

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

**INTERNET MEDIA INTERACTIVE
CORPORATION,**

Plaintiff,

v.

THE NEW YORK TIMES COMPANY,

Defendant.

Civil Action No.:

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Internet Media Interactive Corporation (“Internet Media”) makes the following claims for relief against The New York Times Company (“Defendant”) as follows:

NATURE OF LAWSUIT

1. This is a claim for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code § 1 et seq. This Court has exclusive jurisdiction over the subject matter of the Complaint under 28 U.S.C. §§ 1331 and 1338(a).

PARTIES AND PATENT

2. Plaintiff Internet Media is a Delaware corporation with its principal place of business at 625 Barksdale Professional Center, Suite 113, Newark, DE 19711.

3. Internet Media owns and has all right, title and interest in United States Patent No. 6,049,835 (“the ‘835 Patent”), entitled “System For Providing Easy Access To The World Wide Web Utilizing A Published List Of Preselected Internet Locations Together With Their Unique Multi-Digit Jump Codes,” which issued on April 11, 2000. Hence, Internet Media has the exclusive right to license and enforce the ‘835 Patent and to collect damages for infringement. Internet Media, thus, has standing to sue for infringement of the ‘835 Patent. A copy of the ‘835

Patent is attached as Exhibit A. The '835 Patent is generally directed to a system and method for quickly and easily accessing preselected desired addresses or URLs on the Internet.

4. The New York Times Company ("Defendant") is a New York corporation having its principal place of business at 620 Eighth Ave., New York, New York, 10018. Defendant owns, provides and operates the website www.nytimes.com and also owns, provides, operates and distributes the newspaper, *The New York Times*.

JURISDICTION AND VENUE

5. Internet Media's claim for patent infringement against Defendant arises under the patent laws of the United States including 35 U.S.C. §§271 and 281. Consequently, this Court has original subject matter jurisdiction over this suit pursuant to 28 U.S.C. §§1331 and 1338.

6. Defendant is subject to the specific personal jurisdiction of the Court because, among other things, it has committed acts within Delaware and this judicial district giving rise to this action, and it has minimum contacts with the forum such that the exercise of jurisdiction over the Defendant would not offend traditional notions of fair play and substantial justice, as shown by, for example, Defendant offering in the State of Delaware at least hard-copy subscriptions and interactive Web content requiring subscription.

7. Venue is proper in this judicial district under 28 U.S.C. §§ 1391 and 1400(b).

DEFENDANT'S ACTS OF PATENT INFRINGEMENT

8. Defendant publishes classified ads with an assigned code, the "Web ID," in its newspaper, *The New York Times*.

9. The "Web ID" published by Defendant is a unique predetermined multi-digit jump code.

10. Defendant publishes its ads as a compilation of preselected Internet locations.

11. Defendant's preselected Internet locations have a "Web ID" assigned to it.
12. Users, including users in Delaware, access Defendant's website with an ordinary web browser.
13. Defendant's website contains a text box for entering the multi-digit Web ID to automatically access a separate internet location.
14. Defendant converts the entered Web ID to a URL address corresponding to a desired preselected Internet location.
15. In some instances, Defendant converts the Web ID to a URL corresponding to ads hosted at a separate internet location, such as www.realestate.nytimes.com, containing associated information about said ad.
16. Therefore, users of Defendant's website need only enter a desired Web ID to access a desired preselected Internet location without having to enter a corresponding URL address.
17. The separate internet location www.realestate.nytimes.com is an internet location that is owned by a third party.
18. Defendant is now and has been directly infringing at least Claim 1 of the '835 Patent within the meaning of 35 U.S.C. § 271(a) by making and using this infringing Web ID feature on its website.
19. Moreover, Defendant has knowingly induced its customers to infringe the '835 Patent within the meaning of 35 U.S.C. § 271(b). Defendant has had knowledge of the '835 Patent at least as of the filing date of this Complaint.
20. Defendant's acts of inducement including publishing a "Web ID" and encouraging its users to enter the "Web ID" on Defendant's website.

21. Such infringing activities have damaged Plaintiff, and specifically have damaged Plaintiff in the State of Delaware, because Plaintiff is a Delaware entity. Internet Media is entitled to recover damages adequate to compensate it for such infringement, but in no event less than a reasonable royalty.

22. According to Defendant's filings with the Securities and Exchange Commission, Defendant earned \$182,641,000 from advertising in the quarter ending Sept. 23, 2012, and \$234,867,000 from circulation in the quarter ending Sept. 23, 2012.

23. Defendant's infringement has injured and will continue to injure Internet Media, unless and until this Court enters an injunction prohibiting further infringement of the '835 Patent.

PRAYER FOR RELIEF

WHEREFORE, Internet Media asks this Court to enter judgment against Defendant and against Defendant's subsidiaries, affiliates, agents, servants, employees and all persons in active concert or participation with them, granting the following relief:

A. An award of damages adequate to compensate Internet Media for the infringement that has occurred, together with prejudgment interest from the date infringement of the '835 Patent began;

B. An award to Internet Media of all remedies available under 35 U.S.C. § 284;

C. An award to Internet Media of all remedies available under 35 U.S.C. § 285;

D. A permanent injunction under 35 U.S.C. § 283 prohibiting further infringement, inducement and contributory infringement of the '835 Patent; and

E. Such other and further relief as this Court or a jury may deem proper and just.

JURY DEMAND

Internet Media demands a trial by jury on all issues so triable.

Respectfully submitted,

Dated: November 8, 2012

/s/ George Pazuniak

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