

ORIGINAL

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RICHARD W. WIEKING
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NORTHERN DISTRICT OF CALIFORNIA

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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EIT HOLDINGS LLC, a Delaware company,

Case No. **CV 11-02465**

Plaintiffs,

**ORIGINAL COMPLAINT
FOR: PATENT INFRINGEMENT**

vs.

LINKEDIN CORPORATION, a Delaware
Corporation,

DEMAND FOR JURY TRIAL

Defendants.

ORIGINAL COMPLAINT

Plaintiff EIT Holdings LLC ("Plaintiff" or "EIT"), files this Original Complaint against
LinkedIn Corporation ("LinkedIn") alleging as follows:

THE PARTIES

1. Plaintiff, EIT Holdings LLC is a limited liability company organized under the
laws of the state of Delaware, having its principal place of business at 2711 Centerville Road,
Suite 400, Wilmington, DE, 19808.

1 create a user account, which includes a unique id such as a unique email address or a user defined
2 unique username for ordering or accessing information. LinkedIn receives and stores information
3 about the users in a database through the use of a web connected server. When a registered user
4 accesses LinkedIn's website, references to commercial and non-commercial target information,
5 such as advertisements, additional content on areas of interest or information about additional
6 products, are transmitted to the user and displayed on his or her web accessible device including
7 but not limited to a desktop computer, a laptop computer, a mobile phone or a game console.
8 LinkedIn determines appropriate target information for each user based on the user profile
9 information including but not limited to demographics, personal preferences, interests, past
10 content viewing history and past purchase history.

11 10. LinkedIn, on information and belief, utilizes a computer network system and
12 method for transferring information that infringes at least claims 40 and 41 of the '837 patent, by
13 utilizing the features described in Paragraph 9 on at least its website www.linkedin.com and/or
14 other websites utilizing similar features. By making, operating, using and/or selling such websites,
15 LinkedIn has infringed and continues to infringe, contribute to the infringement of, or induce the
16 infringement of at least claims 40 and 41 of the '837 patent, either literally or under the doctrine
17 of equivalents.

18 11. Accordingly, LinkedIn's acts of infringement of the '837 patent, as alleged above,
19 have injured Plaintiff and thus, Plaintiff is entitled to recover damages adequate to compensate it
20 for LinkedIn's acts of infringement, which in no event can be less than a reasonable royalty.

21 **DEMAND FOR JURY TRIAL**

22 Plaintiff hereby demands a jury trial on all claims and issues.

23 **PRAYER FOR RELIEF**

24 Wherefore, Plaintiff prays for entry of judgment:

- 25 1. that Defendant LinkedIn Corp. has infringed one or more claims, specifically
26 claims 40 and 41, of the '837 patent;
- 27 2. that Defendant LinkedIn Corp. accounts for and pays to Plaintiff all damages
28 caused by the infringement of the '837 patent, which by statute can be no less than a reasonable

1 royalty;

2 3. that Plaintiff be granted pre-judgment and post-judgment interest on the damages
3 caused to them by reason of Defendant LinkedIn Corp.'s infringement of the '837 patent;

4 4. that costs be awarded to Plaintiff; and

5 5. that Plaintiff be granted such other and further relief as the Court may deem just
6 and proper under the current circumstances.

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8 Dated: May 20, 2011

Respectfully submitted,

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By: 

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ATTORNEYS FOR PLAINTIFF

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