently meet the elements of one or more claims of the '356 patent, as discussed herein and in Exhibit E1.

105. Meta’s infringement of the '356 patent has also been indirect.

106. On information and belief, Meta has indirectly infringed and continues to indirectly infringe one or more claims of the '356 patent under 35 U.S.C. § 271(b) because it

1 has induced, and continues to induce, third parties (including individual users and businesses)  
2 to use the '356 Accused Instrumentalities, in such manners that constitute direct infringement  
3 of one or more claims of the '356 patent.

4 107. For example, Meta has supplied, and continues to supply, such induced third  
5 parties with help pages, websites, instructions, tutorials, and other materials that instruct them  
6 how to use the '356 Accused Instrumentalities, with knowledge that usage in accordance with  
7 its instructions directly infringes at least claims 16 and 24 of the '356 patent, or with willful  
8 blindness to that fact. *See* Exhibit E1 (including the citations referenced therein). On  
9 information and belief, Meta will continue to encourage, aid, or otherwise cause these third  
10 parties to use the '356 Accused Instrumentalities in ways that directly infringe the '356 patent,  
11 and Meta has and will continue to encourage these acts with the specific intent to infringe the  
12 '356 patent. Alternatively, Meta has acted with willful blindness to these facts. On  
13 information and belief, Meta knows that there is a high probability that the use of Meta's '356  
14 Accused Instrumentalities constitutes direct infringement of the '356 patent but took deliberate  
15 actions to avoid learning of these facts.

16 108. On information and belief, Meta has been aware of the inventions described and  
17 claimed in the '356 patent since at least October 29, 2024, or was willfully blind to the  
18 existence of the patent. On information and belief, Meta has known that the making and/or  
19 using of their '356 Accused Instrumentalities constitutes an act of direct infringement of the  
20 '356 patent. Moreover, Meta has had such knowledge upon service of Weple's October 29,  
21 2024 letter, which provided Meta with such knowledge, as demonstrated by the claim charts  
22 attached to the letter. To the extent Meta did not have actual knowledge of its infringement,  
23 Meta's lack of actual knowledge is due to its deliberate decision to avoid learning of these  
24 facts. Meta, therefore, had knowledge that the using of Meta's '356 Accused Instrumentalities  
25 by third parties infringes the '356 patent or Meta was otherwise willfully blind to that fact.

26 109. On information and belief, Meta has also indirectly infringed and continues to  
27 indirectly infringe the '356 patent under 35 U.S.C. § 271(f)(2) by supplying in or from the



1 United States, one or more components of the '356 Accused Instrumentalities to third parties  
2 (including their foreign subsidiaries, customers, and other end users), and intending these third  
3 parties combine the components in a manner that would directly infringe at least claims 16 and  
4 24 of the '356 patent if such combination occurred within the United States. For example,  
5 Meta has supplied, and continues to supply, such third parties outside of the United States with  
6 one or more components of the '356 Accused Instrumentalities (including software components  
7 associated with enabling the Facebook, Instagram, and Messenger social media platforms) with  
8 full knowledge of the '356 patent. These third parties have made or used the '356 Accused  
9 Instrumentalities according to instructions, manuals, brochures, documentation, tutorials,  
10 videos, mobile applications, website materials, promotional materials and the like that  
11 instructed/instruct them how to combine the components of the '356 Accused Instrumentalities  
12 to use them in ways that would infringe the '356 patent if such combination occurred within the  
13 United States. Meta provides these instructions to the third parties with the knowledge that  
14 assembly and usage in accordance with their instructions would infringe the '356 patent if such  
15 assembly and usage took place in the United States. Additionally, Meta's components are  
16 especially made and/or especially adapted for use in an infringing manner and Meta's  
17 components were/are not staple articles or commodities of commerce suitable for substantial  
18 noninfringing uses.

19 110. On information and belief, Meta's actions demonstrate an intent not only to have  
20 caused the acts described herein that form the basis of direct infringement by third parties (or  
21 would form the basis of direct infringement if they occurred within the United States), but also  
22 that Meta caused these acts with the specific intent to infringe the '356 patent. At a minimum,  
23 Meta's conduct demonstrates that Meta either knew or should have known that the acts of such  
24 third parties directly infringed/infringe the '356 patent (or would have infringed if those acts  
25 occurred within the United States).

26 111. On information and belief, Meta's infringement of the '356 patent has been and  
27 continues to be willful and merits enhanced damages.

1 112. For example, Meta has known of the '356 patent and its infringement of the  
2 '356 patent as described herein.

3 113. On information and belief, since knowing of the '356 patent and its infringement  
4 thereof, Meta has not taken any affirmative steps to avoid infringing the '356 patent.

5 114. On information and belief, Meta has made no attempt to design around the  
6 claims of the '356 patent.

7 115. On information and belief, Meta has no reasonable basis for believing that the  
8 claims of the '356 patent are either invalid or not infringed by the '356 Accused  
9 Instrumentalities and/or or its activities concerning the '356 Accused Instrumentalities.

10 116. Weple has been damaged as the result of Meta's willful infringement.

11 117. On information and belief, Meta will continue to infringe one or more claims of  
12 the '356 patent unless and until it is enjoined by this Court.

13 **COUNT VI**

14 **(Infringement of the '1357 Patent)**

15 118. Weple restates and realleges the allegations of all the foregoing paragraphs as if  
16 fully stated herein.

17 119. On information and belief, Meta has directly infringed and continues to directly  
18 infringe one or more claims of the '1357 patent under 35 U.S.C. § 271(a), either literally or  
19 under the doctrine of equivalents, because it has made, used, sold, offered for sale, and/or  
20 imported and is currently making, using, selling, offering for sale, and/or importing, Facebook,  
21 Instagram, and Messenger social media platforms, which include servers, and hardware and  
22 software components thereof, including non-transitory computer readable media that store  
23 computer-executable instructions and hardware and software that enable interaction with and  
24 include the Facebook, Instagram, and Messenger mobile applications, as well as the Meta Ads  
25 Manager and Meta Business Suite mobile applications (collectively "the '1357 Accused  
26 Instrumentalities"). Meta has also directly infringed and continues to directly infringe one or  
27 more claims of the '1357 patent under 35 U.S.C. § 271(a), either literally or under the doctrine

1 of equivalents, because Meta operates and controls the '1357 Accused Instrumentalities by  
2 virtue of, for example, designing, programing, building, maintaining, and updating the '1357  
3 Accused Instrumentalities to perform one or more method claims of the '1357 patent.

4 120. Attached to this Complaint as Exhibit F1 is a representative chart that, on  
5 information and belief, describes how, as a non-limiting example, the elements of exemplary  
6 claims 1 and 8 of the '1357 patent are met by the '1357 Accused Instrumentalities. On  
7 information and belief, Meta's source code and/or other non-public documentation will also  
8 confirm that Meta's '1357 Accused Instrumentalities have met and currently meet the elements  
9 of one or more claims of the '1357 patent, as discussed herein and in Exhibit F1.

10 121. Meta's infringement of the '1357 patent has also been indirect.

11 122. On information and belief, Meta has indirectly infringed and continues to  
12 indirectly infringe one or more claims of the '1357 patent under 35 U.S.C. § 271(b) because it  
13 has induced, and continues to induce, third parties (including individual users and businesses)  
14 to use the '1357 Accused Instrumentalities, in such manners that constitute direct infringement  
15 of one or more claims of the '1357 patent.

16 123. For example, Meta has supplied, and continues to supply, such induced third  
17 parties with help pages, websites, instructions, tutorials, and other materials that instruct them  
18 how to use the '1357 Accused Instrumentalities, with knowledge that usage in accordance with  
19 its instructions directly infringes at least claims 14 and 21 of the '1357 patent, or with willful  
20 blindness to that fact. *See* Exhibit F1 (including the citations referenced therein). On  
21 information and belief, Meta will continue to encourage, aid, or otherwise cause these third  
22 parties to use the '1357 Accused Instrumentalities in ways that directly infringe the '1357  
23 patent, and Meta has and will continue to encourage these acts with the specific intent to  
24 infringe the '1357 patent. Alternatively, Meta has acted with willful blindness to these facts.  
25 On information and belief, Meta knows that there is a high probability that the use of Meta's  
26 '1357 Accused Instrumentalities constitutes direct infringement of the '1357 patent but took  
27 deliberate actions to avoid learning of these facts.

1           124. On information and belief, Meta has been aware of the inventions described and  
2 claimed in the '1357 patent since at least October 29, 2024, or was willfully blind to the  
3 existence of the patent. On information and belief, Meta has known that the making and/or  
4 using of their '1357 Accused Instrumentalities constitutes an act of direct infringement of the  
5 '1357 patent. Moreover, Meta has had such knowledge upon service of Weple's October 29,  
6 2024 letter, which provided Meta with such knowledge, as demonstrated by the claim charts  
7 attached to the letter. To the extent Meta did not have actual knowledge of its infringement,  
8 Meta's lack of actual knowledge is due to its deliberate decision to avoid learning of these  
9 facts. Meta, therefore, had knowledge that the using of Meta's '1357 Accused Instrumentalities  
10 by third parties infringes the '1357 patent or Meta was otherwise willfully blind to that fact.

11           125. On information and belief, Meta has also indirectly infringed and continues to  
12 indirectly infringe the '1357 patent under 35 U.S.C. § 271(f)(2) by supplying in or from the  
13 United States, one or more components of the '1357 Accused Instrumentalities to third parties  
14 (including their foreign subsidiaries, customers, and other end users), and intending these third  
15 parties combine the components in a manner that would directly infringe at least claims 14 and  
16 21 of the '1357 patent if such combination occurred within the United States. For example,  
17 Meta has supplied, and continues to supply, such third parties outside of the United States with  
18 one or more components of the '1357 Accused Instrumentalities (including software  
19 components associated with enabling the Facebook, Instagram, and Messenger social media  
20 platforms) with full knowledge of the '1357 patent. These third parties have made or used the  
21 '1357 Accused Instrumentalities according to instructions, manuals, brochures, documentation,  
22 tutorials, videos, mobile applications, website materials, promotional materials and the like that  
23 instructed/instruct them how to combine the components of the '1357 Accused  
24 Instrumentalities to use them in ways that would infringe the '1357 patent if such combination  
25 occurred within the United States. Meta provides these instructions to the third parties with the  
26 knowledge that assembly and usage in accordance with their instructions would infringe the  
27 '1357 patent if such assembly and usage took place in the United States. Additionally, Meta's

1 components are especially made and/or especially adapted for use in an infringing manner and  
2 Meta's components were/are not staple articles or commodities of commerce suitable for  
3 substantial noninfringing uses.

4 126. On information and belief, Meta's actions demonstrate an intent not only to have  
5 caused the acts described herein that form the basis of direct infringement by third parties (or  
6 would form the basis of direct infringement if they occurred within the United States), but also  
7 that Meta caused these acts with the specific intent to infringe the '1357 patent. At a minimum,  
8 Meta's conduct demonstrates that Meta either knew or should have known that the acts of such  
9 third parties directly infringed/infringe the '1357 patent (or would have infringed if those acts  
10 occurred within the United States).

11 127. On information and belief, Meta's infringement of the '1357 patent has been and  
12 continues to be willful and merits enhanced damages.

13 128. For example, Meta has known of the '1357 patent and its infringement of the  
14 '1357 patent as described herein.

15 129. On information and belief, since knowing of the '1357 patent and its  
16 infringement thereof, Meta has not taken any affirmative steps to avoid infringing the '1357  
17 patent.

18 130. On information and belief, Meta has made no attempt to design around the  
19 claims of the '1357 patent.

20 131. On information and belief, Meta has no reasonable basis for believing that the  
21 claims of the '1357 patent are either invalid or not infringed by the '1357 Accused  
22 Instrumentalities and/or or its activities concerning the '1357 Accused Instrumentalities.

23 132. Weple has been damaged as the result of Meta's willful infringement.

24 133. On information and belief, Meta will continue to infringe one or more claims of  
25 the '1357 patent unless and until it is enjoined by this Court.

26 **JURY DEMAND**

27 134. Weple requests a jury trial as to all issues that are triable by a jury in this action.

**PRAYER FOR RELIEF**

WHEREFORE, Weple respectfully requests that this Court:

A. Enter judgment that Meta has infringed one or more of the claims of the Asserted Patents;

B. Enter an order permanently enjoining Meta and its officers, agents, employees, attorneys, and all persons in active concert or participation with any of them, from infringing the Asserted Patents;

C. Award Weple all appropriate damages for the infringement of the Asserted Patents, including pre-judgment and post-judgment interest, costs, and all other relief permitted under 35 U.S.C. § 284;

D. Award Weple an accounting for acts of infringement not presented at trial, including an award of additional damages for such acts of infringement;

E. Enter judgment that Meta’s infringement of the Asserted Patents has been deliberate and willful;

F. Treble the damages awarded to Weple under 35 U.S.C. § 284 by reason of Meta’s deliberate or willful infringement of one or more claims of the Asserted Patents;

G. Declare this case to be “exceptional” under 35 U.S.C. § 285 and award Weple its attorneys’ fees, expenses, and costs incurred in this action; and

H. Award Weple such other and further relief at law or in equity as the Court deems just and proper.

1 DATED: October 31, 2024

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