

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

BOADIN TECHNOLOGY, LLC,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. _____
	)	
THE NEW YORK TIMES COMPANY,	)	
	)	<b>JURY TRIAL DEMANDED</b>
Defendant.	)	
_____	)	

**COMPLAINT**

For its Complaint, Plaintiff Boadin Technology, LLC ("Boadin"), by and through the undersigned counsel, alleges as follows:

**THE PARTIES**

1. Boadin is a Delaware limited liability company with a place of business located at 113 Barksdale Professional Center, Newark, Delaware 19711.
2. Defendant The New York Times Company ("The Times") is a New York company with, upon information and belief, a place of business located at 620 Eighth Avenue, New York, New York 10018. The Times does business in this judicial district.

**JURISDICTION AND VENUE**

3. This action arises under the Patent Act, 35 U.S.C. § 1 *et seq.*
4. Subject matter jurisdiction is proper in this Court under 28 U.S.C. §§ 1331 and 1338.
5. Upon information and belief, The Times conducts substantial business in this forum, directly or through intermediaries, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in

other persistent courses of conduct and/or deriving substantial revenue from goods and services provided to individuals in Delaware.

6. Venue is proper in this District pursuant to §§ 1391(b), (c) and 1400(b).

**THE PATENTS-IN-SUIT**

7. On July 10, 2012, United States Patent No. 8,219,615 (the "'615 patent"), entitled "Instantaneous Symbol Lookup," was duly and lawfully issued by the USPTO. A true and correct copy of the '615 patent is attached hereto as Exhibit A.

8. On December 7, 2010, United States Patent No. 7,849,148 (the "'148 patent"), entitled "Instantaneous Symbol Lookup," was duly and lawfully issued by the USPTO. A true and correct copy of the '148 patent is attached hereto as Exhibit B

9. Boadin is the assignee and owner of the right, title and interest in and to the '615 and '148 patents, including the right to assert all causes of action arising under said patent and the right to any remedies for infringement of it.

**COUNT I – INFRINGEMENT OF U.S. PATENT NO. 8,219,615**

10. Boadin repeats and realleges the allegations of paragraphs 1 through 9 as if fully set forth herein.

11. Without license or authorization and in violation of 35 U.S.C. § 271(a), The Times has infringed and continues to infringe one or more claims of the '615 patent by making, using, offering for sale, and/or selling within this district and elsewhere in the United States and/or importing into this district and elsewhere in the United States, certain computer program products, including without limitation via the website www.nytimes.com (the "The Times Website"), that embody the subject matter claimed in the '615 patent. A copy of relevant portions of the The Times Website is attached as Exhibit C.

12. Boadin is entitled to recover from The Times the damages sustained by Boadin as a result of The Times' infringement of the '615 patent in an amount subject to proof at trial, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

**COUNT II – INFRINGEMENT OF U.S. PATENT NO. 7,849,148**

13. Boadin repeats and realleges the allegations of paragraphs 1 through 12 as if fully set forth herein.

14. Without license or authorization and in violation of 35 U.S.C. § 271(a), The Times has infringed and continues to infringe one or more claims of the '148 patent by making, using, offering for sale, and/or selling within this district and elsewhere in the United States and/or importing into this district and elsewhere in the United States, certain computer program products, including without limitation via the The Times Website, that embody the subject matter claimed in the '148 patent. A copy of relevant portions of the The Times Website is attached as Exhibit D.

15. Boadin is entitled to recover from The Times the damages sustained by Boadin as a result of The Times' infringement of the '148 patent in an amount subject to proof at trial, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

**JURY DEMAND**

Boadin hereby demands a trial by jury on all issues so triable.

**PRAYER FOR RELIEF**

WHEREFORE, Boadin requests that this Court enter judgment against Defendants as follows:

A. An adjudication that The Times has infringed the '615 patent;

B. An adjudication that The Times has infringed the '148 patent;

C. An award of damages to be paid by The Times adequate to compensate Boadin for The Times' past infringement of the '615 patent and any continuing or future infringement through the date such judgment is entered, including interest, costs and expenses as justified under 35 U.S.C. § 284 and an accounting of all infringing acts including, but not limited to, those acts not presented at trial;

D. An award of damages to be paid by The Times adequate to compensate Boadin for The Times' past infringement of the '148 patent and any continuing or future infringement through the date such judgment is entered, including interest, costs and expenses as justified under 35 U.S.C. § 284 and an accounting of all infringing acts including, but not limited to, those acts not presented at trial;

E. A declaration that this case is exceptional under 35 U.S.C. § 285, and an award of Boadin's reasonable attorneys' fees; and

F. An award to Boadin of such further relief at law or in equity as the Court deems just and proper.

Dated: July 10, 2012

STAMOULIS & WEINBLATT LLC

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