

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

ADVANCED TRANSACTIONS, LLC,

Plaintiff,

v.

FIESTA MART LLC, BODEGA LATINA
CORPORATION dba EL SUPER, SMART &
FINAL HOLDINGS, INC., SMART & FINAL
STORES LLC, CHEDRAUI USA, INC., and
GRUPO COMERCIAL CHEDRAUI, S.A.B.
de C.V.,

Defendants.

Case No. 6:22-cv-00563

Jury Trial Demanded

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Advanced Transactions, LLC (“Advanced Transactions”) files this Complaint against Fiesta Mart, LLC, Bodega Latina Corporation dba EL Super, Smart & Final Holdings, Inc., Smart & Final Stores LLC, Chedraui USA, Inc., and Grupo Comercial Chedraui, S.A.B. de C.V. for patent infringement of United States Patent Nos. 7,065,555; 7,386,594; 7,693,950; 7,979,057; 8,150,736; 8,175,519; 9,747,608; and 10,783,529 (the “patents-in-suit”), and alleges as follows:

NATURE OF THE ACTION

1. This is an action for patent infringement arising under the patent laws of the United States, 35 U.S.C. §§ 1 *et seq.*

THE PARTIES

2. Advanced Transactions is a limited liability company organized under laws of the State of Georgia with its principal place of business situated at the Day Building, Suite 230, 4725 Peachtree Corners Circle, Peachtree Corners, GA 30092.

3. On information and belief, defendant Fiesta Mart LLC is a limited liability company organized and existing under the laws of the state of Texas with a principal place of business at 5444 Westheimer Road, Houston, Texas 77056-5397.

4. On information and belief, Fiesta Mart LLC maintains places of business throughout this district and throughout the State of Texas. On information and belief, Fiesta Mart LLC may be served with process through its registered agent, CT Corporation System, 1999 Bryan Street, Suite 900, Dallas, Texas 75201-3136 or anywhere it may be found.

5. Fiesta Mart LLC has been authorized to do business in the State of Texas and the Western District of Texas since on or about March 21, 2015, under Texas SoS File Number 0802179022.

6. On information and belief, defendant Bodega Latina Corporation is a corporation organized and existing under the laws of the state of Delaware with a principal place of business at 14601B Lakewood Boulevard, Paramount, California 90723.

7. On information and belief, Bodega Latina Corporation does business in this district and in the State of Texas under the name "El Super." On information and belief, Bodega Latina Corporation may be served with process through its registered agent, URS Agents, LLC, 3610-2 No. Josey Lane, Suite 223, Carrollton, Texas 75007 or anywhere it may be found.

8. On information and belief, defendant Smart & Final Holdings, Inc. is a corporation organized and existing under the laws of the state of Delaware with a principal place of business at 600 Citadel Drive, Commerce, CA 90040. On information and belief, Smart & Final Holdings, Inc. may be served with process through its registered agent, The Corporation Trust Company, 1209 Orange Street, Wilmington, Delaware 19801 or anywhere it may be found.

9. On information and belief, defendant Smart & Final Stores LLC is a limited liability company organized and existing under the laws of the state of California with a principal place of business at 600 Citadel Drive, Commerce, CA 90040. On information and belief, Smart & Final Stores LLC may be served with process through its registered agent, CT Corporation System, 330 N Brand Boulevard, Suite 700, Glendale, California 91203 or anywhere it may be found.

10. On information and belief, defendant Chedraui USA, Inc. is a New Mexico corporation with a principal place of business at 1013 Centre Road, Wilmington, Delaware 19805. On information and belief, Chedraui USA, Inc. may be served with process through its registered agent URS Agents, LLC, 3610-2 No. Josey Lane, Suite 223, Carrollton, Texas 75007 or anywhere it may be found.

11. Chedraui USA, Inc. has been authorized to do business in the State of Texas and the Western District of Texas since on or about May 6, 2016, under Texas SoS File Number 0802451357.

12. On information and belief, defendant Grupo Comercial Chedraui, S.A.B. de C.V. is a publicly owned company with variable capital organized under the laws of Mexico with a principal place of business at Avenida Constituyentes 1150 Colonia Lomas Altas Mexico City, DF 11950 Mexico, that operates hypermarkets and supermarkets in Mexico and the United States.

13. On information and belief, defendants Fiesta Mart LLC (“Fiesta Mart”), Bodega Latina Corporation dba El Super (“El Super”), Smart & Final Holdings, Inc., and Smart & Final Stores LLC (collectively “Smart & Final”) are all direct or indirect subsidiaries and affiliates of Chedraui USA, Inc., which is in the business of operating grocery stores. On information and belief, Chedraui USA, Inc. is a wholly owned subsidiary of Grupo Comercial Chedraui, S.A.B. de C.V. Grupo Comercial Chedraui, S.A.B. de C.V. and Chedraui USA, Inc., operating under the Fiesta Mart, El Super, and Smart & Final brands, sell and offer to sell products and services throughout Texas, including in this judicial district, as well as throughout the United States, and introduces products and services that perform infringing processes into the stream of commerce knowing that they would be used, offered for sale, or sold in this judicial district and elsewhere in the United States. Grupo Comercial Chedraui, S.A.B. de C.V., Chedraui USA, Inc., Fiesta Mart, El Super, and Smart & Final are hereinafter referred to individually and collectively as the “Chedraui Defendants.”

14. On information and belief, the Chedraui Defendants have made, used, imported, offered to sell and/or sold products and services, including the following specifically accused products and services: (1) Fiesta Mart, El Super, and Smart & Final Marketing Emails;¹ (2) the Fiesta Mart, El Super, and Smart & Final websites;² (3) Fiesta Mart, El Super, and Smart & Final online shopping services;³ (4) Fiesta Mart, El Super, and Smart & Final in-store shopping services;⁴ (5) Smart & Final Digital Coupons;⁵ (6) the Smart & Final Mobile Apps;⁶ (7) Smart & Final Gift Cards;⁷ (8) Smart & Final charge card;⁸ (9) current or legacy products or services, which use, or have used, one or more of

¹ See <https://www.fiestamart.com/privacy-policy/>, <https://elsupermarkets.com/en/privacy-policy/>, and <https://www.smartandfinal.com/privacy-policy>.

² See <https://www.fiestamart.com>, <https://elsupermarkets.com/en/home-2/>, and <https://www.smartandfinal.com>.

³ See <https://www.fiestamart.com/shop/>, <https://elsupermarkets.com/en/shop/>, <https://www.smartandfinal.com/shop/>.

⁴ See <https://www.fiestamart.com/store-locator/>, <https://elsupermarkets.com/en/store-locator/>, and <https://www.smartandfinal.com/stores/>.

⁵ See https://www.smartandfinal.com/coupons/?utm_source=Homepage&utm_medium=icon&utm_campaign=coupon.

⁶ See e.g., <https://apps.apple.com/us/app/smart-final/id1476069363> and https://play.google.com/store/apps/details?id=com.mercatustechnologies.smartfinal&hl=en_US&gl=US.

⁷ See <https://smartandfinal.cashstar.com/store/recipient?locale=en-us> and <https://www.smartandfinal.com/gift-card-orders>.

⁸ See <https://business.smartandfinal.com/charge-card>.

the foregoing products and services as a component product or component service; (10) combinations of products and/or services comprising, in whole or in part, two or more of the foregoing products and services; and (11) all other current or legacy products and services imported, made, used, sold, or offered for sale by the Chedraui Defendants that operate, or have operated in a substantially similar manner as the above-listed products and services. (As used herein, one or more of the foregoing products and services are individually and collectively referred to as the accused “Chedraui Defendants Marketing Products and Services” or “Smart & Final Marketing Products and Services”).

15. On information and belief, the Chedraui Defendants, as well as the hardware and software components comprising the Chedraui Defendants Marketing Products and Services, the Smart & Final Marketing Products and Services and/or that enable the Chedraui Defendants Marketing Products and Services and Smart & Final Marketing Products and Services to operate, including but not limited to servers, server software, webserver software, webserver hardware, email server hardware, email server software, website client software, mobile computing device client application software, networked communications hardware, network routers, network switches, network hubs, WIFI access point hardware, WIFI access point software, point-of-sale hardware, point-of-sale software, back-end hardware, back-end software, cloud-based software, cloud-based hardware, and other hardware and software computing systems and components (individually and collectively referred to herein as the accused “Chedraui Defendants Marketing Systems” and “Smart & Final Marketing System”),

infringe (literally and/or under the doctrine of equivalents) at least one claim of each of the patents-in-suit.

JURISDICTION AND VENUE

16. This Court has personal jurisdiction over the Chedraui Defendants because they have committed and continue to commit acts of infringement in this judicial district in violation of 35 U.S.C. §§ 271(a). In particular, on information and belief, the Chedraui Defendants have made, used, imported, offered to sell access to, and/or sold access to the accused Chedraui Defendants Marketing Products and Services in the Western District of Texas, and has made, used, imported, offered to sell access to, and/or sold access to the Chedraui Defendants Marketing System in the Western District of Texas.

17. On information and belief, the Chedraui Defendants are subject to the Court's jurisdiction because they regularly conduct and solicit business, or otherwise engage in other persistent courses of conduct in this judicial district, and/or derive substantial revenue from the use, sale, and distribution of goods and services, including but not limited to the accused Chedraui Defendants Marketing Products and Services provided to individuals and businesses in the Western District of Texas.

18. On information and belief, the Chedraui Defendants infringe the patent-in-suit in the Western District of Texas, at least, by making, using, importing, offering to sell access to, and/or selling access to the accused Chedraui Defendants Marketing Products and Services in the Western District of Texas, and their making, using,

importing, offering to sell access to, and/or selling access to the Chedraui Defendants Marketing Systems.

19. On information and belief, the Chedraui Defendants operate more than 375 grocery and foodservice stores across Texas, New Mexico, California, Arizona, and Nevada. *See* <https://www.smartandfinal.com/about-us>.

20. Indeed, on information and belief, the Chedraui Defendants operate more than 60 stores in the State of Texas alone. The Chedraui Defendants operate grocery and foodservices stores throughout this judicial district, including in El Paso and Austin.

21. On information and belief, the accused Chedraui Defendants Marketing Products and Services are made, used, imported, sold, and offered for sale by the Chedraui Defendants, or its agents, at the Chedraui Defendants' retail stores, including those grocery and foodservices stores located in the Western District of Texas.

22. On information and belief, the Chedraui Defendants' customers located in the Western District of Texas have obtained access to and used the accused Chedraui Defendants Marketing Products and Services while located in the Western District of Texas.

23. The Court has personal jurisdiction over the Chedraui Defendants at least because they have continuous business contacts in the State of Texas and in the Western District of Texas; the Chedraui Defendants have engaged in business activities including transacting business in the Western District of Texas and purposefully directing their business activities, including the sale or offer for sale of the Chedraui

Defendants Marketing Products and Services to the Western District of Texas to aid, abet, or contribute to the infringement of third parties in the Western District of Texas.

24. This Court has personal jurisdiction over the Chedraui Defendants because, *inter alia*, the Chedraui Defendants, on information and belief: (1) have committed acts of patent infringement in this Western District of Texas; (2) maintain regular and established places of business in the Western District of Texas; (3) have substantial, continuous, and systematic contacts with this State and the Western District of Texas; (4) own, manage, and operate facilities in this State and the Western District of Texas; (5) enjoy substantial income from its operations and sales in this State and the Western District of Texas; (6) employ Texas residents in this State and the Western District of Texas, and (7) solicit business using the Chedraui Defendants Marketing Products and Services and in this State and the Western District of Texas.

25. Venue is proper pursuant to 28 U.S.C. §§ 1391(b), (c), (d) and/or 1400(b), at least because the Chedraui Defendants have committed acts of infringement in this judicial district, and have regular and established places of business in this judicial district. Venue is proper pursuant to 28 U.S.C. § 1391(c)(3) as to defendant Grupo Comercial Chedraui, S.A.B. de C.V. because it is not resident in the United States.

United States Patent No. 7,065,555

26. On June 20, 2006, the USPTO duly and legally issued United States Patent No. 7,065,555 (“the ‘555 patent”) entitled “System and Method Related to Generating

and Tracking an Email Campaign” to inventors Michael G. Foulger, Thomas R. Chipperfield, Jeremy S. Cooper, and Andrew C. Storms.

27. The '555 patent is presumed valid under 35 U.S.C. § 282.

28. Advanced Transactions owns all rights, title, and interest in the '555 patent.

29. Advanced Transactions has not granted the Chedraui Defendants an approval, an authorization, or a license to the rights under the '555 patent.

30. The '555 patent relates to, among other things, a method and system for generating and tracking an email campaign.

31. The claimed invention(s) of the '555 patent sought to solve problems with, and improve upon, existing marketing and market research and analysis systems. For example, the '555 patent states:

The ability to market a product or service to individuals who are accessible on the Internet is becoming increasingly important. Effective ways of contacting these individuals are being sought. For instance, to market to these individuals, email may be sent to the individuals over the Internet, to provide information related to the product or service. Email systems exist today for sending email to a target set of email addresses for purposes such as marketing, information acquisition, and otherwise. A system for sending email to a number of email targets for such purposes may be called an email campaign.

Present email campaigns may suffer from difficulties in locating a pool of relevant individuals to be contacted. In a small email campaign, each email sent is critical to the success of the campaign, and needs to be carefully created. In other situations, large numbers of individuals to be contacted may have been found. This may result in increased difficulty in tailoring the large number of required email messages to the individuals for more effective contact.

Furthermore, once an email campaign has been initiated, difficulties in measuring success of the email campaign are presented. Effective ways for determining whether email recipients have received email from the email campaign have been

sought. Also, effective ways for allowing the email recipients to provide feedback have also been sought. It may be desirable for the email recipients to be able to respond with feedback, and for the quantity and content of the responses to be monitored and tracked.

See '555 Specification at col. 1, ll. 15-43.

32. The '555 patent then states:

In light of the foregoing, what is needed is an efficient way to create and track an email campaign.

See '555 Specification at col. 1, ll. 44-45.

33. The invention(s) claimed in the '555 patent solves various technological problems inherent in the then-existing existing marketing and market research and analysis systems to, among other things, function more efficiently.

United States Patent No. 7,386,594

34. On June 10, 2008, the USPTO duly and legally issued United States Patent No. 7,386,594 ("the '594 patent") entitled "System and method related to generating an email campaign" to inventors Michael G. Foulger, Thomas R. Chipperfield, Jeremy S. Cooper, and Andrew C. Storms.

35. The '594 patent is presumed valid under 35 U.S.C. § 282.

36. Advanced Transactions owns all rights, title, and interest in the '594 patent.

37. Advanced Transactions has not granted the Chedraui Defendants an approval, an authorization, or a license to the rights under the '594 patent.

38. The '594 patent relates to, among other things, a method and system for generating an email campaign.

39. The specification of the '594 patent is the same as the '555 patent specification, and solves the problems recited above and described in the '555 patent specification.

United States Patent No. 7,693,950

40. On April 6, 2010, the USPTO duly and legally issued United States Patent No. 7,693,950 ("the '950 patent") entitled "System and Method Related to Generating and Tracking an Email Campaign" to inventors Michael G. Foulger, Thomas R. Chipperfield, Jeremy S. Cooper, and Andrew C. Storms.

41. The '950 patent is presumed valid under 35 U.S.C. § 282.

42. Advanced Transactions owns all rights, title, and interest in the '950 patent.

43. Advanced Transactions has not granted the Chedraui Defendants an approval, an authorization, or a license to the rights under the '950 patent.

44. The '950 patent relates to, among other things, a method and system for generating and tracking an email campaign.

45. The specification of the '950 patent is the same as the '555 patent specification, and solves the problems recited above and described in the '555 patent specification.

United States Patent No. 7,979,057

46. On July 12, 2011, the USPTO duly and legally issued United States Patent No. 7,979,057 ("the '057 patent") entitled "Third-Party Provider Method and System" to inventors Luis M. Ortiz and Kermit D. Lopez.

47. The '057 patent is presumed valid under 35 U.S.C. § 282.

48. Advanced Transactions owns all rights, title, and interest in the '057 patent.

49. Advanced Transactions has not granted the Chedraui Defendants an approval, an authorization, or a license to the rights under the '057 patent.

50. The '057 patent relates to, among other things, novel marketing and commercial transaction systems.

51. The claimed invention(s) of the '057 patent sought to solve problems with, and improve upon, existing marketing and merchandizing systems. For example, the '057 patent states:

The present invention is generally related to electronic hand held devices (hereinafter referred to as "hand held devices") and electronic commerce ("E-commerce"). The present invention is also related to hand held devices, such as a Personal Digital Assistant (PDA), wireless telephone, pager, or other mobile computing and storage device adapted for use in E-commerce. The present invention is also related to wireless and wireline computer networks. The present invention is additionally related to the fields of electronic cash, credit, award, incentive, and/or product management usable with/for retail establishments, organizations, and customers. The present invention is also related to merchandising systems and systems for generating and redeeming negotiable economic credits and/or data (e.g., electro[nic] product discount coupons and other negotiable economic credits, such as enterprise awards, cash, credit, etc.).

See '057 Specification at col. 1, ll. 18-33.

52. The '057 patent then states:

The recent shift in the consumer electronics industry from an emphasis on analog technology to a preference for digital technology is largely based on the fact that the former generally limits the user to a role of a passive recipient of information, while the latter is interactive and allows the user to control what, when, and how he or she receives and manipulates certain information.

This shift in focus has resulted in the development and increasingly widespread use of, for example, a hand held digital device generically referred to as a “personal digital assistant” (PDA). These hand held devices are becoming increasingly popular for storing and maintaining information. Hand held devices, such as PDAs, may be connected to a desktop personal computer, networks or other PDAs via infrared, direct wire, or wireless communication links.

See '057 Specification at col. 1, ll. 35-49.

53. The '057 patent then states:

PDAs are increasingly being utilized to access information from remote computer networks, such as the “World Wide Web” and the “Internet,” both terms well known in the computer networking arts. PDA users can, for example, download e-mail from the Internet to the PDA. Web sites also exist that permit PDA users to access and download software that may be run on the PDA. For example, some web sites offer information to PDAs in the form of compressed news articles, stock quotes, and other data obtained from a wide variety of other electronic web-based sources.

Based on the foregoing, it can be appreciated that a large number of users of hand held devices, such as PDAs, pagers and mobile telephony are increasingly relying on such devices to maintain and transmit a variety of personal and business information.

See '057 Specification at col. 2, ll. 13-27.

54. The '057 patent then states:

Discount coupons have long been distributed by manufacturers to merchandise their products and by retail stores or establishments to attract consumers to their particular stores. Discount coupons are a type of negotiable economic credit frequently utilized by enterprises for marketing products and services to the public. Enterprise awards, such as frequent flyer miles, are also negotiable economic credits relied upon by enterprises for marketing purposes.

Coupons are typically distributed to attract customers to engage in commercial transactions. Such coupons are effective if utilized by a sufficiently high percentage of customers. Utilizing this gauge, free-standing inserts are not very effective. Their redemption rate is presently approximately 2.8 percent and dropping.

Typically, coupons are physically collected at stores and credit is provided to the customer purchasing the corresponding product. The coupons are generally bundled and forwarded to a clearing house and then to a redemption center for sorting and counting. Reports are eventually forwarded to the manufacturers issuing the coupons in order to eventually generate a credit to the stores redeeming the coupons. It may unfortunately take several months before a store is reimbursed for coupons under present coupon redemption/processing methods.

Another problem with coupons is a significant misredemption rate of between 20 and 30 percent as a result of misidentification and outright fraud. The misredemption problem is exacerbated by the enormous amount of time, usually a number of months, that it takes to reimburse the retail stores for the discount given the customer.

See '057 Specification at col. 2, ll. 28-57.

55. The '057 patent then states:

Attempts have been made to address such problems. Such attempts, however, have resulted in additional problems, while not fully addressing the problems described above. For example, some companies have implemented a product specific micro-marketing system tied to a product point of selection and proprietary hardware in the form of an alerting platform attached to a grocery cart. A consumer within a retail establishment presses a button on the grocery cart alerting platform to select an electronic coupon when a coupon is graphically displayed at the exact product location within the retail establishment. The customer and the cart must be located at the point of selection to access the coupon. Such a micro-marketing system is proprietary in nature and requires a customer to retrieve a coupon only from the point of selection within the store. Thus, because of the proprietary nature of the system, the coupons, the alerting platform and other proprietary hardware cannot be utilized at other retail establishments. Further, the enterprise associated with the retail establishment is burdened by the maintenance, replacement, and repair of the proprietary hardware attached to the retail establishment's shopping carts due to use, abuse, the weather and so forth. Other systems known in the art utilize smart cards and card readers/writers at point of product selection for obtaining coupon data. Such systems, however, force the user to retrieve data at the point of product selection (*i.e.* point of selection), thereby tying their shopping activities to a proprietary system.

Accordingly, alternatives are needed to traditional mass marketing and couponing techniques, and proprietary, point of selection type systems. A need exists for non-, or solely-, proprietary, based systems that are flexible, efficient and consumer

friendly. Further a need exists for credit devices that are not completely owned by the enterprise or retail establishment, but owned by the customers themselves and which can be utilized at other retail establishments and enterprises. Such a device and associated systems and methods, should be ubiquitous in nature to avoid the problems inherently associated with prior micro-marketing systems.

It has become apparent to the present inventors that the ability to acquire, store and use negotiable economic credits, such as coupons, on hand held devices would free users of the time consuming tasks of clipping, organizing and redeeming traditional paper coupons or credits (*e.g.*, frequent flier redemption via paper-based request), and the problems associated with proprietary micro-marketing systems. It has also become apparent to the present inventors that for merchandisers and manufacturers, such hand held devices could be utilized to effectively market, compile and negotiate credit exchanges/redemption much more efficiently than the traditional paper processing methods or proprietary-based micro-marketing systems and methods.

See '057 Specification at col. 2, l. 58 - col. 3, l 43.

56. The '057 patent then states:

It is believed that aspects of the invention presently described herein solve the traditional problems associated with negotiable economic credits, including coupons, cash, credit and enterprise awards, and the problems associated with proprietary-based marketing systems thereof, while addressing an area of user control that has not yet been considered, anticipated, or utilized by coupon/credit merchandisers and manufacturers, namely, the increasing number of individuals who rely on hand held devices, such as PDAs, to maintain and store personal and business information.

See '057 Specification at col. 3, ll. 44-53.

57. The invention(s) claimed in the '057 patent solves various technological problems inherent in the then-existing marketing and merchandizing systems to, among other things, (1) function more efficiently, (2) allow customers to become more actively engaged in retail marketing campaigns, (3) reduce the complexity, costs, and other problems associated with prior art marketing and merchandizing systems, (4) improve the security inherent in prior art marketing and merchandizing systems, and

(5) improve accessibility and adoption of marketing and merchandizing systems over prior art marketing and merchandizing systems.

United States Patent No. 8,150,736

58. On April 3, 2012, the USPTO duly and legally issued United States Patent No. 8,150,736 (“the ‘736 patent”) entitled “Global Electronic Commerce System” to inventors Michel Horn and Thomas Scott Manaugh.

59. The ‘736 patent is presumed valid under 35 U.S.C. § 282.

60. Advanced Transactions owns all rights, title, and interest in the ‘736 patent.

61. Advanced Transactions has not granted the Chedraui Defendants an approval, an authorization, or a license to the rights under the ‘736 patent.

62. The ‘736 patent relates to, among other things, a novel electronic shopping system.

63. The claimed invention(s) of the ‘736 patent sought to solve problems with, and improve upon, existing electronic shopping systems. For example, the ‘736 patent states:

The field of this invention is global sale of products and services using electronic means of (a) communications, (b) data storage and retrieval, (c) taking of orders, (d) fulfillment, (e) transfers of payments, and (f) providing customer service after the sale. Both business-to-business and business-to-consumer sales are effectuated.

See ‘736 Specification at col. 1, ll. 21-26.

64. The ‘736 patent then states:

The present invention is a system for use by even small manufacturers to meet a long-felt need to sell their products to Buyers around the world. The term “manufacturers” is meant to include manufacturers or authorized distributors for manufacturers; and the term “Buyers” is meant to include both individuals and organizations, including other manufacturers.

A complete system, termed a Global Store, is disclosed, a system that overcomes barriers to global trade of language, culture, and nationality. The Global Store integrates communications and database software technologies, hardware infrastructure, and operating methods to market and sell products from manufacturers around the globe to Buyers in a multitude of locales around the globe. Stated another way, The Global Store assembles and operates various subsystems to provide the infrastructure for manufacturers to use a new channel of global commerce, a Virtual Channel.

See '736 Specification at col. 1, ll. 27-43.

65. The '736 patent then states:

A confluence of recognized needs and new technologies now sets the stage for a revolutionary change in how manufacturers bring their products to markets around the world.

Advances in communications and information technology and their associated standards have made geography a much less salient factor in trade than in prior years. Electronic communications at the speed of light enables one to purchase a product on the other side of the world as quickly as across the street—even more quickly should one decide to walk across that street to make the purchase. Furthermore, increasing use of English as a *de facto* language of commerce and increasing access to good, real-time translation technology will inevitably lower language barriers.

The Global Store system, described here, is a method that integrates revolutionary and evolutionary developments into a new system of global trade in the Virtual Channel. Only in the very recent past have the following compelling trends and powerful developments conjoined to permit the construction and operation of a complete and integrated system of global trade to meet long-felt needs:

- 1) a quickly growing population of Internet users around the world who are ready to shop online 24 hours per day and 365 days per year,
- 2) Websites to provide specialized functions such as online payments, online currency conversion tables, universal tax tables, and parcel tracking,

- 3) third-party fulfillment services to support regional and global distribution,
- 4) “pull” online marketing that allows customers greater opportunities to customize the products they purchase, as compared with the “push” marketing of ready-made products that is characteristic of brick-and-mortar retail channels,
- 5) international agreements to eliminate tariffs on imports,
- 6) globalization of sources of supply,
- 7) efficiencies and economies of scale resulting from consolidation of marketing functions across markets,
- 8) establishment of ubiquitous delivery services,
- 9) availability of escrow services to assuage concerns of online Buyers about completing purchases after shopping baskets are filled,
- 10) growth in telecommuting to work and in home-based internet businesses, allowing participants to avoid driving and, thereby, less occasion to stop at brick-and-mortar stores to shop,
- 11) increased global travel and increased access to information from around the world using wide-band communications, thereby increasing interest in products from far-away locales,
- 12) consolidation of warehousing and distribution centers for quicker and more efficient fulfillment of orders,
- 13) manufacturers' need to retain brand control by offering increasing levels of customer support from a single point,
- 14) technology to implement Web-based multi-language global marketing systems using newly invoked international standards, locale-specific stored SQL procedures, integrated multi-locale Web-based relational data bases, and Unicode, and
- 15) integration of manufacturers' Business-to-Consumer sales with their Business-to-Business strategies for procuring supplies, offering a means to couple direct online customer sales with procurements, thus completing the transition to a completely integrated “Pull” model: A custom product is

created to satisfy a Buyer's needs, and suppliers are enabled to provide necessary Business-to-Business products and services on a timely basis.

See '736 Specification at col. 2, l. 16 - col. 3, l. 17.

66. The '736 patent then states:

Pent-up pressures for globalization have produced numerous examples of conventional e-commerce businesses attempting to expand globally. These businesses generally meet the challenge to provide information in multiple languages and across cultures by cloning Websites from one locale to another—reproducing some of the design of the original Website and some of the content. This multi-headed e-commerce approach is a crude interim step that fails to meet the emerging needs of manufacturers who desire global sales. Loss of the efficiencies and economies of a truly global approach make the prices of their products less competitive than should be possible, and there is the additional problem of entering and maintaining current and accurate information across multiple databases.

In conventional e-commerce it is not uncommon for the unscrupulous to sell brand name goods through Websites when they are not authorized to do so. In response, manufacturers desire to maintain better control of prices, marketing information about their products, sales, fulfillment, and customer service—all in a global context and, ideally, from a single integrated site.

Buyers are reluctant to make international purchases when they fear that they will have no practical recourse if they pay for a product but either do not receive it or find the product is not acceptable. What is needed for a hesitant Buyer is an escrow service that will complete settlement only after the product has been successfully delivered and the Buyer is satisfied.

Many conventional e-commerce Websites have sought to sell products globally, but few if any have made a serious commitment to globalization by providing good translations in multiple languages. (So far, machine translations are so lacking in accuracy and idiomatic expression that they are likely to inspire mirth rather than confidence in a Buyer.) Furthermore, no site offers products of a multitude of manufacturers along with customer support across more than one language, support that is needed for Buyers to be well informed about international shipping, duties, warranties, currency conversion, repair centers, and other issues important to Buyers.

Conventionally, for both e-commerce and brick-and-mortar businesses, separate databases are established to support production, marketing, sales, and accounting.

Information changes in one business database often are not reflected in all of the other databases. Further information vital to a customer, such as parcel tracking, would require leaving the e-commerce site to access such a service on yet another system. Customer support is critically lacking in brick-and-mortar businesses and also is missing in most e-commerce businesses. What is missing is the ability to place in the hands of the customer the ability to go to a single location and, interactively, to obtain an answer to a question pertaining to a product or to an order.

Departing from conventional e-commerce approaches, the ideal e-commerce model, from the manufacturers' viewpoint, is to sell globally using a system allowing

- 1) a single database of product descriptions in common format to be translated for Buyers across different languages,
- 2) Buyers to come to a single, authorized Global Store with a single Web URL address,
- 3) global sales across many locales using an information system operating in a multitude of languages to provide product information assembled for each specific locale,
- 4) a generalized, reliable approach to shipping, currency conversion, settlements, and customer support,
- 5) global sales without losing brand control,
- 6) minimal delays in bringing new products to market or old products to new markets,
- 7) the manufacturer to take orders for custom-made products, using a "pull" method,
- 8) fulfillment from a plurality of strategically-located fulfillment centers around the Globe, and
- 9) Buyers to get information on the Buyers' transaction history and to find links to manufacturer's support from a single Website.

See '736 Specification at col. 3, l. 18 - col. 4, l. 26.

67. The '736 patent then states:

The Global Store system uses a multi-version database to provide a new way of providing language/locale-specific marketing information and sales of products to Buyers around the globe. Prior art, as seen in patents cited below, provide opportunities for Buyers to (a) view a product and be referred to a seller or (b) view and purchase a product over the Internet, with or without use of a referrer Website. However, no prior art takes advantage of (a) multi-version, locale-specific innovations in marketing, (b) use of Referral Websites from a multitude of locales, combined with (c) other Ancillary Resources to offer truly global sales over the Internet.

See '736 Specification at col. 4, ll. 51-61.

68. The '736 patent then states:

Prior art has not solved the problem of marketing globally from a single-point. Major players in global e-commerce (*e.g.*, AOL, Yahoo, and Amazon) have adopted a country-by-country or a region-by-region strategy in order to adapt to Buyers' languages and cultures.

In a statement quoted in a Wall Street Journal article, 8/01/2000, a Yahoo executive declared that Yahoo would consider itself unsuccessful if Yahoo were considered an American company two years from then. Yahoo and other e-commerce companies have discovered that their widely recognized brand names are, in themselves, not sufficient for attracting global e-commerce business. Buyers have been found, however, to be attracted to e-commerce sites that cater to local interests and culture. Stated another way, Buyers are more comfortable and confident about buying from a business they do not perceive as foreign.

Needed is a system to provide culture-sensitive and language-adapted marketing, sales, and customer service content to Buyers, doing so in a way that takes advantage of the efficiencies and economies of using a single point of operations. Prior art, described as follows, fails to meet that criterion:

See '736 Specification at col. 4, l. 63 – col. 5, l. 18.

69. The '736 patent then states:

Also disclosed are other innovations not seen in the Wong patent, the Chelliah *et al* patent, or in other prior art:

- (1) a clear and efficient way to categorize products to be displayed to Buyers,

- (2) an order-taking shopping cart subsystem that encourages Buyers to complete a purchase transaction by keeping products selected for purchase in the Buyer's view and by interactively involving the Buyer in a purchasing process, and
- (3) a means to provide comprehensive customer service information from a single convenient point.

Accommodating Buyers using a diversity of languages and additional needed innovations are discussed below in the context of related prior art.

See '736 Specification at col. 5, l. 53-67.

70. The '736 patent then states:

By placing marketing information about products in the Global Store with its multi-language, single, logical, searchable database, a manufacturer can engage in marketing efforts worldwide on the Internet in a multitude of different languages and adapted to various cultures and countries. It has become obvious during the past several years that manufacturers around the world need a global marketing method in order to stay competitive and to optimize their profitability. Use of the Global Store will allow manufacturers advantageously to meet their long felt need to tap into the global market to expand their customer bases, increase sales, and benefit from economies of scale.

Furthermore, use of marketing resources in the Global Store meets the objective for manufacturers to access global marketing efforts without losing control over their marketing—place, presentation, price, promotions, and policies of service. Thereby, manufacturers may build a worldwide brand name based on authentic products, ethical representations, fair prices, and good service to Buyers.

See '736 Specification at col. 13, l. 3-22.

71. The '736 patent then states:

Another object of this invention is to provide manufacturers with a much more efficient and responsive feedback mechanism for adjusting marketing and production schedules. For example, immediate feedback that a new line of skis was selling briskly in South America during May would prompt a ski manufacturer to start adding marketing and production resources for the new line's introduction to Buyers in North America in October.

Another object of the Global Store is to provide better controls over quality of products and services. A complete system of controls spans the Virtual Channel from start (adding a manufacturer's product into a global, multi-version product database) to end (the expiration of an escrow period during which a Buyer may request a refund if a delivered product is not satisfactory).

Another object of the Global Store is to help manufacturers satisfy Buyers' needs for customer service. In order to serve as an alternative to use of the Legacy Channel, the Global Store matches and, where possible, exceeds the level of service that Buyers find in the Legacy Channel.

See '736 Specification at col. 13, ll. 23-43.

72. The '736 patent then states:

Another object of this invention is for manufacturers to be able to provide Buyers with adequate information to make buying decisions. Many prospective Buyers will not complete a transaction unless they know not only the cost of the item but also the total price, including shipping fees, *etc.* The present invention overcomes this barrier by providing a comprehensive, integrated system whereby Buyers from all over the world can get complete information about product, price (stated in the Buyer's currency), and delivery prior to making the buying decision. Furthermore, the use of a single marketing information database allows the manufacturer easily to control and communicate accurate information about product availability in inventory, service availability, warranties, and return policies.

Another object of this invention is to improve the probability a Buyer will complete a purchase transaction after the Buyer has selected a product for purchase. With conventional art, products are placed in a "shopping cart." Unfortunately, that cart often is later abandoned with no purchase made. The invention disclosed here includes an improved shopping cart design, an improvement that facilitates a Buyer's decision to complete a purchase transaction by

- 1) establishing immediately an interactive relationship with the Buyer by opening a new frame that shows a shopping cart (titled "Open-Frame Interactive Shopping Cart") and asking the Buyer to answer certain questions that appear in the frame before the Buyer proceeds to checkout or returns to shopping,
- 2) maintaining interactive contact by with the Buyer by keeping a minimized, restorable shopping cart visible on the Buyer's computer screen

during the entire time when the Buyer is viewing products after a product has been selected,

3) providing total costs for a purchase, including shipping charges, immediately after the Buyer has selected a product, and

4) prominently offering the option for the Buyer of making an immediate purchase.

An important advantage here is the immediate assumption that the purchase will be made plus the visual reminder that the Buyer has made a selection and that the product is ready for purchase. This approach overcomes the disadvantage of prior art in which the Buyer is implicitly told that the Buyer need only “think about” completing the purchase “later.” That implicit message is poor sales technique. It is best to have the Buyer complete the transaction as soon as possible, before the Buyer forgets about the perceived benefits of the product, gets distracted, or hesitates because of second thoughts.

See '736 Specification at col. 13, l. 57- col. 14, l. 37.

73. The '736 patent then states:

The invention disclosed here includes an efficient universal method of organizing and displaying product categories for selection by Buyers. Using sequential drop-down menus and a clearly organized hierarchy, a Buyer quickly and intuitively navigates among thousands of possible categories of products to select a desired category. The process is easily understood, powerful, and efficient.

See '736 Specification at col. 14, ll. 44-50.

74. The invention(s) claimed in the '736 patent solves various technological problems inherent in the then-existing electronic shopping systems to, among other things, (1) function more efficiently; (2) increase the pool of customers who interact with such systems; (3) overcome barriers to transaction carried out by such systems related to language, culture, and nationality; (4) establish new or improved integrations within such systems related to communications, databases, and hardware subsystems; (5) improve the methods by which such systems market and sell products; (6) help such

systems to leverage economies of scale and become more competitive; (7) allow such systems to provide more timely and accurate information; (8) improve the comfort, confidence, and trust amongst customers and potential customers of such systems; (9) streamline and better coordinate the operations of such systems with respect to customer support, marketing, sales, shipping, and accounting; (10) improve brand control within such systems; (11) expand the selection of products available for purchase through such systems; (12) improve the order-taking processes of such systems; (13) accommodate a broader range of customers and potential customers using such systems; (14) increase sales through the use of such systems; (15) improve the quality, organization, and presentation of information accessible to the customers and potential customers of such systems; (16) improve the probability that a customer or potential customer will complete a purchase transaction through such systems; and (17) reduce the complexity, costs, and other problems associated with such systems.

United States Patent No. 8,175,519

75. On May 8, 2012, the USPTO duly and legally issued United States Patent No. 8,175,519 (“the ‘519 patent”) entitled “Third-Party Provider Method and System” to inventors Luis M. Ortiz and Kermit D. Lopez.

76. The ‘519 patent is presumed valid under 35 U.S.C. § 282.

77. Advanced Transactions owns all rights, title, and interest in the ‘519 patent.

78. Advanced Transactions has not granted the Chedraui Defendants an approval, an authorization, or a license to the rights under the ‘519 patent.

79. The '519 patent relates to, among other things, novel marketing and commercial transaction systems.

80. The specification of the '519 patent is the same as the '057 patent specification and addresses and solves the problems recited above and described in the '057 patent specification.

United States Patent No. 9,747,608

81. On August 29, 2017, the USPTO duly and legally issued United States Patent No. 9,747,608 ("the '608 patent") entitled "Third-Party Provider Method and System" to inventors Luis M. Ortiz and Kermit D. Lopez.

82. The '608 patent is presumed valid under 35 U.S.C. § 282.

83. Advanced Transactions owns all rights, title, and interest in the '608 patent.

84. Advanced Transactions has not granted the Chedraui Defendants an approval, an authorization, or a license to the rights under the '608 patent.

85. The '608 patent relates to, among other things, novel marketing and commercial transaction systems.

86. The specification of the '608 patent is the same as the '057 patent specification and addresses and solves the problems recited above and described in the '057 patent specification.

United States Patent No. 10,783,529

87. On September 22, 2020, the USPTO duly and legally issued United States Patent No. 10,783,529 (“the ‘529 patent”) entitled “Third-Party Provider Method and System” to inventors Luis M. Ortiz and Kermit D. Lopez.

88. The ‘529 patent is presumed valid under 35 U.S.C. § 282.

89. Advanced Transactions owns all rights, title, and interest in the ‘529 patent.

90. Advanced Transactions has not granted the Chedraui Defendants an approval, an authorization, or a license to the rights under the ‘529 patent.

91. The ‘529 patent relates to, among other things, novel marketing and commercial transaction systems.

92. The specification of the ‘529 patent is the same as the ‘057 patent specification and addresses and solves the problems recited above and described in the ‘057 patent specification.

CLAIMS FOR RELIEF

Count I

Infringement of United States Patent No. 7,065,555 by the Chedraui Defendants

93. Advanced Transactions repeats, realleges, and incorporates by reference, as if fully set forth here, the allegations of the preceding paragraphs above.

94. On information and belief, the Chedraui Defendants (or those acting on their behalf) make, use, sell, import and/or offer to sell the Chedraui Defendants Marketing Products and Services; and make, use, sell, sell access to, import, offer to sell

and/or offer to sell access to the Chedraui Defendants Marketing Systems in the United States that infringe (literally and/or under the doctrine of equivalents) at least claim 1 of the '555 patent.

95. On information and belief, one or more components the Chedraui Defendants Marketing Systems, (e.g., an email server operated by the Chedraui Defendants), employ and provide a method for conducting an email campaign.

Thank You For Registering with Smartandfinal.com



Smart and Final <noreply_at_e_SmartandFinal_com_dbjdf8m3s66bsf_8f571064@icloud.com>

To: Hide My Email

Smart & Final.

Welcome John!

Thank you for registering! Your Smart & Final Smart Advantage account is active, and if you haven't done so already, please complete your account profile [here](#).

We think you're going to love the variety and value in our aisles. In store and online! Get your essentials on time on budget & all under one roof. One trip & that's it!

Clip. Scan. Save!
Get 15% OFF
on your first transaction
in-store or online!

CLIP COUPON

If you received this in error or have questions about your account, please [contact us](#).

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Online Support - Click Here sfonlinesupport@smartandfinal.com

We respect your right to privacy - click [here](#) to view our policy.

If you did not register or have any questions about your account, please visit our [website](#).

Get ready for your **WEEKLY SPECIALS!** 😊



El Super Market <marketing.social_at_elsuper_org_ttyyb59bkbdv43_05rj3...
To: Hide My Email

Monday, May 23, 2022 at 1:17 PM

¡Bienvenido!
Welcome!

El Super

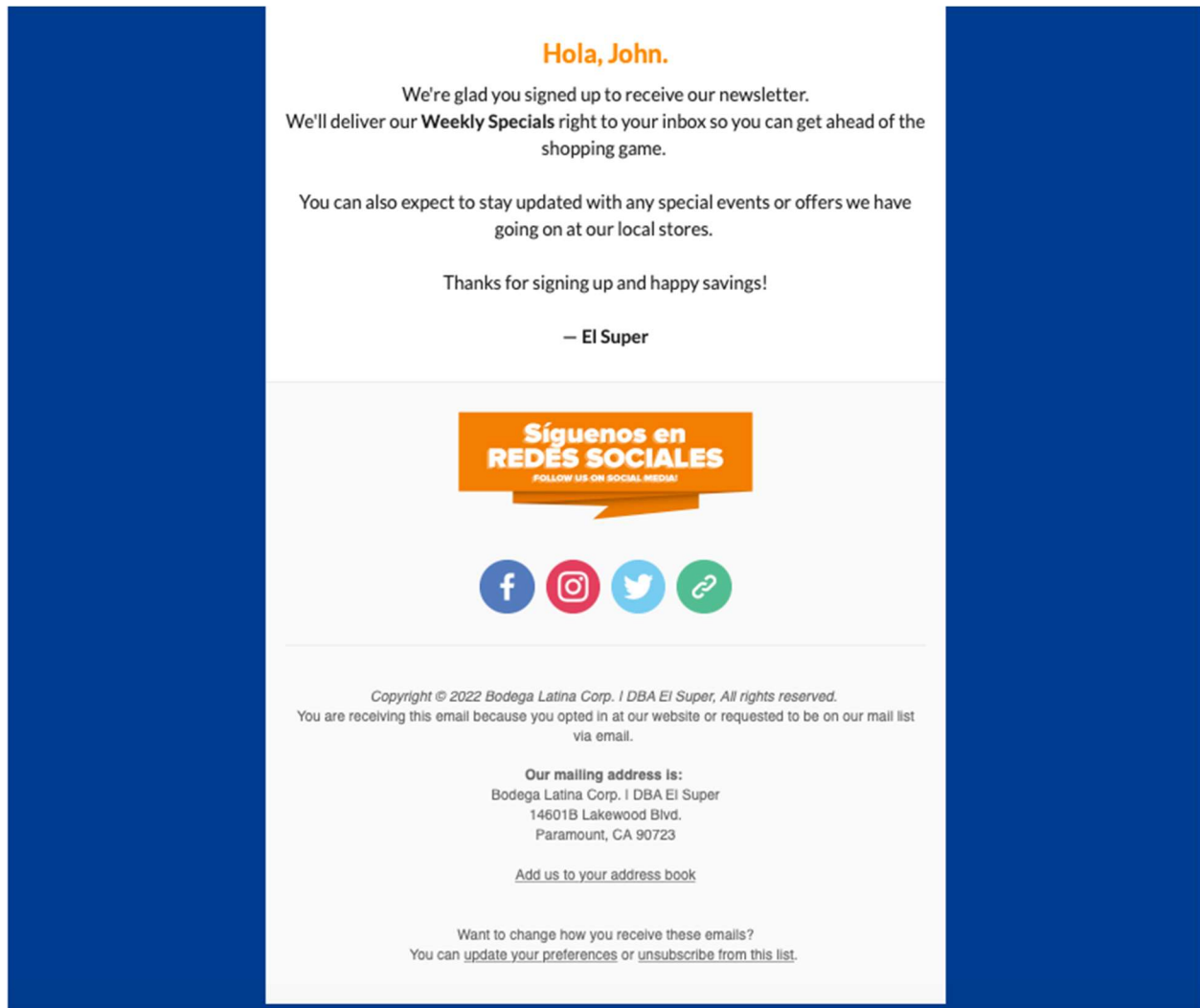
Hola, John.

Estamos felices de que te hayas suscrito para recibir nuestro newsletter. Cada semana te haremos llegar nuestros **Weekly Specials** directamente a tu bandeja de entrada para que hagas tus compras con las mejores ofertas.

También queremos mantenerte al tanto sobre cualquier evento especial que este sucediendo en tu tienda local.

¡Muchas gracias por suscribirte y esperamos disfrutes tus descuentos!

— El Super



See e.g., screenshots of emails received from Chedraui email servers.

Smart & Final Privacy Policy

Introduction

Your privacy is important to Smart & Final Stores LLC ("**Smart & Final**," "**we**" or "**us**"), so we have developed the Smart & Final Privacy Policy ("**Policy**") to explain the collection, use, disclosure, transfer, storage and security of your personal information. This Policy applies to individuals who have made any purchase of goods or services from Smart & Final in stores or through our Website (the "**Site**"), entered a Smart & Final sweepstakes, participated in one of our surveys, or have otherwise provided personal information in any of our online or offline data collection activities (collectively, "**Service**" or "**Services**"). By using our Service, you agree to consent to our collection of data, use and disclosure practices, and other activities set forth in this Policy.

Personal Information We Collect from You

Categories and Types of Personal Information We Collect

We collect the following categories and types of personal information:

- Contact Information: name, mailing address, and phone number;
- Other identifying information: IP address, social media handle, password, security questions and answers, operating system, web browser, phone device ID;
- Financial Information: credit card, debit card and bank account information (including account number, routing number, balance information and transactional data associated with your account);
- Geolocation data;
- Demographic information: date of birth, marital status, gender, income, hobbies, interests, race, national or ethnic origin, languages spoken;
- Internet or other electronic activity: mouse clicks, scrolling activities, website pages visited and time and duration on websites;
- Commercial information: transactional history and products purchased, considered or viewed on our website or in our stores; and
- Inferences drawn from the categories described above in order to create a profile about you to reflect your preferences, characteristics, behavior and attitude.

Categories of Use

- **Transactional Purposes:** We use your contact information, financial information, and commercial information to:
 - Keep a record of our interactions with you when we communicate online, over the telephone, and by other methods in which we provide customer service;
 - Process your registration with our Service; and
 - Process and complete your transactions including, as applicable, order confirmation, billing, enrollment in our loyalty or other programs, and delivering products or services.
- **Analytical Purposes:** We use your internet activity and browsing history to analyze preferences, trends and statistics.
- **Marketing and Promotional Purposes:** We use your contact information, commercial information, demographic information, internet or other electronic activity, and inferences to:
 - Provide you with newsletters, articles, product or service alerts, new product or service announcements, discounts, event invitations, and other information;
 - Contact you about programs, products, or services that we believe may be of interest to you, or sharing special offers from other companies;
 - Administer sweepstakes and promotions; and
 - Provide you with personally tailored coupons, programs, offers, content and ads.
- **Maintenance and Improvement of Services and Website:** We use your contact information, commercial information, and internet activity and browsing history to:
 - Respond to your inquiries on order status, services questions and complaints, technical issues, etc.;
 - To collect feedback from you about our Services; and
 - Help us diagnose technical and service problems and administer our stores, websites and apps.
- **Review and content creation purposes:** We use your photos, graphics and videos to enable reviews of our products and to display content that you have created and allowed us to display on our website and Services and on social media.
- **Legal, Security and Safety Purposes:** We use your personal information to comply with federal, state, and local laws in addition to maintaining the safety and security of your physical and digital selves, including to:
 - Confirm your identity for security safeguard purposes;
 - Prevent, investigate, or provide notice of fraud, unlawful or criminal activity, or unauthorized access to or use of personal information, our website or data systems, or to meet legal obligations;
 - Alert you about a product safety announcement, recall or correction of an offer, promotion or advertisement; and
 - Enforce our Terms of Use and other agreements.

Sources of Personal Information

We collect information from the following sources:

We collect information directly from you. We collect contact information, financial information, and demographic information directly from you.

We collect information about you from third parties. We collect your personal information from third parties, such product vendors, advertising companies and government agencies to deliver quality services to you. These companies may share your information with Smart & Final depending on the consent agreements you have with them at the time of your interactions together. This Policy does not apply to the personal information collection and sharing consent you have given them. Personal information collected from third parties may be combined with the personal information collected via our Services to compile a comprehensive profile of you, your preferences, and your shopping habits.

We collect information from you passively. We collect Internet or other electronic activity passively using tools like browser cookies. This activity is further described in our Cookies section below and further in our [Cookie Policy](#).

Combining Information

We may combine information you give us online and in our stores. We may also combine that information with publicly available information and information we receive from or cross-reference with third parties. We use that combined information to enhance and personalize your shopping experience with us, to communicate with you directly about our products and events that may be of interest to you, and for other promotional and commercial purposes.

* * *

Cookies

Technical information about the computer and mobile devices you use when consuming our Services is sometimes automatically collected by us or our third-party technology partners. Cookies, web beacons, scripts, application logs, fingerprinting technologies, and geo-location tracking are among the common methods in which we're able to learn how you're utilizing our Service as you interact with our websites, mobile apps, and other digital channels.

Most web browsers are initially set up to accept cookies. You can reset your web browser to refuse all cookies or to indicate when a cookie is being sent, however, certain features of the Site or Services may not work if you delete or disable cookies. Some of our Service Providers may use their own cookies, anonymous identifiers, or other tracking technology in connection with the services they perform on our behalf.

We use Google Analytics on the Site and Services to collect usage data, to analyze how users use the Site and Services, and to provide advertisements to you on other websites. For more information about how to opt out of having your information used by Google Analytics, visit <https://tools.google.com/dlpage/gaoptout/>.

See, e.g., <https://www.smartandfinal.com/privacy-policy>;



Privacy Policy

This privacy statement, also known as Fiesta Mart's privacy policy explains our privacy practices for our customers who use our website www.FiestaMart.com Fiesta Mart, L.L.C. (Fiesta Mart) recognizes the importance of privacy to our customers and visitors to our Web site (the "site") and will work to protect the security and privacy of any personal information that you provide to us.

Personally Identifiable Information (PII) we collect:

We collect personal identifiable information about you to deliver the products and services you request and to help improve your shopping experience. We strive to limit the amount of personal information collected to support the intended purpose of the collection. We collect PII from you in a variety of ways when you interact with Fiesta Mart, L.L.C. through our website.

Here are a few ways we collect your PII:

- Create an account on our website
- Make an online purchase from us
- Create a mobile shopping list
- Conduct a transaction where we collect information, including when required by law
- Request customer service or contact us
- Submit a Fiesta Mart related experience, rating or review or other user-generated content that can be posted on our website.
- Participate in an online promotion, or survey
- Apply for a position at Fiesta Mart, L.L.C.

PII is the information that identifies you or can be reasonably linked to you. The personal information we collect may include but is not restricted to contact and payment information like your name, email and physical addresses, phone numbers, and payment information. For certain transactions, we may be required to collect information to comply with legal requirements. Minors are not eligible to use the Site, and we ask that they do not submit any personal information to us.

AUTOMATED INFORMATION COLLECTION

We receive and store certain types of information when you interact with our websites, emails, and online advertising. Our purpose is to allow the websites to work correctly, to evaluate use of the website, and to support website analytics and marketing campaigns.

Some examples include:

- We may collect technical information such as your device operating system and browser type, the address of a referring website,
- if any, and the path you take through our websites.
- We use "cookies" to recognize you as you use or return to our sites. This is done so that we can provide a continuous and more
- personalized shopping experience for you.

Use and/or Disclose PII:

Fiesta Mart uses your information to offer and provide products and services to support our core business functions. These include order or service fulfillment, internal business processes, marketing, authentication, loss prevention, public safety and legal requirements. When you contact our service representatives, we may ask for personal information in order to verify your identity. We may share personal customer information with third parties with whom we have contracted to perform services or functions on our behalf whose activities are subject to the terms of this privacy policy. Fiesta Mart collects, stores, and uses aggregate data that does not contain personally identifiable information. This aggregated data may be shared with and used by third parties in order to help us and our business partners better serve and understand our customers.

We use your PII for functions, such as:

- Fiesta Mart e-newsletter subscriptions
- Notice of special promotions and/or events
- Online ads and coupons
- Customizing your shopping experience
- Verification of payment information
- Surveys and contests
- Employment applications
- Measuring and improving the effectiveness of www.FiestaMart.com

<https://www.fiestamart.com/privacy-policy/>; and



Privacy Policy

1. INTRODUCTION

1.1. PURPOSE OF POLICY. Bodega Latina Corporation dba El Super ("us," "we," or "Company") is committed to respecting the privacy rights of its customers, visitors, and other users of the Company Website (the "Site"). We created this Website Privacy Policy (this "Policy") to give you confidence as you visit and use the Site, and to demonstrate our commitment to fair information practices and the protection of privacy. This Policy is only applicable to the Site. It is not applicable to any other websites that you may be able to access from the Site, each of which may have data collection, storage, and use practices and policies that differ materially from this Policy.

Our services are provided to U.S. Customers, and this Policy is governed by U.S. legal requirements. If you access our services from outside the U.S., such as by using our Site, you agree to the application of U.S. law.

2. INFORMATION THE COMPANY COLLECTS

In operating the Site, Company may include registration, online surveys, and other online forms that ask users to provide their names, e-mail addresses, and other contact information. Categories of information the Company may collect include:

(a) PERSONAL INFORMATION YOU PROVIDE TO, OR SHARE WITH, US. In order for you to access certain services and to purchase products that we may offer via the Site, we may require you to provide us with certain information that personally identifies you ("Personal Information"). Personal Information includes the following categories of information: (1) Contact Data (such as your name, mailing address, phone number and e-mail address); (2) Financial Data (such as your account or credit card number) and other payment information; and (3) Demographic Data (such as your zip code, age, and income). If you communicate with us by e-mail, post messages to any of our chat groups, bulletin boards, or forums, or otherwise complete online forms, surveys, or contest entries, any information provided in such communication may be collected as Personal Information.

(b) TRAFFIC DATA COLLECTED; AUTOMATIC COLLECTION. We automatically track and collect the following categories of information when you visit our Site or use our mobile apps, or when you use our online services or view our online advertisements: (1) IP addresses; (2) domain servers; (3) types of computers accessing the Site; and (4) types of web browsers used to access the Site (collectively "Traffic Data"). Traffic Data is anonymous information that does not personally identify you but is helpful for marketing purposes or for improving your experience on the Site or the services we offer. Our servers automatically recognize visitors' domain names and IP addresses (the number assigned to computers on the Internet). No personal information about you is revealed in this process.

In addition, we may collect information when you use our mobile apps, including device location (if you choose to turn this feature on). If you choose to connect to our in-store wireless service, we may collect websites you visit and your mobile device identifier so you can automatically be connected.

(c) COOKIES, web beacons and other similar technology.

When you visit our Site, access our mobile apps or open one of our emails, we may automatically collect information about you using tracking technology, including but not limited to the following:

- Internet Protocol address
 - Unique device or user ID
 - System and browser type
 - Referring website address
-
- Content and pages you access on our websites or mobile apps

- Dates, times and locations when actions take place.

We may use the standard "cookies" feature of major browser applications that allows us to store a small piece of data on your computer about your visit to our Site. We use "cookies" to customize content specific to your interests, to ensure that you do not see the same advertisement repeatedly, and to store your password so you do not have to re-enter it each time you visit the Site. We do not set any personally identifiable information in cookies, nor do we employ any data capture mechanisms on our Site other than cookies. Cookies help us learn which areas of our site are useful and which areas need improvement. You can choose whether to accept cookies by changing the settings on your browser. However, if you choose to disable this function, your experience at our Site may be diminished and some features may not work as they were intended.

(d) THIRD-PARTY TECHNOLOGY. We may use third-party technology to better understand your online behavior. However, this Policy does not cover the use of cookies by others, including online tracking companies. We do not have access or control over the cookies placed on your computer by other websites you may visit.

When you connect to our Site or mobile apps through a third party, we may collect information from their website, including but not limited to User ID, demographic information, and other information shared with us based on your account settings.

We may also gather information about you from other sources, including consumer research firms and public databases.

We may provide links to third-party websites in order to provide additional goods, services or information to our customers. Any information you provide when accessing a third-party website is subject to that company's privacy policy. Please know that we are not responsible for information you provide directly to a third party. If you register for or use such third-party websites, the third party may receive information collected through the use of the websites, as described in the privacy policies on those websites. We encourage you to check the privacy policies of such third parties to learn about their practices with respect to the collection, use, disclosure, and protection of your personal information.

3. USE AND SHARING OF INFORMATION

3.1. GENERAL USES OF INFORMATION COLLECTED

(a) COMPANY USE OF INFORMATION. We use Contact Data to send you information about our Company or our products or services, or promotional material from some of our partners, or to contact you when necessary. We use your Financial Data to verify your qualifications for certain products or services and to bill you for products and services. We use your Demographic Data to customize and tailor your experience on the Site, displaying content that we think you might be interested in and according to your preferences.

<https://elsupermarkets.com/en/privacy-policy/>.

96. On information and belief, one or more components the Chedraui Defendants Marketing Systems employ and provide a method for conducting an email campaign, comprising the step of receiving an email target database.

See e.g., https://www.smartandfinal.com/user_info/register;

Home Weekly Ads Store Locator Order Online Departments Giveaways Careers

Subscribe to our Newsletter!

Your Name / Tu Nombre Email Address / Correo Electrónico Your Store / Tu Tienda

Subscribe / Suscribirse

El Super

Chedraul USA, doing business as El Super, entered the grocery retail marketplace with its first store in South Gate, CA in 1997.

Company

- About Us
- Contact Us
- Careers
- Departments
- Recipes
- El Super Restaurant
- Giveaways

Customer Service

- Help & Facts
- Privacy Policy
- Terms of Use
- Cookie Policy
- El Super Survey
- Covid-19 Response

<https://elsupermarkets.com/en/home-2/>; and

Home Weekly Ads Store Locator Order Now! Departments Giveaways

Subscribe to our Newsletter!

Name / Nombre Email / Correo electrónico

Subscribe / Suscribete

Fiesta

At Fiesta Mart we relentlessly strive to be the retailer of choice for the communities we serve by celebrating food and delivering the lowest possible prices.

Company

- About Us
- Contact Us
- Careers
- Departments
- Pepe's Kitchen
- Recipes
- Find a Store
- Fiesta Financial Center

Customer Service

- Help & Facts
- Privacy Policy
- Terms of Use
- Cookie Policy
- Fiesta Survey
- Covid-19 Response

https://www.fiestamart.com.

Thank You For Registering with Smartandfinal.com



Smart and Final <noreply_at_e_SmartandFinal_com_dbjdf8m3s66bsf_8f571064@icloud.com>

To: Hide My Email

Smart & Final.

Welcome John!

Thank you for registering! Your Smart & Final Smart Advantage account is active, and if you haven't done so already, please complete your account profile [here](#).

We think you're going to love the variety and value in our aisles, in store and online! Get your essentials on time on budget & all under one roof. One trip & that's it!

Clip. Scan. Save!
Get 15% OFF
on your first transaction
in-store or online!

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We respect your right to privacy - click [here](#) to view our policy.

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Get ready for your **WEEKLY SPECIALS!** 😊



El Super Market <marketing.social_at_elsuper_org_ttyyb59bkbdv43_05rj3...
To: Hide My Email

Monday, May 23, 2022 at 1:17 PM

¡Bienvenido!
Welcome!

El Super

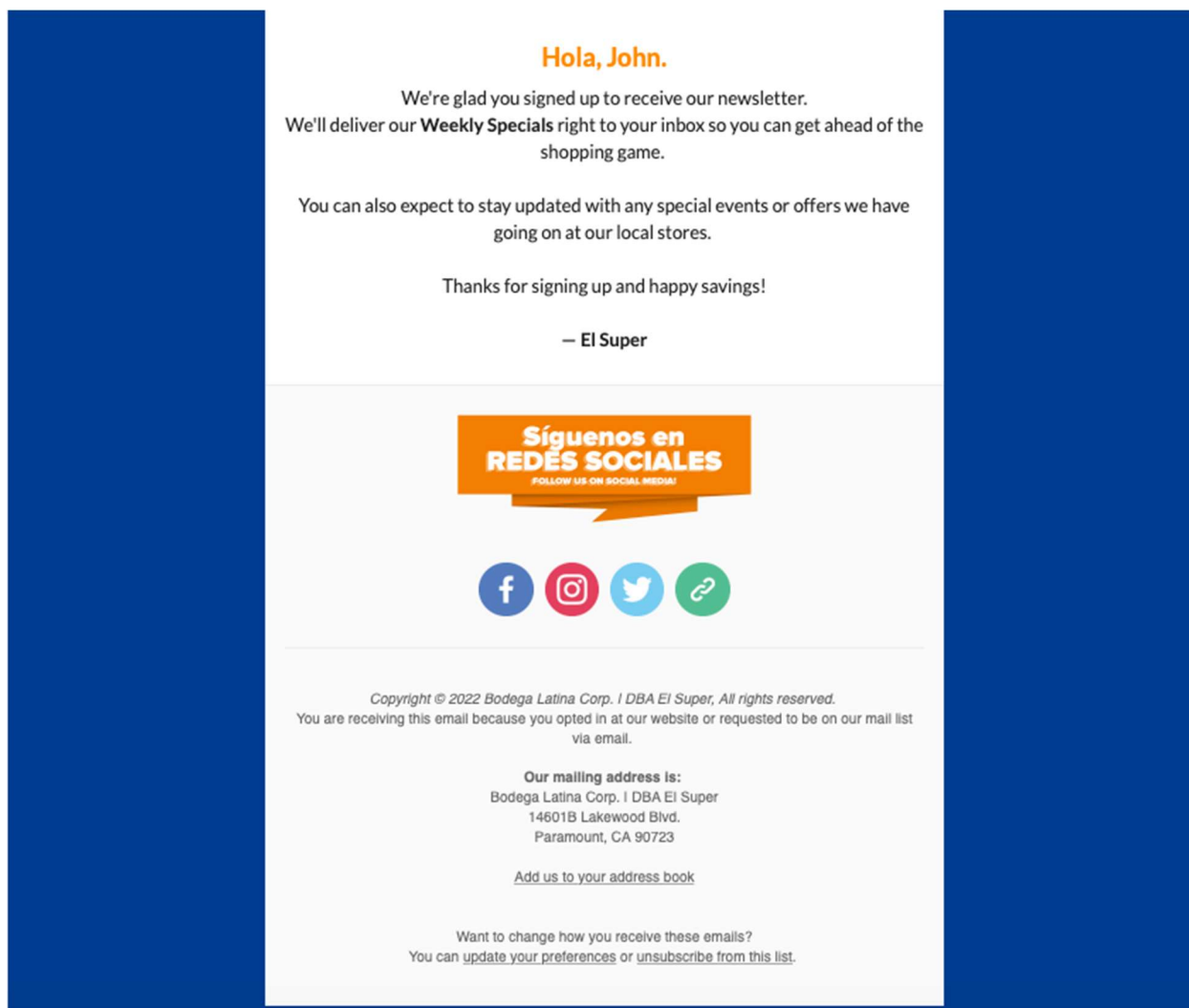
Hola, John.

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— El Super



See e.g., screenshots of emails received from Chedraui email servers.

97. On information and belief, one or more components the Chedraui Defendants Marketing Systems employ and provide a method for conducting an email campaign, comprising the step of generating an email campaign template related to at least one email target in the received email target database.

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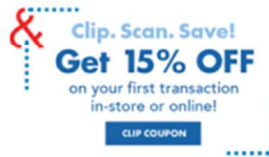
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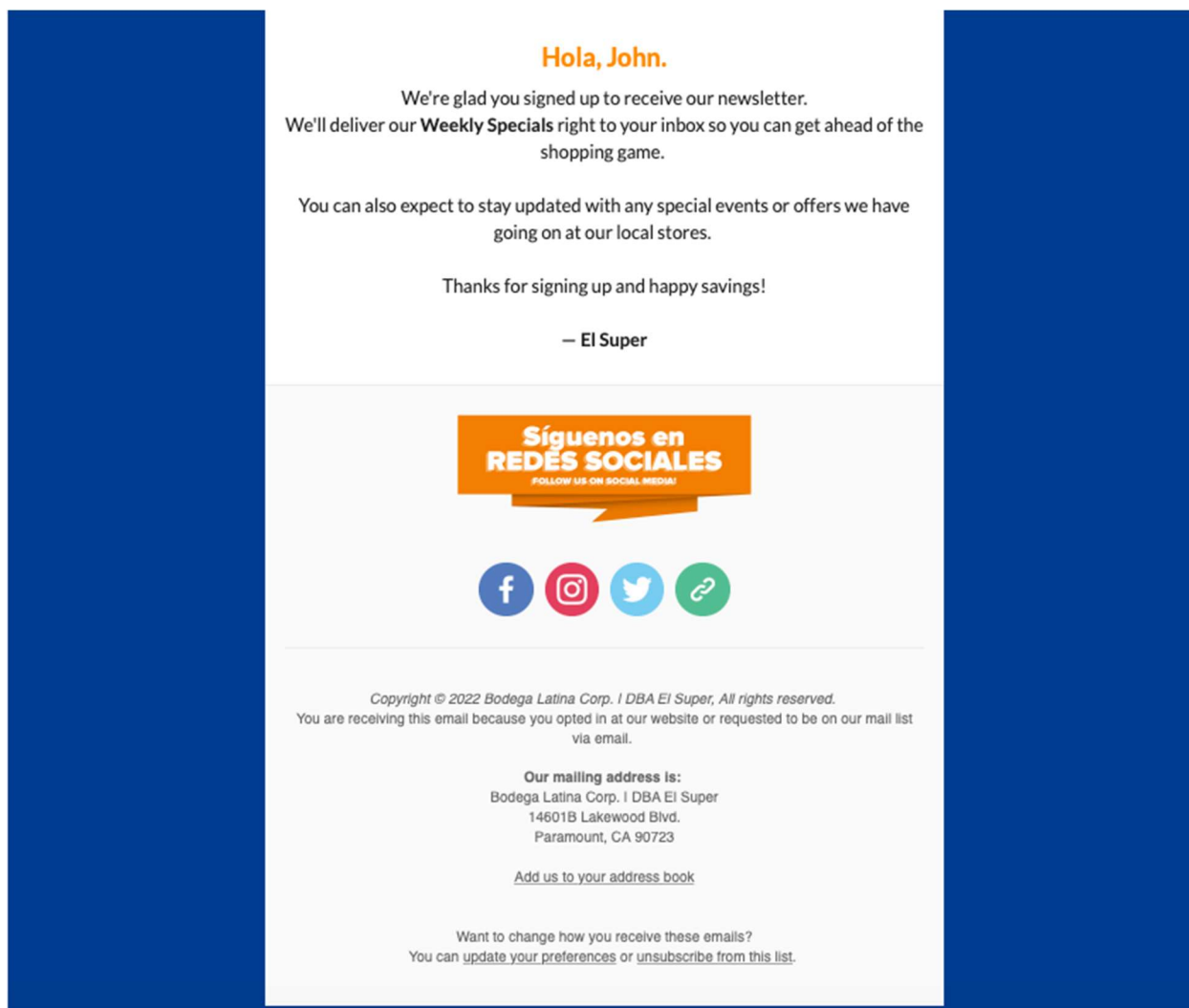
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See e.g., screenshots of emails received from Chedraui email servers.

98. On information and belief, one or more components the Chedraui Defendants Marketing Systems employ and provide a method for conducting an email campaign, comprising the step of generating an email campaign template related to at least one email target in the received email target database, wherein the step of generating an email campaign template related to at least one email target in the received email target database comprises the step of generating a message template.

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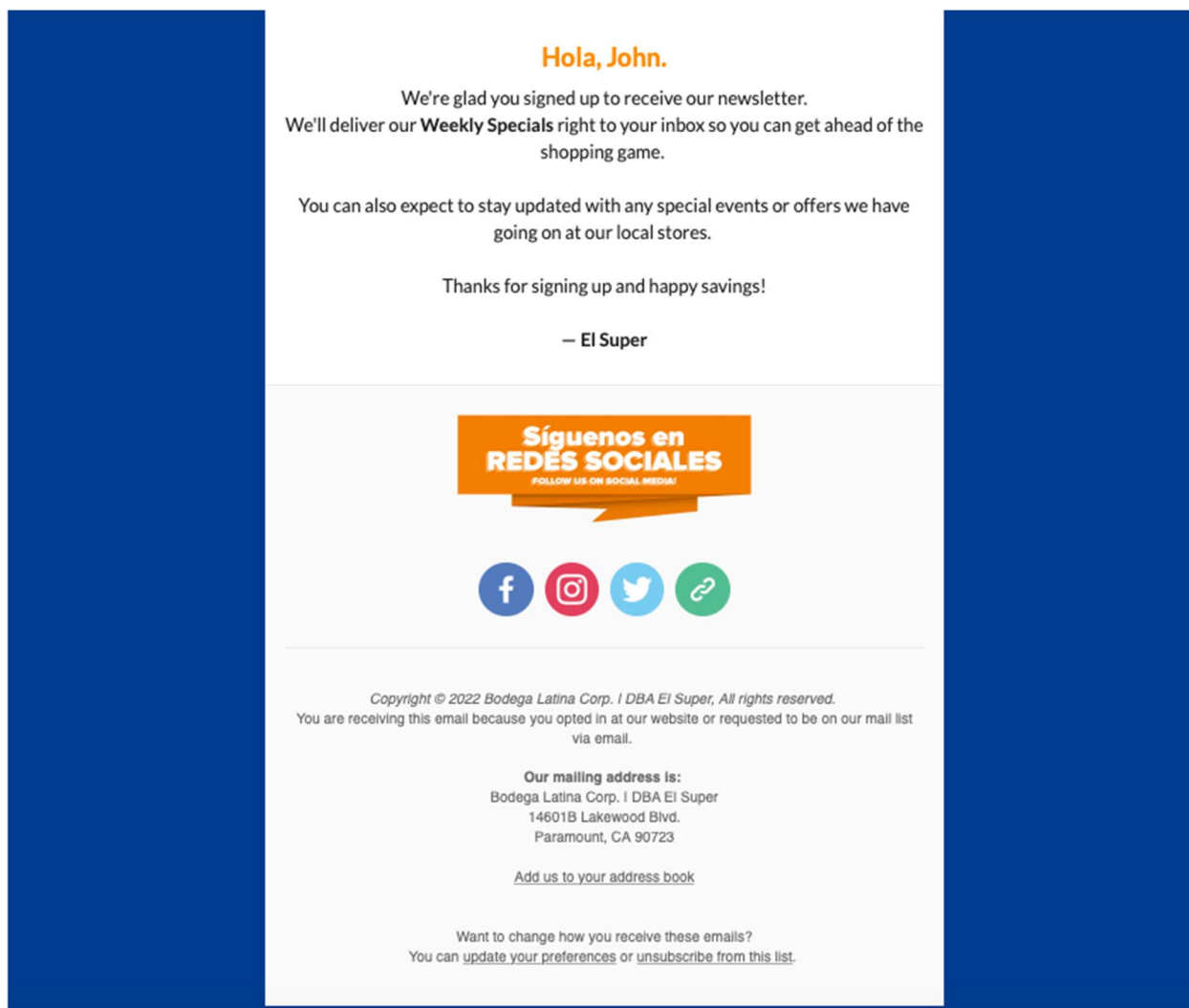
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referencing the intended recipient of the email) wherein the data is insertable in the generated message template.

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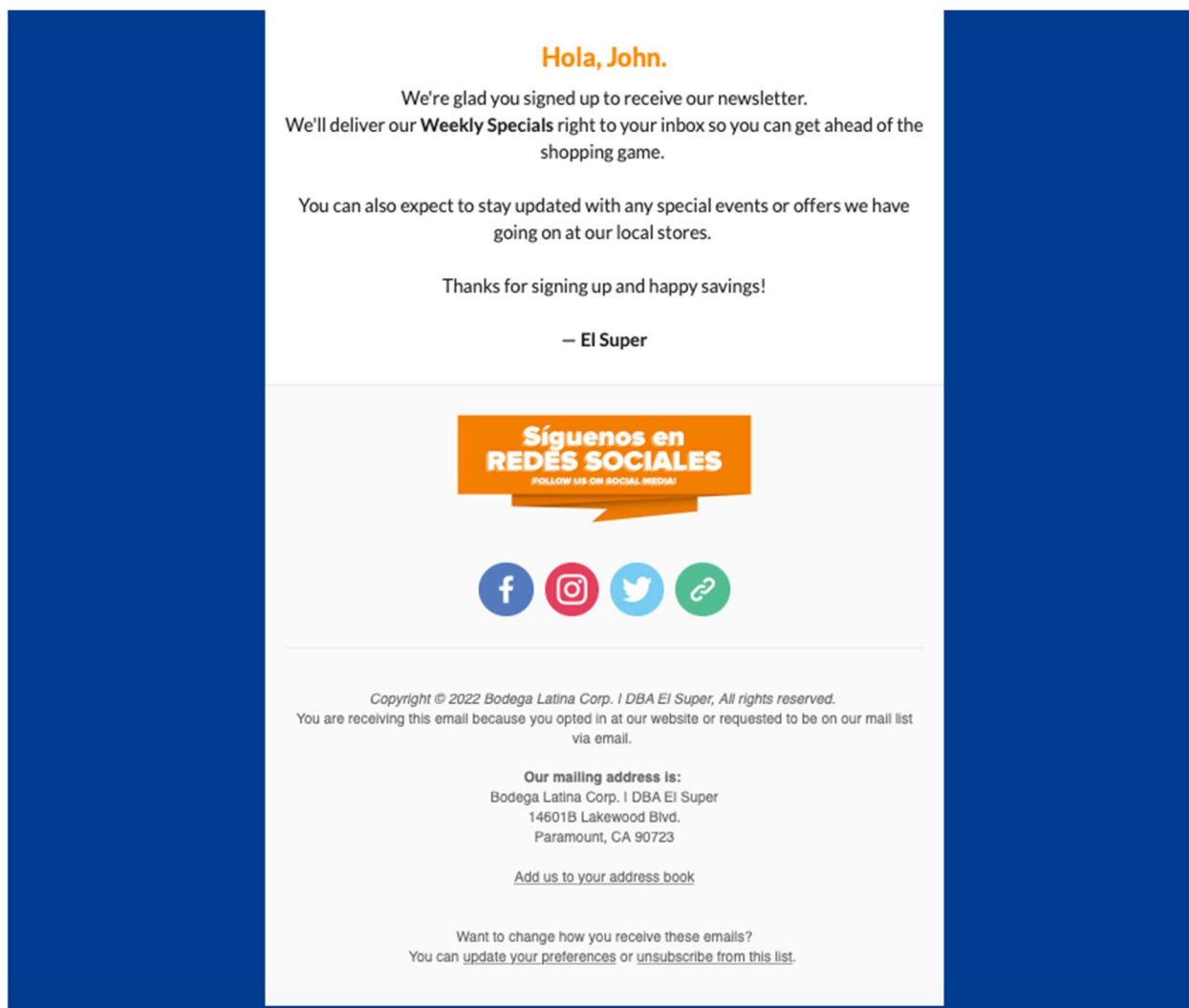
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100. On information and belief, one or more components the Chedraui Defendants Marketing Systems employ and provide a method for conducting an email campaign, comprising the step of sending to each of the at least one email target a corresponding custom email, (e.g., the email reproduced below) wherein the custom email is formed from the email campaign template.

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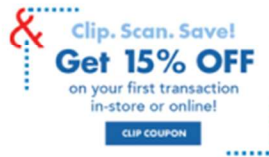
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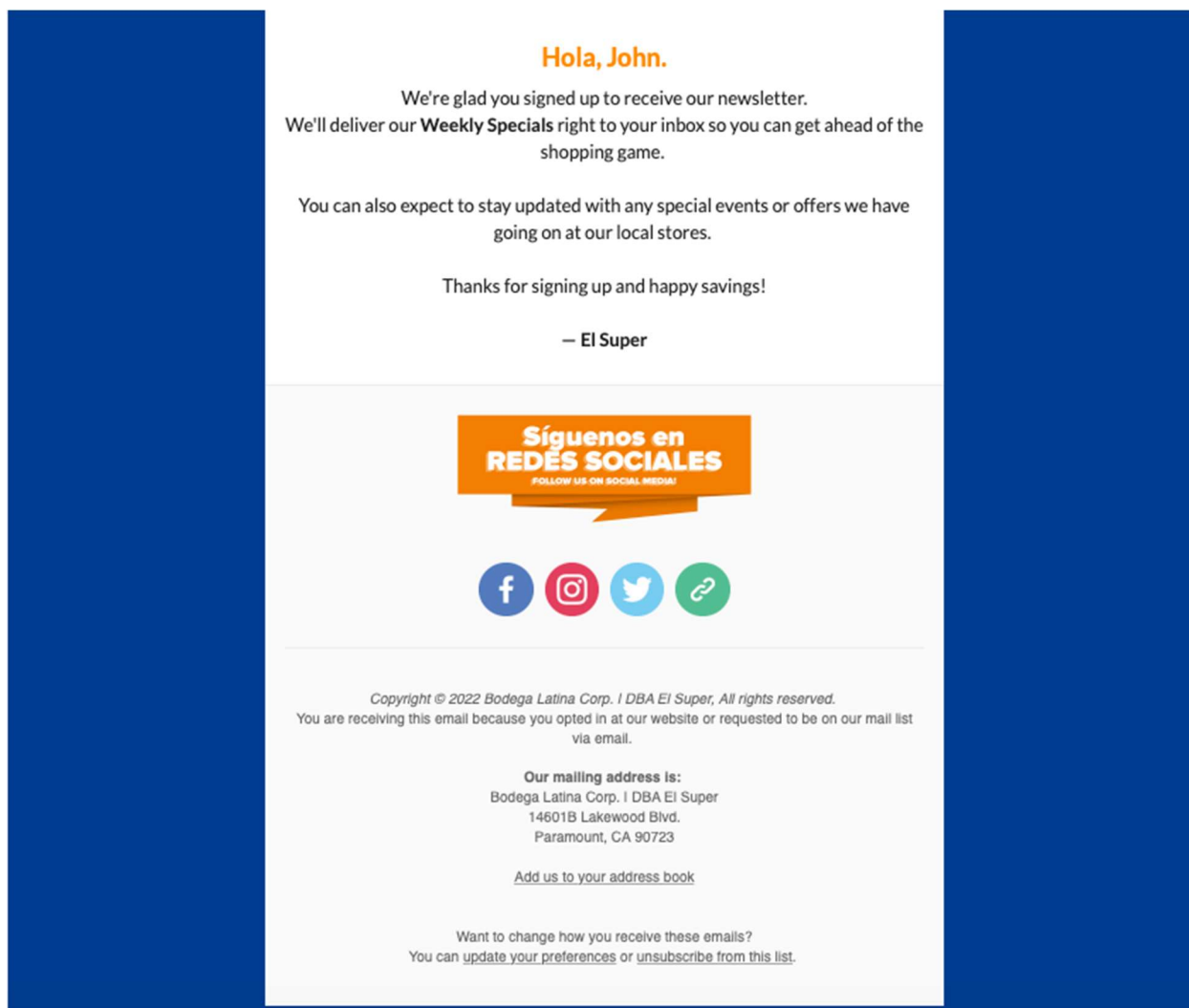
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101. On information and belief, one or more components the Chedraui Defendants Marketing Systems employ and provide a method for conducting an email campaign, comprising the step of tracking the custom email (e.g., through the code reproduced below) sent to each of the at least one email target.

Smart & Final Privacy Policy

Introduction

Your privacy is important to Smart & Final Stores LLC ("**Smart & Final**," "**we**" or "**us**"), so we have developed the Smart & Final Privacy Policy ("**Policy**") to explain the collection, use, disclosure, transfer, storage and security of your personal information. This Policy applies to individuals who have made any purchase of goods or services from Smart & Final in stores or through our Website (the "**Site**"), entered a Smart & Final sweepstakes, participated in one of our surveys, or have otherwise provided personal information in any of our online or offline data collection activities (collectively, "**Service**" or "**Services**"). By using our Service, you agree to consent to our collection of data, use and disclosure practices, and other activities set forth in this Policy.

Personal Information We Collect from You

Categories and Types of Personal Information We Collect

We collect the following categories and types of personal information:

- Contact Information: name, mailing address, and phone number;
- Other identifying information: IP address, social media handle, password, security questions and answers, operating system, web browser, phone device ID;
- Financial Information: credit card, debit card and bank account information (including account number, routing number, balance information and transactional data associated with your account);
- Geolocation data;
- Demographic information: date of birth, marital status, gender, income, hobbies, interests, race, national or ethnic origin, languages spoken;
- Internet or other electronic activity: mouse clicks, scrolling activities, website pages visited and time and duration on websites;
- Commercial information: transactional history and products purchased, considered or viewed on our website or in our stores; and
- Inferences drawn from the categories described above in order to create a profile about you to reflect your preferences, characteristics, behavior and attitude.

Categories of Use

- **Transactional Purposes:** We use your contact information, financial information, and commercial information to:
 - Keep a record of our interactions with you when we communicate online, over the telephone, and by other methods in which we provide customer service;
 - Process your registration with our Service; and
 - Process and complete your transactions including, as applicable, order confirmation, billing, enrollment in our loyalty or other programs, and delivering products or services.
- **Analytical Purposes:** We use your internet activity and browsing history to analyze preferences, trends and statistics.
- **Marketing and Promotional Purposes:** We use your contact information, commercial information, demographic information, internet or other electronic activity, and inferences to:
 - Provide you with newsletters, articles, product or service alerts, new product or service announcements, discounts, event invitations, and other information;
 - Contact you about programs, products, or services that we believe may be of interest to you, or sharing special offers from other companies;
 - Administer sweepstakes and promotions; and
 - Provide you with personally tailored coupons, programs, offers, content and ads.
- **Maintenance and Improvement of Services and Website:** We use your contact information, commercial information, and internet activity and browsing history to:
 - Respond to your inquiries on order status, services questions and complaints, technical issues, etc.;
 - To collect feedback from you about our Services; and
 - Help us diagnose technical and service problems and administer our stores, websites and apps.
- **Review and content creation purposes:** We use your photos, graphics and videos to enable reviews of our products and to display content that you have created and allowed us to display on our website and Services and on social media.
- **Legal, Security and Safety Purposes:** We use your personal information to comply with federal, state, and local laws in addition to maintaining the safety and security of your physical and digital selves, including to:
 - Confirm your identity for security safeguard purposes;
 - Prevent, investigate, or provide notice of fraud, unlawful or criminal activity, or unauthorized access to or use of personal information, our website or data systems, or to meet legal obligations;
 - Alert you about a product safety announcement, recall or correction of an offer, promotion or advertisement; and
 - Enforce our Terms of Use and other agreements.

Sources of Personal Information

We collect information from the following sources:

We collect information directly from you. We collect contact information, financial information, and demographic information directly from you.

We collect information about you from third parties. We collect your personal information from third parties, such product vendors, advertising companies and government agencies to deliver quality services to you. These companies may share your information with Smart & Final depending on the consent agreements you have with them at the time of your interactions together. This Policy does not apply to the personal information collection and sharing consent you have given them. Personal information collected from third parties may be combined with the personal information collected via our Services to compile a comprehensive profile of you, your preferences, and your shopping habits.

We collect information from you passively. We collect Internet or other electronic activity passively using tools like browser cookies. This activity is further described in our Cookies section below and further in our [Cookie Policy](#).

Combining Information

We may combine information you give us online and in our stores. We may also combine that information with publicly available information and information we receive from or cross-reference with third parties. We use that combined information to enhance and personalize your shopping experience with us, to communicate with you directly about our products and events that may be of interest to you, and for other promotional and commercial purposes.

* * *

Cookies

Technical information about the computer and mobile devices you use when consuming our Services is sometimes automatically collected by us or our third-party technology partners. Cookies, web beacons, scripts, application logs, fingerprinting technologies, and geo-location tracking are among the common methods in which we're able to learn how you're utilizing our Service as you interact with our websites, mobile apps, and other digital channels.

Most web browsers are initially set up to accept cookies. You can reset your web browser to refuse all cookies or to indicate when a cookie is being sent, however, certain features of the Site or Services may not work if you delete or disable cookies. Some of our Service Providers may use their own cookies, anonymous identifiers, or other tracking technology in connection with the services they perform on our behalf.

We use Google Analytics on the Site and Services to collect usage data, to analyze how users use the Site and Services, and to provide advertisements to you on other websites. For more information about how to opt out of having your information used by Google Analytics, visit <https://tools.google.com/dlpage/gaoptout/>.

See, e.g., <https://www.smartandfinal.com/privacy-policy;>



Privacy Policy

This privacy statement, also known as Fiesta Mart's privacy policy explains our privacy practices for our customers who use our website www.FiestaMart.com Fiesta Mart, L.L.C. (Fiesta Mart) recognizes the importance of privacy to our customers and visitors to our Web site (the "site") and will work to protect the security and privacy of any personal information that you provide to us.

Personally Identifiable Information (PII) we collect:

We collect personal identifiable information about you to deliver the products and services you request and to help improve your shopping experience. We strive to limit the amount of personal information collected to support the intended purpose of the collection. We collect PII from you in a variety of ways when you interact with Fiesta Mart, L.L.C. through our website.

Here are a few ways we collect your PII:

- Create an account on our website
- Make an online purchase from us
- Create a mobile shopping list
- Conduct a transaction where we collect information, including when required by law
- Request customer service or contact us
- Submit a Fiesta Mart related experience, rating or review or other user-generated content that can be posted on our website.
- Participate in an online promotion, or survey
- Apply for a position at Fiesta Mart, L.L.C.

PII is the information that identifies you or can be reasonably linked to you. The personal information we collect may include but is not restricted to contact and payment information like your name, email and physical addresses, phone numbers, and payment information. For certain transactions, we may be required to collect information to comply with legal requirements. Minors are not eligible to use the Site, and we ask that they do not submit any personal information to us.

AUTOMATED INFORMATION COLLECTION

We receive and store certain types of information when you interact with our websites, emails, and online advertising. Our purpose is to allow the websites to work correctly, to evaluate use of the website, and to support website analytics and marketing campaigns.

Some examples include:

- We may collect technical information such as your device operating system and browser type, the address of a referring website,
- if any, and the path you take through our websites.
- We use "cookies" to recognize you as you use or return to our sites. This is done so that we can provide a continuous and more
- personalized shopping experience for you.

Use and/or Disclose PII:

Fiesta Mart uses your information to offer and provide products and services to support our core business functions. These include order or service fulfillment, internal business processes, marketing, authentication, loss prevention, public safety and legal requirements. When you contact our service representatives, we may ask for personal information in order to verify your identity. We may share personal customer information with third parties with whom we have contracted to perform services or functions on our behalf whose activities are subject to the terms of this privacy policy. Fiesta Mart collects, stores, and uses aggregate data that does not contain personally identifiable information. This aggregated data may be shared with and used by third parties in order to help us and our business partners better serve and understand our customers.

We use your PII for functions, such as:

- Fiesta Mart e-newsletter subscriptions
- Notice of special promotions and/or events
- Online ads and coupons
- Customizing your shopping experience
- Verification of payment information
- Surveys and contests
- Employment applications
- Measuring and improving the effectiveness of www.FiestaMart.com

<https://www.fiestamart.com/privacy-policy/>; and



[Home](#)
[Weekly Ads](#)
[Store Locator](#)
[Order Online](#)
[Departments](#)
[Giveaways](#)
[Careers](#)

Privacy Policy

1. INTRODUCTION

1.1. PURPOSE OF POLICY. Bodega Latina Corporation dba El Super ("us," "we," or "Company") is committed to respecting the privacy rights of its customers, visitors, and other users of the Company Website (the "Site"). We created this Website Privacy Policy (this "Policy") to give you confidence as you visit and use the Site, and to demonstrate our commitment to fair information practices and the protection of privacy. This Policy is only applicable to the Site. It is not applicable to any other websites that you may be able to access from the Site, each of which may have data collection, storage, and use practices and policies that differ materially from this Policy.

Our services are provided to U.S. Customers, and this Policy is governed by U.S. legal requirements. If you access our services from outside the U.S., such as by using our Site, you agree to the application of U.S. law.

2. INFORMATION THE COMPANY COLLECTS

In operating the Site, Company may include registration, online surveys, and other online forms that ask users to provide their names, e-mail addresses, and other contact information. Categories of information the Company may collect include:

(a) PERSONAL INFORMATION YOU PROVIDE TO, OR SHARE WITH, US. In order for you to access certain services and to purchase products that we may offer via the Site, we may require you to provide us with certain information that personally identifies you ("Personal Information"). Personal Information includes the following categories of information: (1) Contact Data (such as your name, mailing address, phone number and e-mail address); (2) Financial Data (such as your account or credit card number) and other payment information; and (3) Demographic Data (such as your zip code, age, and income). If you communicate with us by e-mail, post messages to any of our chat groups, bulletin boards, or forums, or otherwise complete online forms, surveys, or contest entries, any information provided in such communication may be collected as Personal Information.

(b) TRAFFIC DATA COLLECTED; AUTOMATIC COLLECTION. We automatically track and collect the following categories of information when you visit our Site or use our mobile apps, or when you use our online services or view our online advertisements: (1) IP addresses; (2) domain servers; (3) types of computers accessing the Site; and (4) types of web browsers used to access the Site (collectively "Traffic Data"). Traffic Data is anonymous information that does not personally identify you but is helpful for marketing purposes or for improving your experience on the Site or the services we offer. Our servers automatically recognize visitors' domain names and IP addresses (the number assigned to computers on the Internet). No personal information about you is revealed in this process.

In addition, we may collect information when you use our mobile apps, including device location (if you choose to turn this feature on). If you choose to connect to our in-store wireless service, we may collect websites you visit and your mobile device identifier so you can automatically be connected.

(c) COOKIES, web beacons and other similar technology.

When you visit our Site, access our mobile apps or open one of our emails, we may automatically collect information about you using tracking technology, including but not limited to the following:

- Internet Protocol address
- Unique device or user ID
- System and browser type
- Referring website address
- Content and pages you access on our websites or mobile apps

- Dates, times and locations when actions take place.

We may use the standard "cookies" feature of major browser applications that allows us to store a small piece of data on your computer about your visit to our Site. We use "cookies" to customize content specific to your interests, to ensure that you do not see the same advertisement repeatedly, and to store your password so you do not have to re-enter it each time you visit the Site. We do not set any personally identifiable information in cookies, nor do we employ any data capture mechanisms on our Site other than cookies. Cookies help us learn which areas of our site are useful and which areas need improvement. You can choose whether to accept cookies by changing the settings on your browser. However, if you choose to disable this function, your experience at our Site may be diminished and some features may not work as they were intended.

(d) THIRD-PARTY TECHNOLOGY. We may use third-party technology to better understand your online behavior. However, this Policy does not cover the use of cookies by others, including online tracking companies. We do not have access or control over the cookies placed on your computer by other websites you may visit.

When you connect to our Site or mobile apps through a third party, we may collect information from their website, including but not limited to User ID, demographic information, and other information shared with us based on your account settings.

We may also gather information about you from other sources, including consumer research firms and public databases.

We may provide links to third-party websites in order to provide additional goods, services or information to our customers. Any information you provide when accessing a third-party website is subject to that company's privacy policy. Please know that we are not responsible for information you provide directly to a third party. If you register for or use such third-party websites, the third party may receive information collected through the use of the websites, as described in the privacy policies on those websites. We encourage you to check the privacy policies of such third parties to learn about their practices with respect to the collection, use, disclosure, and protection of your personal information.

3. USE AND SHARING OF INFORMATION

3.1. GENERAL USES OF INFORMATION COLLECTED

(a) COMPANY USE OF INFORMATION. We use Contact Data to send you information about our Company or our products or services, or promotional material from some of our partners, or to contact you when necessary. We use your Financial Data to verify your qualifications for certain products or services and to bill you for products and services. We use your Demographic Data to customize and tailor your experience on the Site, displaying content that we think you might be interested in and according to your preferences.

<https://elsupermarkets.com/en/privacy-policy/>.

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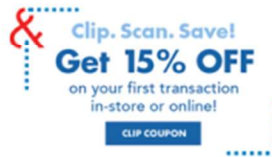
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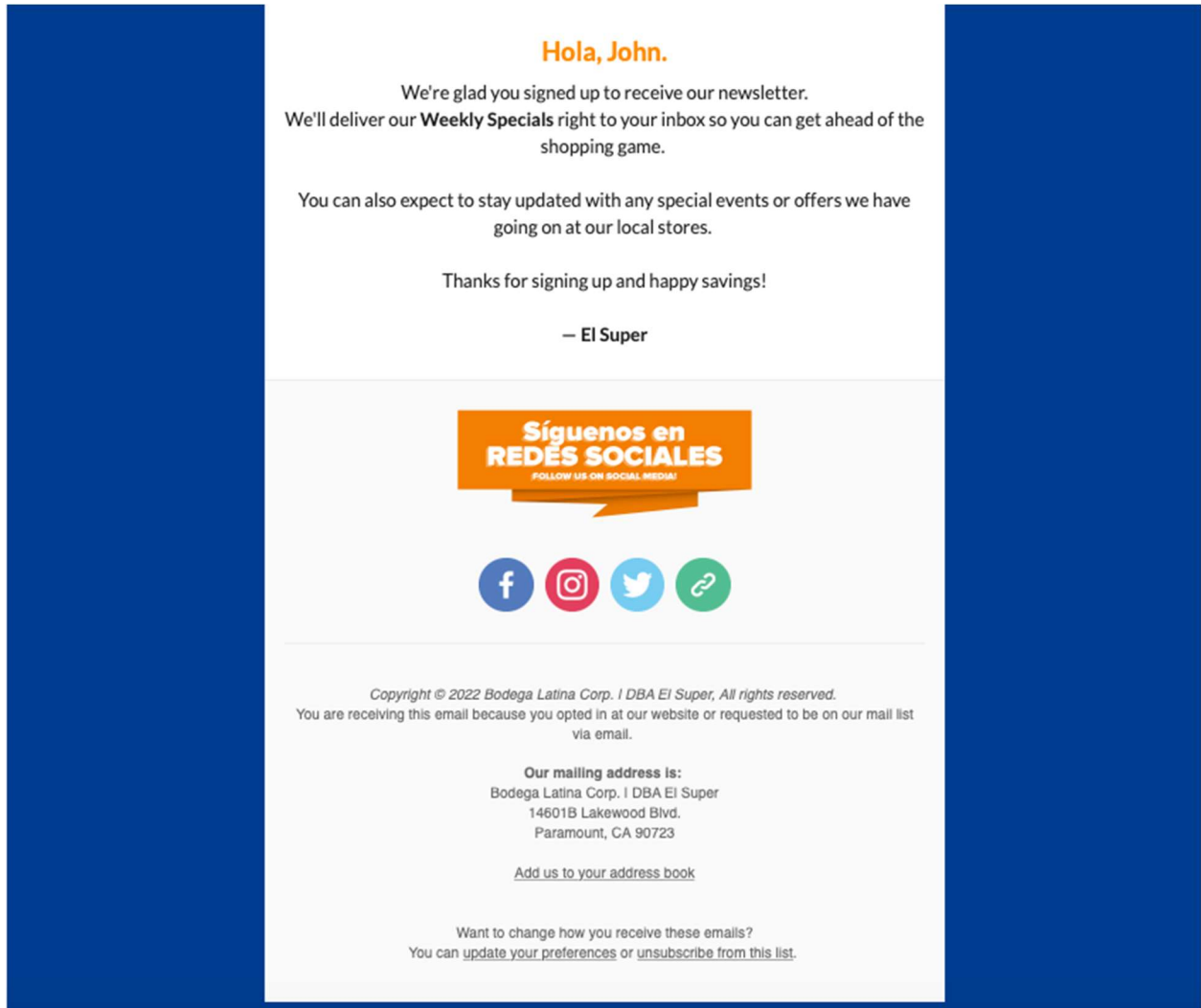
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See e.g., screenshots of emails received from Chedraui email servers. See also code excerpts from the same emails:

```

<!--[endif]--><table role=3D"presentation" cellpadding=3D"0" cellspacing=
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rder: 0;height: auto;outline: none;text-decoration: none;-ms-interpolation-=
mode: bicubic;"></a>
</td>
</tr>

```

102. On information and belief, the Chedraui Defendants directly infringe at least claim 1 of the '555 patent and are in violation of 35 U.S.C. § 271(a) by making, using, selling, importing, and/or offering to sell Chedraui Defendants Marketing Products and Services; and making, using, selling, selling access to, importing, offering for sale, and/or offering to sell access to the Chedraui Defendants Marketing Systems.

103. The Chedraui Defendants' direct infringement has damaged Advanced Transactions and caused it to suffer and continue to suffer irreparable harm and damages.

Count II

Infringement of United States Patent No. 7,386,594 by the Chedraui Defendants

104. Advanced Transactions repeats, realleges, and incorporates by reference, as if fully set forth here, the allegations of the preceding paragraphs above.

105. On information and belief, the Chedraui Defendants (or those acting on their behalf) makes, uses, sells, imports and/or offers to sell Chedraui Defendants Marketing Products, and Services; and makes, uses, sells, sells access to, imports, offers to sell and/or offers to sell access to the Chedraui Defendants Marketing Systems in the

United States that infringe (literally and/or under the doctrine of equivalents) at least claim 1 of the '594 patent.

106. On information and belief, one or more components the Chedraui Defendants Marketing Systems (*e.g.*, the Chedraui Defendants email servers), employ and provide a method for conducting an email campaign.

Thank You For Registering with Smartandfinal.com



Smart and Final <noreply_at_e_SmartandFinal_com_dbjdf8m3s66bsf_8f571064@icloud.com>

To: Hide My Email

The image shows a screenshot of an email from Smart & Final. At the top, there is a red banner with the "Smart & Final." logo in white. Below the banner, the text reads "Welcome John!". The main body of the email contains a welcome message, a coupon for 15% off, and contact information. The coupon is a blue button that says "CLIP COUPON". The footer includes the company address, online support link, and privacy policy link.

Smart & Final.

Welcome John!

Thank you for registering! Your Smart & Final Smart Advantage account is active, and if you haven't done so already, please complete your account profile [here](#).

We think you're going to love the variety and value in our aisles, in store and online! Get your essentials on time on budget & all under one roof. One trip & that's it!

Clip. Scan. Save!
Get 15% OFF
on your first transaction
in-store or online!

CLIP COUPON

If you received this in error or have questions about your account, please [contact us](#).

START SHOPPING

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PO BOX 2377, GME, Los Angeles, CA 90051-0377 - (800) 894-0511

Online Support - Click Here sfonlinesupport@smartandfinal.com

We respect your right to privacy - click [here](#) to view our policy.

If you did not register or have any questions about your account, please visit our [website](#).

Get ready for your **WEEKLY SPECIALS!** 😊



El Super Market <marketing.social_at_elsuper_org_ttyyb59bkbdv43_05rj3...
To: Hide My Email

Monday, May 23, 2022 at 1:17 PM

¡Bienvenido!
Welcome!

El Super

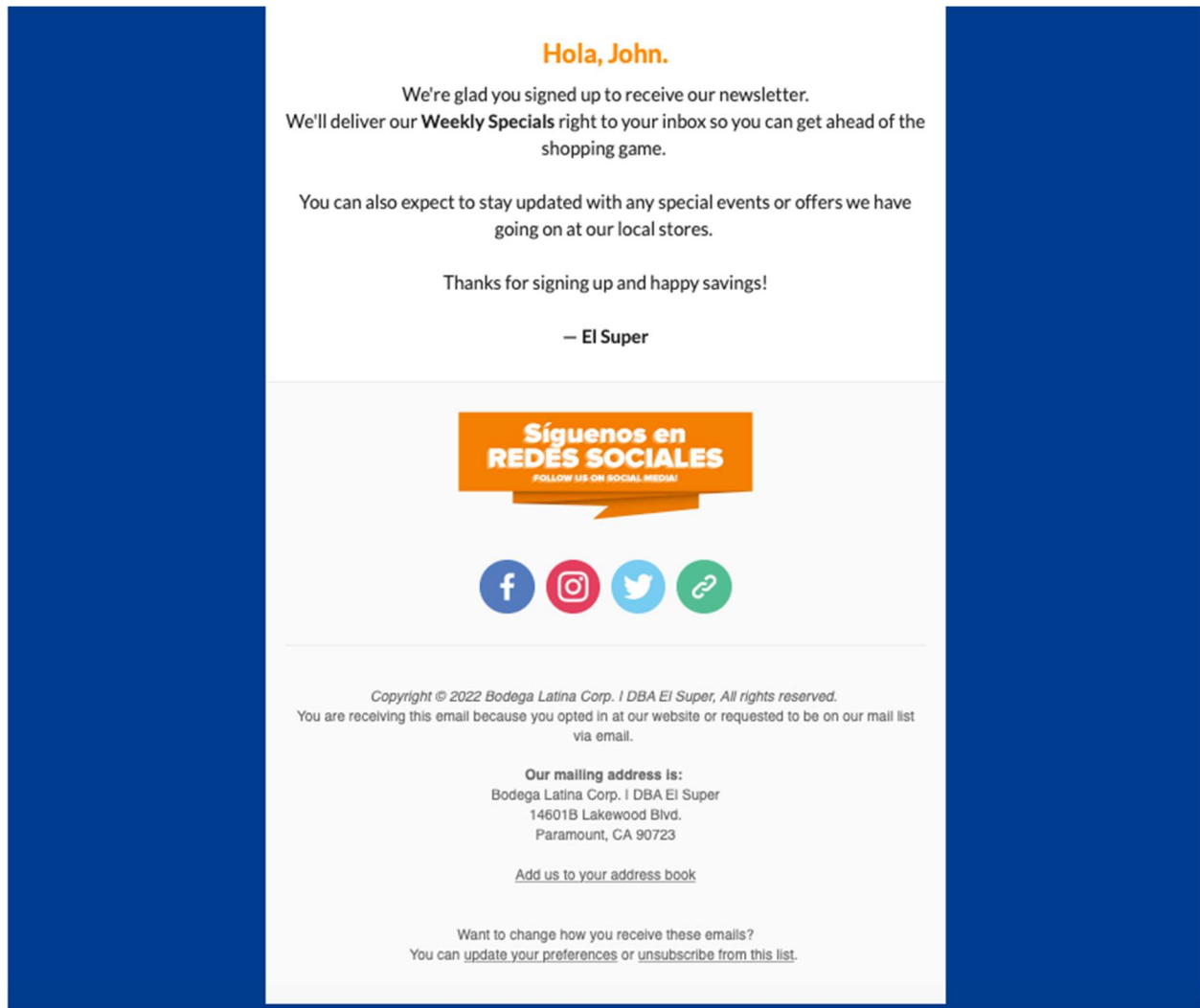
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¡Muchas gracias por suscribirte y esperamos disfrutes tus descuentos!

— El Super



See e.g., screenshots of emails received from Chedraui email servers.

Smart & Final Privacy Policy

Introduction

Your privacy is important to Smart & Final Stores LLC ("**Smart & Final**," "**we**" or "**us**"), so we have developed the Smart & Final Privacy Policy ("**Policy**") to explain the collection, use, disclosure, transfer, storage and security of your personal information. This Policy applies to individuals who have made any purchase of goods or services from Smart & Final in stores or through our Website (the "**Site**"), entered a Smart & Final sweepstakes, participated in one of our surveys, or have otherwise provided personal information in any of our online or offline data collection activities (collectively, "**Service**" or "**Services**"). By using our Service, you agree to consent to our collection of data, use and disclosure practices, and other activities set forth in this Policy.

Personal Information We Collect from You

Categories and Types of Personal Information We Collect

We collect the following categories and types of personal information:

- Contact Information: name, mailing address, and phone number;
- Other identifying information: IP address, social media handle, password, security questions and answers, operating system, web browser, phone device ID;
- Financial Information: credit card, debit card and bank account information (including account number, routing number, balance information and transactional data associated with your account);
- Geolocation data;
- Demographic information: date of birth, marital status, gender, income, hobbies, interests, race, national or ethnic origin, languages spoken;
- Internet or other electronic activity: mouse clicks, scrolling activities, website pages visited and time and duration on websites;
- Commercial information: transactional history and products purchased, considered or viewed on our website or in our stores; and
- Inferences drawn from the categories described above in order to create a profile about you to reflect your preferences, characteristics, behavior and attitude.

Categories of Use

- **Transactional Purposes:** We use your contact information, financial information, and commercial information to:
 - Keep a record of our interactions with you when we communicate online, over the telephone, and by other methods in which we provide customer service;
 - Process your registration with our Service; and
 - Process and complete your transactions including, as applicable, order confirmation, billing, enrollment in our loyalty or other programs, and delivering products or services.
- **Analytical Purposes:** We use your internet activity and browsing history to analyze preferences, trends and statistics.
- **Marketing and Promotional Purposes:** We use your contact information, commercial information, demographic information, internet or other electronic activity, and inferences to:
 - Provide you with newsletters, articles, product or service alerts, new product or service announcements, discounts, event invitations, and other information;
 - Contact you about programs, products, or services that we believe may be of interest to you, or sharing special offers from other companies;
 - Administer sweepstakes and promotions; and
 - Provide you with personally tailored coupons, programs, offers, content and ads.
- **Maintenance and Improvement of Services and Website:** We use your contact information, commercial information, and internet activity and browsing history to:
 - Respond to your inquiries on order status, services questions and complaints, technical issues, etc.;
 - To collect feedback from you about our Services; and
 - Help us diagnose technical and service problems and administer our stores, websites and apps.
- **Review and content creation purposes:** We use your photos, graphics and videos to enable reviews of our products and to display content that you have created and allowed us to display on our website and Services and on social media.
- **Legal, Security and Safety Purposes:** We use your personal information to comply with federal, state, and local laws in addition to maintaining the safety and security of your physical and digital selves, including to:
 - Confirm your identity for security safeguard purposes;
 - Prevent, investigate, or provide notice of fraud, unlawful or criminal activity, or unauthorized access to or use of personal information, our website or data systems, or to meet legal obligations;
 - Alert you about a product safety announcement, recall or correction of an offer, promotion or advertisement; and
 - Enforce our Terms of Use and other agreements.

Sources of Personal Information

We collect information from the following sources:

We collect information directly from you. We collect contact information, financial information, and demographic information directly from you.

We collect information about you from third parties. We collect your personal information from third parties, such product vendors, advertising companies and government agencies to deliver quality services to you. These companies may share your information with Smart & Final depending on the consent agreements you have with them at the time of your interactions together. This Policy does not apply to the personal information collection and sharing consent you have given them. Personal information collected from third parties may be combined with the personal information collected via our Services to compile a comprehensive profile of you, your preferences, and your shopping habits.

We collect information from you passively. We collect Internet or other electronic activity passively using tools like browser cookies. This activity is further described in our Cookies section below and further in our [Cookie Policy](#).

Combining Information

We may combine information you give us online and in our stores. We may also combine that information with publicly available information and information we receive from or cross-reference with third parties. We use that combined information to enhance and personalize your shopping experience with us, to communicate with you directly about our products and events that may be of interest to you, and for other promotional and commercial purposes.

* * *

Cookies

Technical information about the computer and mobile devices you use when consuming our Services is sometimes automatically collected by us or our third-party technology partners. Cookies, web beacons, scripts, application logs, fingerprinting technologies, and geo-location tracking are among the common methods in which we're able to learn how you're utilizing our Service as you interact with our websites, mobile apps, and other digital channels.

Most web browsers are initially set up to accept cookies. You can reset your web browser to refuse all cookies or to indicate when a cookie is being sent, however, certain features of the Site or Services may not work if you delete or disable cookies. Some of our Service Providers may use their own cookies, anonymous identifiers, or other tracking technology in connection with the services they perform on our behalf.

We use Google Analytics on the Site and Services to collect usage data, to analyze how users use the Site and Services, and to provide advertisements to you on other websites. For more information about how to opt out of having your information used by Google Analytics, visit <https://tools.google.com/dlpage/gaoptout/>.

See, e.g., <https://www.smartandfinal.com/privacy-policy>;



Privacy Policy

This privacy statement, also known as Fiesta Mart's privacy policy explains our privacy practices for our customers who use our website www.FiestaMart.com Fiesta Mart, L.L.C. (Fiesta Mart) recognizes the importance of privacy to our customers and visitors to our Web site (the "site") and will work to protect the security and privacy of any personal information that you provide to us.

Personally Identifiable Information (PII) we collect:

We collect personal identifiable information about you to deliver the products and services you request and to help improve your shopping experience. We strive to limit the amount of personal information collected to support the intended purpose of the collection. We collect PII from you in a variety of ways when you interact with Fiesta Mart, L.L.C. through our website.

Here are a few ways we collect your PII:

- Create an account on our website
- Make an online purchase from us
- Create a mobile shopping list
- Conduct a transaction where we collect information, including when required by law
- Request customer service or contact us
- Submit a Fiesta Mart related experience, rating or review or other user-generated content that can be posted on our website.
- Participate in an online promotion, or survey
- Apply for a position at Fiesta Mart, L.L.C.

PII is the information that identifies you or can be reasonably linked to you. The personal information we collect may include but is not restricted to contact and payment information like your name, email and physical addresses, phone numbers, and payment information. For certain transactions, we may be required to collect information to comply with legal requirements. Minors are not eligible to use the Site, and we ask that they do not submit any personal information to us.

AUTOMATED INFORMATION COLLECTION

We receive and store certain types of information when you interact with our websites, emails, and online advertising. Our purpose is to allow the websites to work correctly, to evaluate use of the website, and to support website analytics and marketing campaigns.

Some examples include:

- We may collect technical information such as your device operating system and browser type, the address of a referring website,
- if any, and the path you take through our websites.
- We use "cookies" to recognize you as you use or return to our sites. This is done so that we can provide a continuous and more
- personalized shopping experience for you.

Use and/or Disclose PII:

Fiesta Mart uses your information to offer and provide products and services to support our core business functions. These include order or service fulfillment, internal business processes, marketing, authentication, loss prevention, public safety and legal requirements. When you contact our service representatives, we may ask for personal information in order to verify your identity. We may share personal customer information with third parties with whom we have contracted to perform services or functions on our behalf whose activities are subject to the terms of this privacy policy. Fiesta Mart collects, stores, and uses aggregate data that does not contain personally identifiable information. This aggregated data may be shared with and used by third parties in order to help us and our business partners better serve and understand our customers.

We use your PII for functions, such as:

- Fiesta Mart e-newsletter subscriptions
- Notice of special promotions and/or events
- Online ads and coupons
- Customizing your shopping experience
- Verification of payment information
- Surveys and contests
- Employment applications
- Measuring and improving the effectiveness of www.FiestaMart.com

<https://www.fiestamart.com/privacy-policy/>; and



[Home](#) [Weekly Ads](#) [Store Locator](#) [Order Online](#) [Departments](#) [Giveaways](#) [Careers](#)

Privacy Policy

1. INTRODUCTION

1.1. PURPOSE OF POLICY. Bodega Latina Corporation dba El Super ("us," "we," or "Company") is committed to respecting the privacy rights of its customers, visitors, and other users of the Company Website (the "Site"). We created this Website Privacy Policy (this "Policy") to give you confidence as you visit and use the Site, and to demonstrate our commitment to fair information practices and the protection of privacy. This Policy is only applicable to the Site. It is not applicable to any other websites that you may be able to access from the Site, each of which may have data collection, storage, and use practices and policies that differ materially from this Policy.

Our services are provided to U.S. Customers, and this Policy is governed by U.S. legal requirements. If you access our services from outside the U.S., such as by using our Site, you agree to the application of U.S. law.

2. INFORMATION THE COMPANY COLLECTS

In operating the Site, Company may include registration, online surveys, and other online forms that ask users to provide their names, e-mail addresses, and other contact information. Categories of information the Company may collect include:

(a) PERSONAL INFORMATION YOU PROVIDE TO, OR SHARE WITH, US. In order for you to access certain services and to purchase products that we may offer via the Site, we may require you to provide us with certain information that personally identifies you ("Personal Information"). Personal Information includes the following categories of information: (1) Contact Data (such as your name, mailing address, phone number and e-mail address); (2) Financial Data (such as your account or credit card number) and other payment information; and (3) Demographic Data (such as your zip code, age, and income). If you communicate with us by e-mail, post messages to any of our chat groups, bulletin boards, or forums, or otherwise complete online forms, surveys, or contest entries, any information provided in such communication may be collected as Personal Information.

(b) TRAFFIC DATA COLLECTED; AUTOMATIC COLLECTION. We automatically track and collect the following categories of information when you visit our Site or use our mobile apps, or when you use our online services or view our online advertisements: (1) IP addresses; (2) domain servers; (3) types of computers accessing the Site; and (4) types of web browsers used to access the Site (collectively "Traffic Data"). Traffic Data is anonymous information that does not personally identify you but is helpful for marketing purposes or for improving your experience on the Site or the services we offer. Our servers automatically recognize visitors' domain names and IP addresses (the number assigned to computers on the Internet). No personal information about you is revealed in this process.

In addition, we may collect information when you use our mobile apps, including device location (if you choose to turn this feature on). If you choose to connect to our in-store wireless service, we may collect websites you visit and your mobile device identifier so you can automatically be connected.

(c) COOKIES, web beacons and other similar technology.

When you visit our Site, access our mobile apps or open one of our emails, we may automatically collect information about you using tracking technology, including but not limited to the following:

- Internet Protocol address
 - Unique device or user ID
 - System and browser type
 - Referring website address
-
- Content and pages you access on our websites or mobile apps

- Dates, times and locations when actions take place.

We may use the standard "cookies" feature of major browser applications that allows us to store a small piece of data on your computer about your visit to our Site. We use "cookies" to customize content specific to your interests, to ensure that you do not see the same advertisement repeatedly, and to store your password so you do not have to re-enter it each time you visit the Site. We do not set any personally identifiable information in cookies, nor do we employ any data capture mechanisms on our Site other than cookies. Cookies help us learn which areas of our site are useful and which areas need improvement. You can choose whether to accept cookies by changing the settings on your browser. However, if you choose to disable this function, your experience at our Site may be diminished and some features may not work as they were intended.

(d) THIRD-PARTY TECHNOLOGY. We may use third-party technology to better understand your online behavior. However, this Policy does not cover the use of cookies by others, including online tracking companies. We do not have access or control over the cookies placed on your computer by other websites you may visit.

When you connect to our Site or mobile apps through a third party, we may collect information from their website, including but not limited to User ID, demographic information, and other information shared with us based on your account settings.

We may also gather information about you from other sources, including consumer research firms and public databases.

We may provide links to third-party websites in order to provide additional goods, services or information to our customers. Any information you provide when accessing a third-party website is subject to that company's privacy policy. Please know that we are not responsible for information you provide directly to a third party. If you register for or use such third-party websites, the third party may receive information collected through the use of the websites, as described in the privacy policies on those websites. We encourage you to check the privacy policies of such third parties to learn about their practices with respect to the collection, use, disclosure, and protection of your personal information.

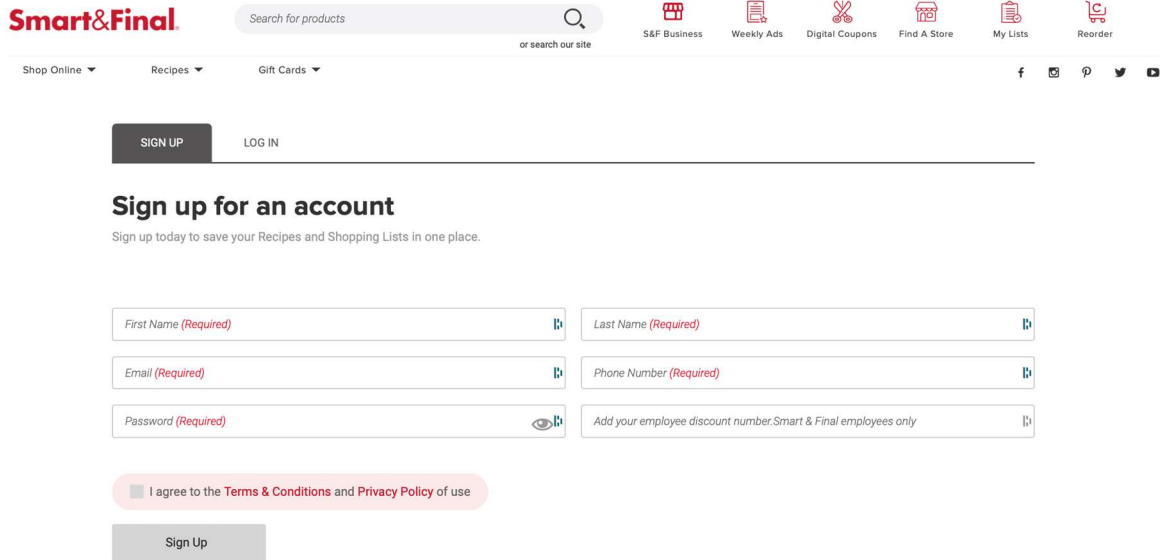
3. USE AND SHARING OF INFORMATION

3.1. GENERAL USES OF INFORMATION COLLECTED

(a) COMPANY USE OF INFORMATION. We use Contact Data to send you information about our Company or our products or services, or promotional material from some of our partners, or to contact you when necessary. We use your Financial Data to verify your qualifications for certain products or services and to bill you for products and services. We use your Demographic Data to customize and tailor your experience on the Site, displaying content that we think you might be interested in and according to your preferences.

<https://elsupermarkets.com/en/privacy-policy/>.

107. On information and belief, one or more components the Chedraui Defendants Marketing Systems employ and provide a method for conducting an email campaign, comprising the step of receiving an email target database.



Smart&Final Search for products or search our site

S&F Business Weekly Ads Digital Coupons Find A Store My Lists Reorder

Shop Online Recipes Gift Cards

SIGN UP LOG IN

Sign up for an account

Sign up today to save your Recipes and Shopping Lists in one place.

First Name (Required) Last Name (Required)

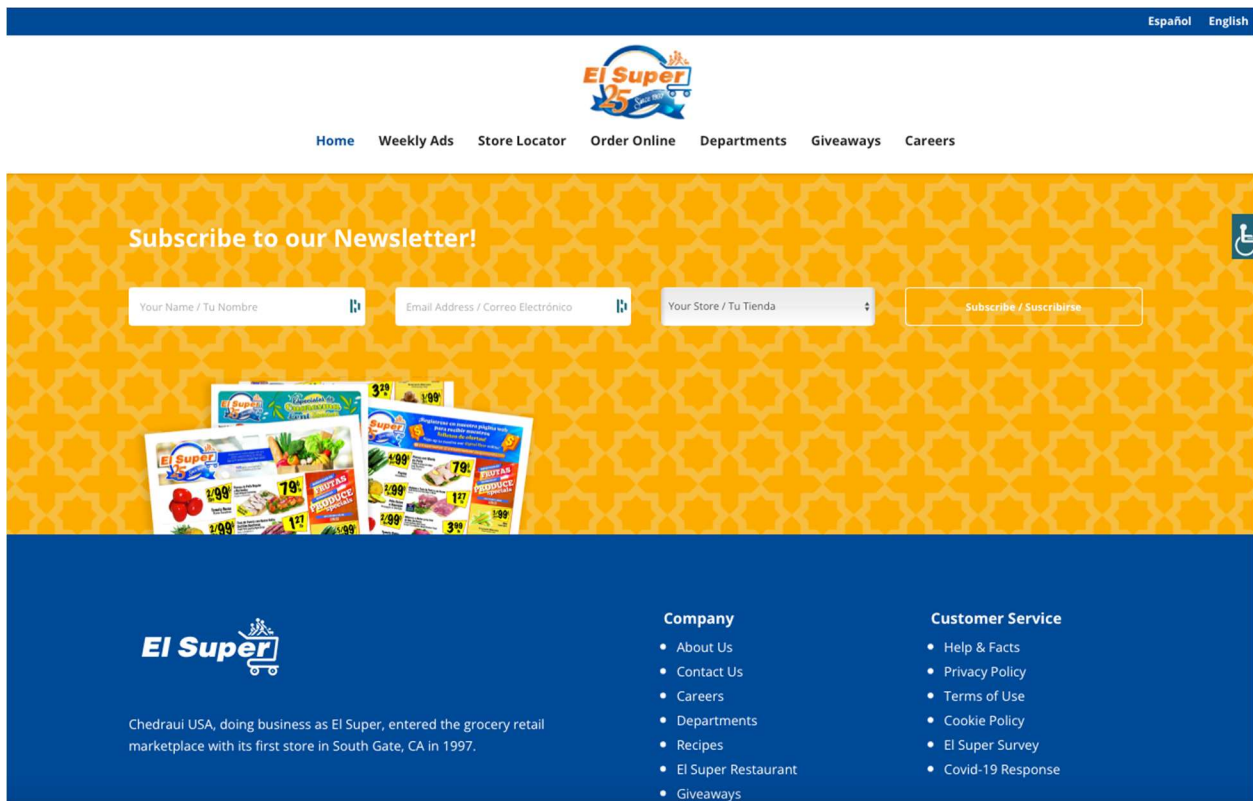
Email (Required) Phone Number (Required)

Password (Required) Add your employee discount number Smart & Final employees only

I agree to the [Terms & Conditions](#) and [Privacy Policy](#) of use

Sign Up

See e.g., https://www.smartandfinal.com/user_info/register;



Español English

El Super 25 años

Home Weekly Ads Store Locator Order Online Departments Giveaways Careers

Subscribe to our Newsletter!

Your Name / Tu Nombre Email Address / Correo Electrónico Your Store / Tu Tienda Subscribe / Suscribirse

El Super

Chedraui USA, doing business as El Super, entered the grocery retail marketplace with its first store in South Gate, CA in 1997.

Company

- About Us
- Contact Us
- Careers
- Departments
- Recipes
- El Super Restaurant
- Giveaways

Customer Service

- Help & Facts
- Privacy Policy
- Terms of Use
- Cookie Policy
- El Super Survey
- Covid-19 Response

[https://elsupermarkets.com/en/home-2/;](https://elsupermarkets.com/en/home-2/) and

Fiesta
Fiesta Mart

Home Weekly Ads Store Locator Order Now! Departments Giveaways

Subscribe to our Newsletter!

Name / Nombre

Email / Correo electrónico

Subscribe / Suscribete

Fiesta

At Fiesta Mart we relentlessly strive to be the retailer of choice for the communities we serve by celebrating food and delivering the lowest possible prices.

Company

- About Us
- Contact Us
- Careers
- Departments
- Pepe's Kitchen
- Recipes
- Find a Store
- Fiesta Financial Center

Customer Service

- Help & Facts
- Privacy Policy
- Terms of Use
- Cookie Policy
- Fiesta Survey
- Covid-19 Response

[f](#) [@](#)

<https://www.fiestamart.com>.

Thank You For Registering with Smartandfinal.com



Smart and Final <noreply_at_e_SmartandFinal_com_dbjdf8m3s66bsf_8f571064@icloud.com>

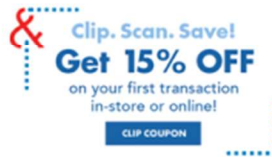
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Smart&Final.

Welcome John!

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We think you're going to love the variety and value in our aisles, in store and online! Get your essentials on time on budget & all under one roof. One trip & that's it!



If you received this in error or have questions about your account, please [contact us](#).

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Get ready for your **WEEKLY SPECIALS!** 😊



El Super Market <marketing.social_at_elsuper_org_ttyyb59bkbv43_05rj3...
To: Hide My Email

Monday, May 23, 2022 at 1:17 PM

¡Bienvenido!
Welcome!

El Super

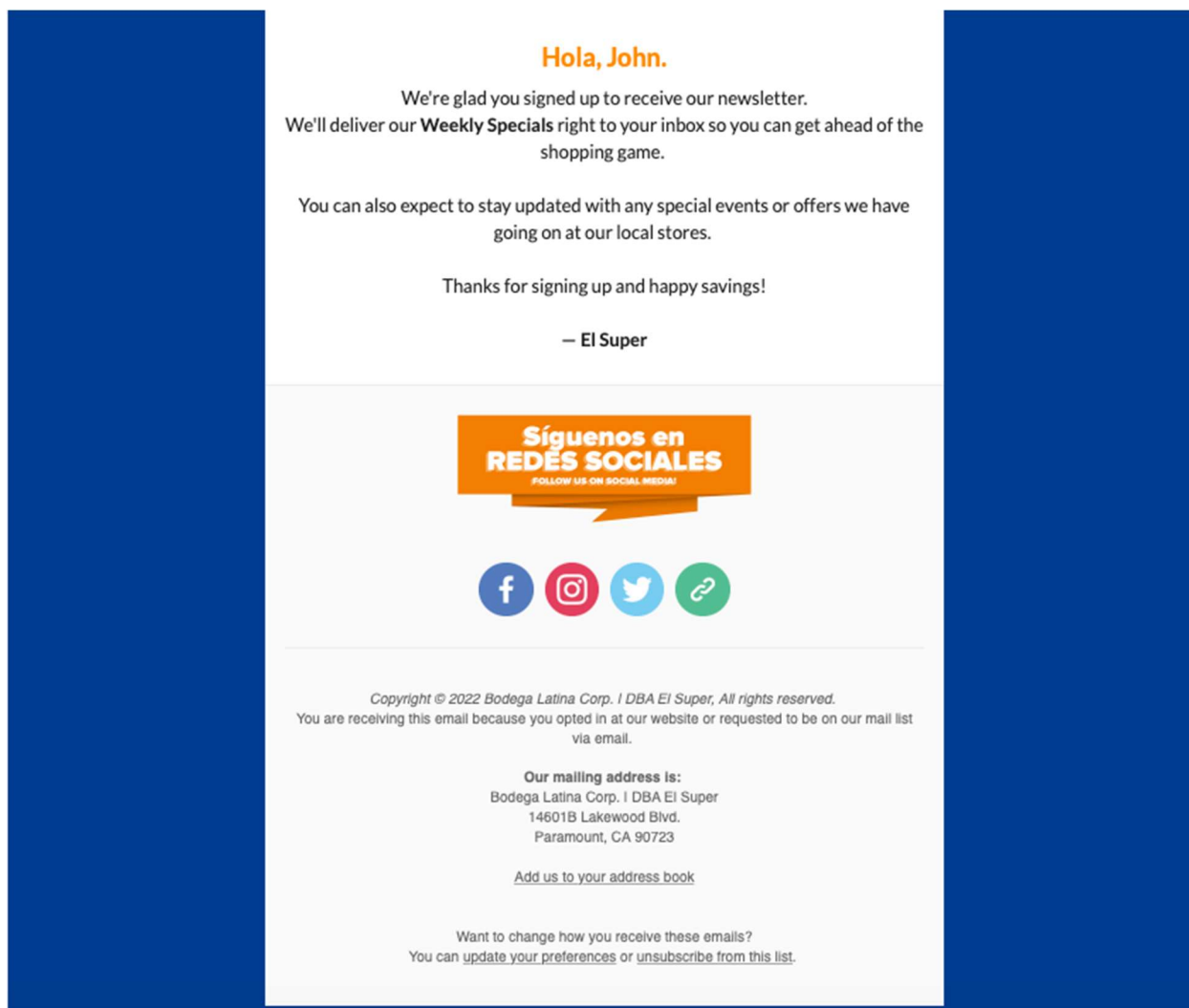
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— El Super



See e.g., screenshots of emails received from Chedraui email servers.

108. On information and belief, one or more components the Chedraui Defendants Marketing Systems employ and provide a method for conducting an email campaign, comprising the step of generating an email campaign template (e.g., the template used to generate the email reproduced below) related to at least one email target in the received email target database.

Thank You For Registering with Smartandfinal.com



Smart and Final <noreply_at_e_SmartandFinal_com_dbjdf8m3s66bsf_8f571064@icloud.com>

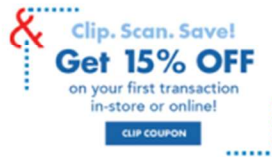
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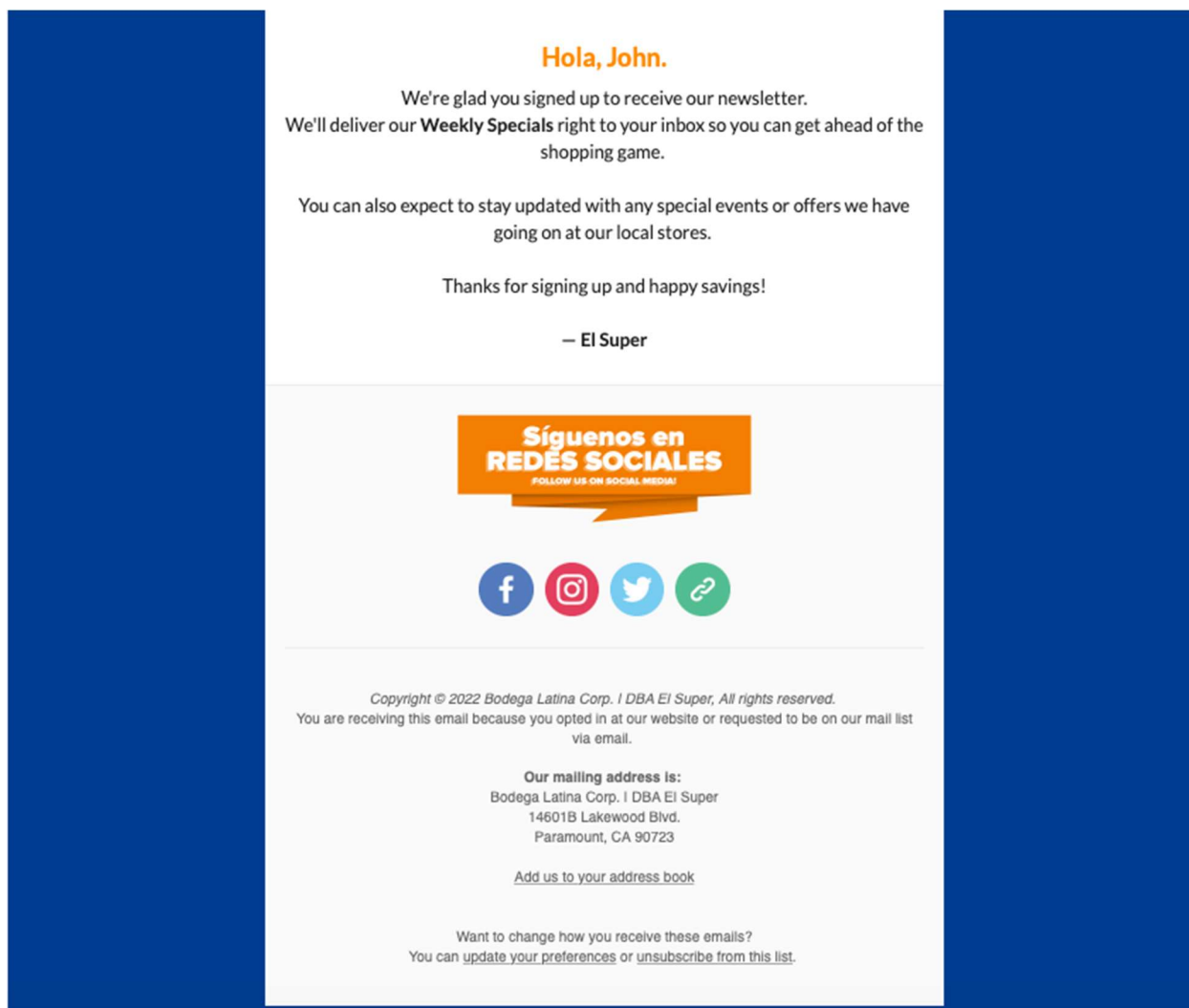
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See e.g., screenshots of emails received from Chedraui email servers.

109. On information and belief, one or more components the Chedraui Defendants Marketing Systems employ and provide a method for conducting an email campaign, comprising the step of generating an email campaign template related to at least one email target (e.g., the intended recipient of the email reproduced below) in the received email target database, wherein the step of generating an email campaign template related to at least one email target in the received email target database comprises the step of generating a message template.

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Smart and Final <noreply_at_e_SmartandFinal_com_dbjdf8m3s66bsf_8f571064@icloud.com>

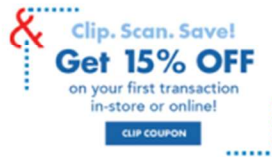
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Welcome John!

Thank you for registering! Your Smart & Final Smart Advantage account is active, and if you haven't done so already, please complete your account profile [here](#).

We think you're going to love the variety and value in our aisles, in store and online! Get your essentials on time on budget & all under one roof. One trip & that's it!



If you received this in error or have questions about your account, please [contact us](#).

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PO BOX 2377, GME, Los Angeles, CA 90051-0377 - (800) 894-0511

Online Support - Click Here sfonlinesupport@smartandfinal.com

We respect your right to privacy - click [here](#) to view our policy.


If you did not register or have any questions about your account, please visit our [website](#).

Get ready for your **WEEKLY SPECIALS!** 😊



El Super Market <marketing.social_at_elsuper_org_ttyyb59bkbdv43_05rj3...
To: Hide My Email

Monday, May 23, 2022 at 1:17 PM



¡Bienvenido!
Welcome!

El Super

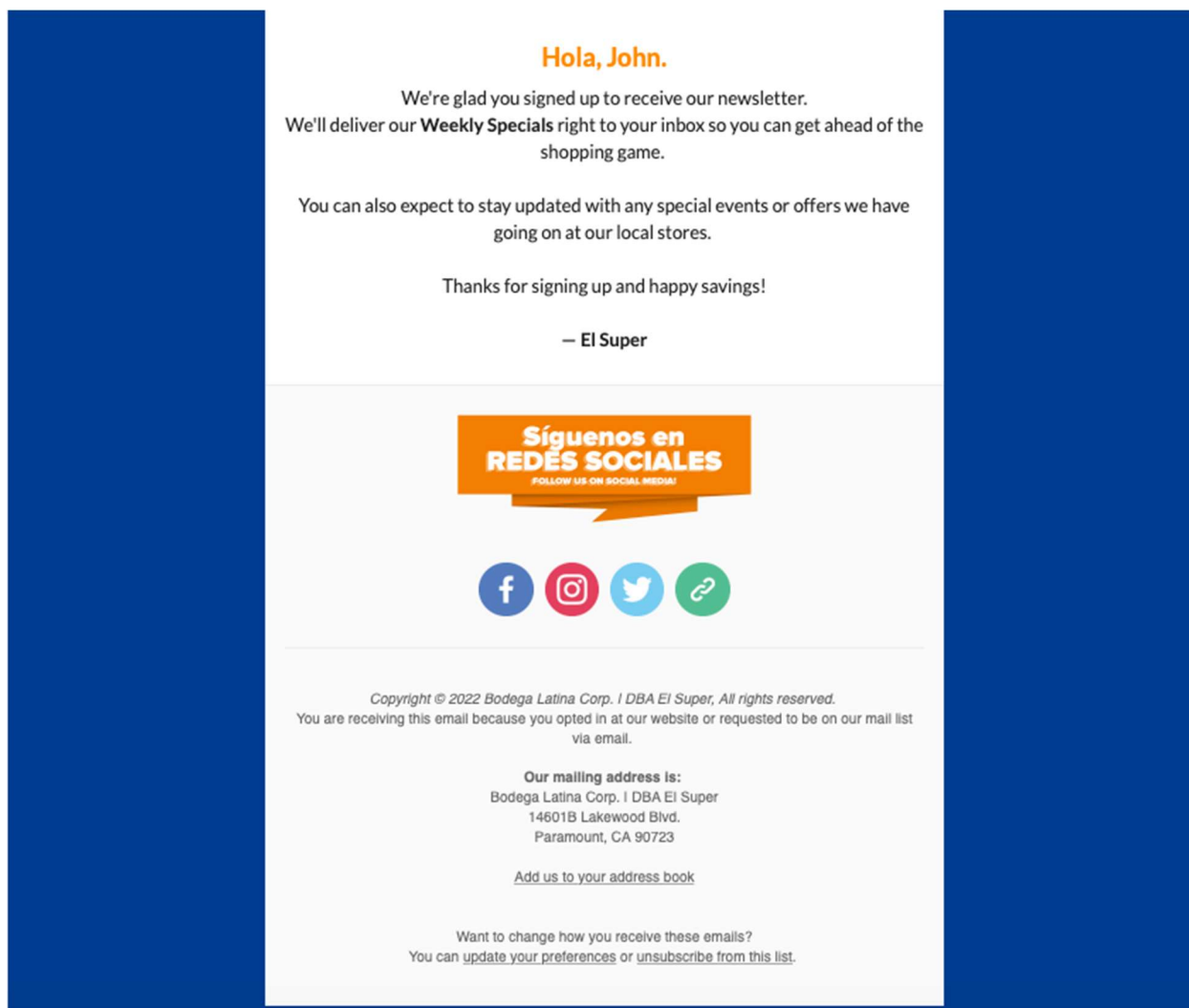
Hola, John.

Estamos felices de que te hayas suscrito para recibir nuestro newsletter. Cada semana te haremos llegar nuestros **Weekly Specials** directamente a tu bandeja de entrada para que hagas tus compras con las mejores ofertas.

También queremos mantenerte al tanto sobre cualquier evento especial que este sucediendo en tu tienda local.

¡Muchas gracias por suscribirte y esperamos disfrutes tus descuentos!

— El Super



See e.g., screenshots of emails received from Chedraui email servers.

110. On information and belief, one or more components the Chedraui Defendants Marketing Systems employ and provide a method for conducting an email campaign, comprising the step of generating an email campaign template related to at least one email target in the received email target database, wherein the step of generating an email campaign template related to at least one email target in the received email target database comprises the step of generating a configuration file to

contain data related to each of the at least one email target, wherein the data is insertable in the generated message template.

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Smart and Final <noreply_at_e_SmartandFinal_com_dbjdf8m3s66bsf_8f571064@icloud.com>

To: Hide My Email

Smart & Final.

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We think you're going to love the variety and value in our aisles, in store and online! Get your essentials on time on budget & all under one roof. One trip & that's it!

Clip. Scan. Save!
Get 15% OFF
on your first transaction
in-store or online!
[CLIP COUPON](#)

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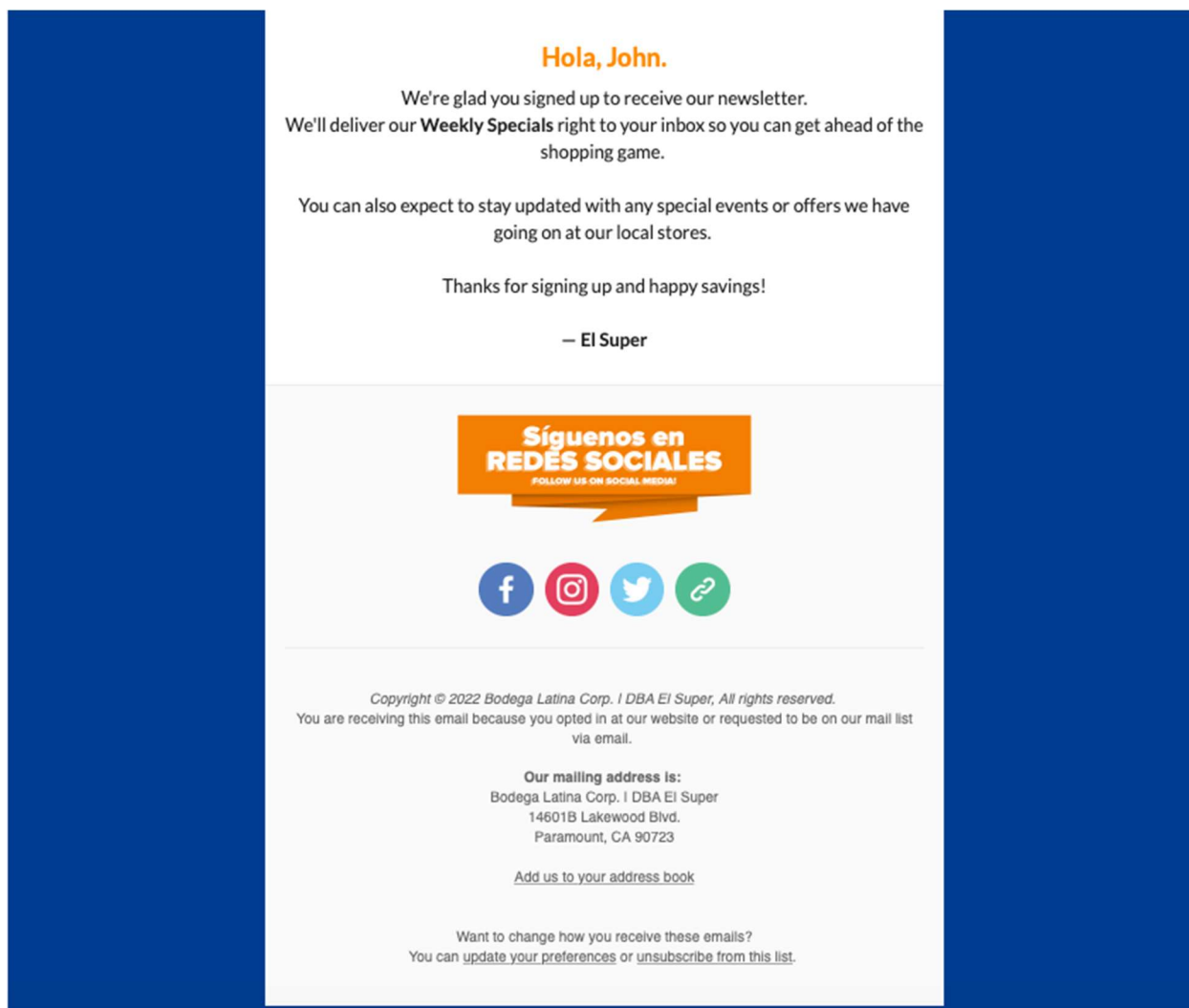
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See e.g., screenshots of emails received from Chedraui email servers.

111. On information and belief, one or more components the Chedraui Defendants Marketing Systems employ and provide a method for conducting an email campaign, comprising the step of sending to each of the at least one email target a corresponding custom email, wherein the custom email is formed from the email campaign template.

Thank You For Registering with Smartandfinal.com



Smart and Final <noreply_at_e_SmartandFinal_com_dbjdf8m3s66bsf_8f571064@icloud.com>

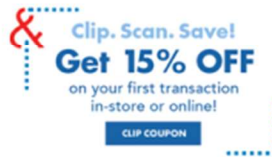
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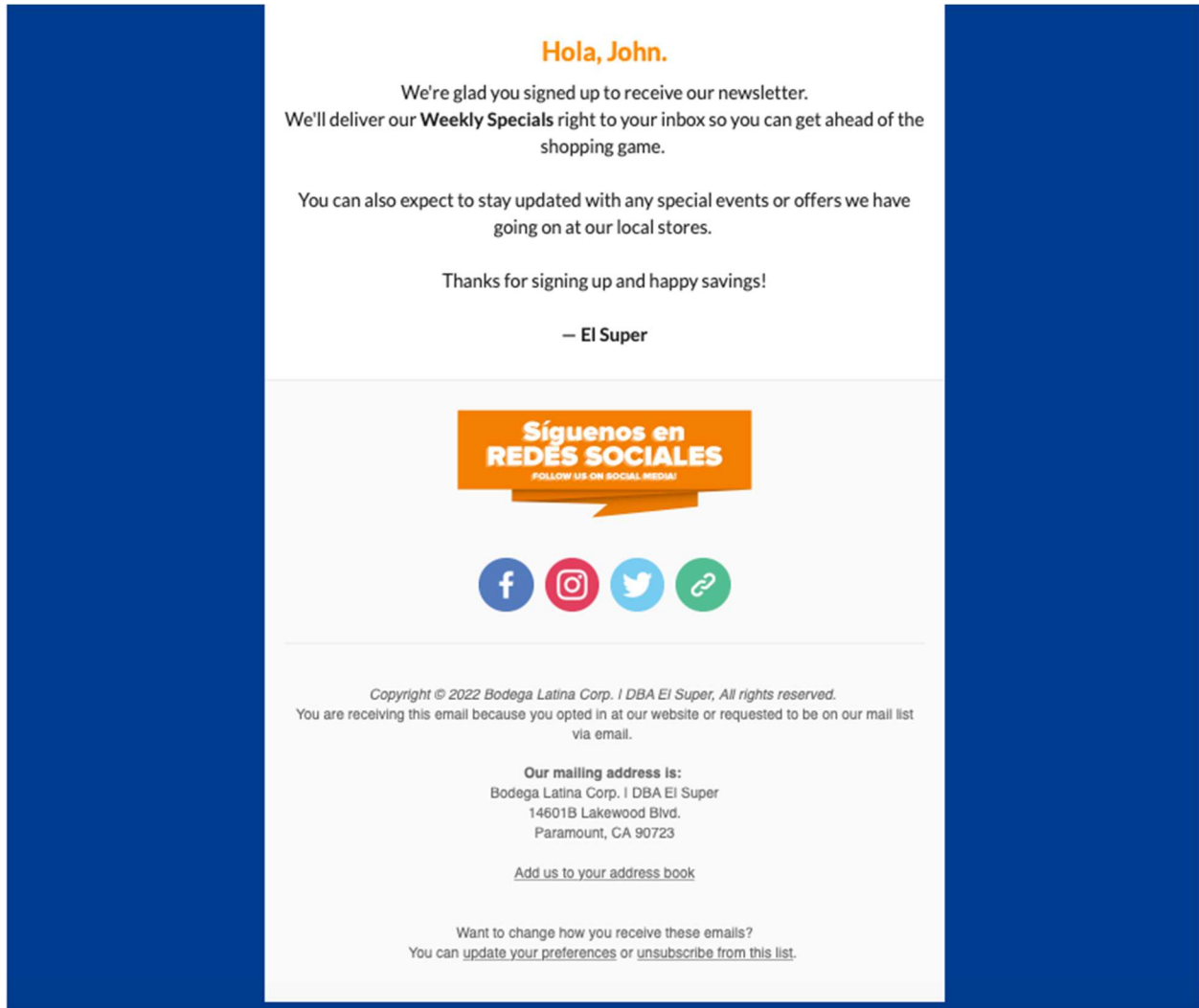
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See e.g., screenshots of emails received from Chedraui email servers.

112. On information and belief, the Chedraui Defendants directly infringe at least claim 1 of the '594 patent and are in violation of 35 U.S.C. § 271(a) by making, using, selling, importing, and/or offering to sell the Chedraui Defendants Marketing Products and Services; and making, using, selling, selling access to, importing, offering for sale, and/or offering to sell access to the Chedraui Defendants Marketing Systems.

113. The Chedraui Defendants' direct infringement has damaged Advanced Transactions and caused it to suffer and continue to suffer irreparable harm and damages.

Count III
Infringement of United States Patent No. 7,693,950 by the Chedraui Defendants

114. Advanced Transactions repeats, realleges, and incorporates by reference, as if fully set forth here, the allegations of the preceding paragraphs above.

115. On information and belief, the Chedraui Defendants (or those acting on their behalf) makes, uses, sells, imports and/or offers to sell Chedraui Defendants Marketing Products, and Services; and makes, uses, sells, sells access to, imports, offers to sell and/or offers to sell access to the Chedraui Defendants Marketing Systems in the United States that infringe (literally and/or under the doctrine of equivalents) at least claim 13 of the '950 patent.

116. On information and belief, one or more components the Chedraui Defendants Marketing Systems, (e.g., the Chedraui Defendants email servers) comprise a system for conducting an email campaign.

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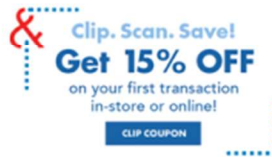
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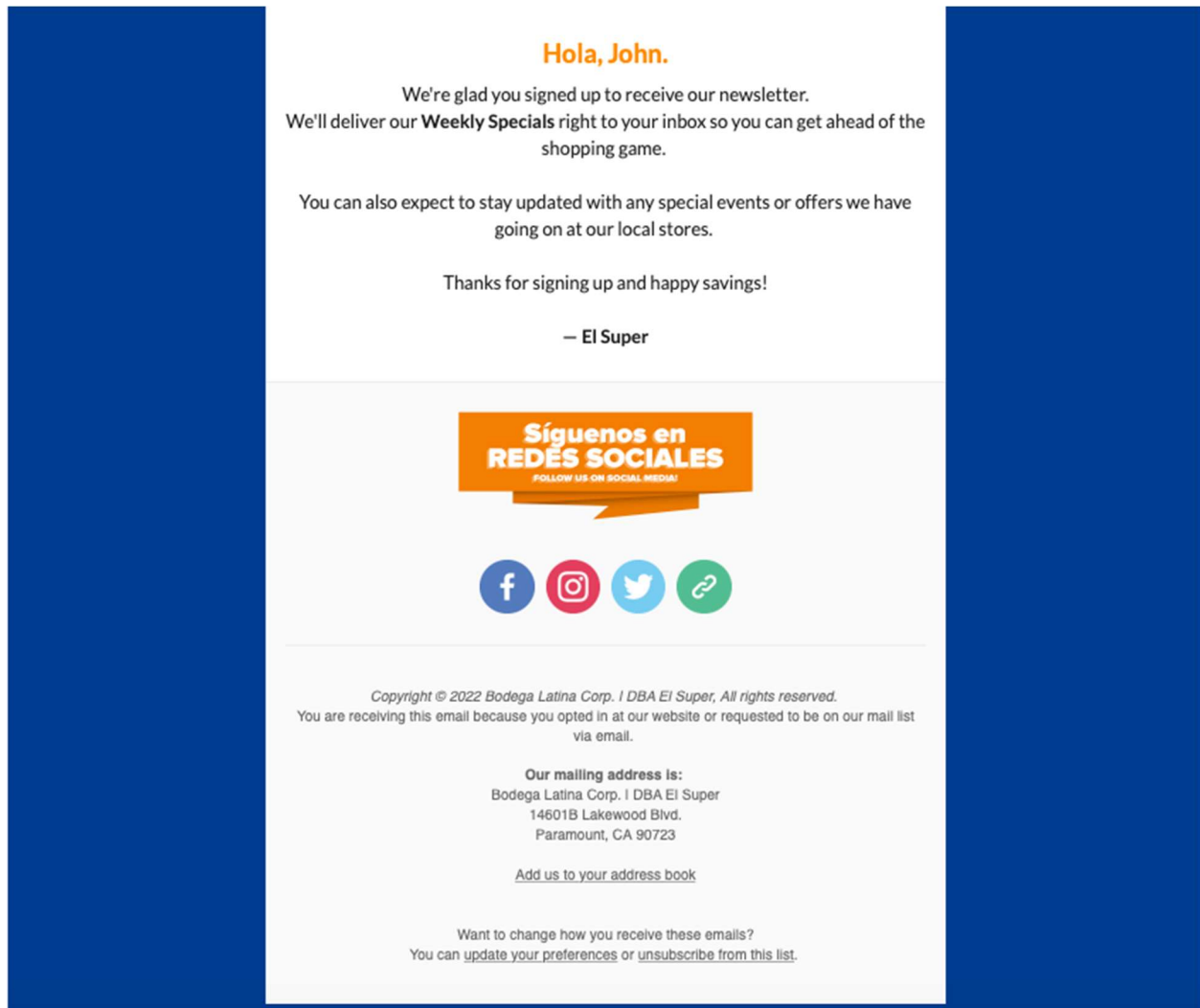
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Smart & Final Privacy Policy

Introduction

Your privacy is important to Smart & Final Stores LLC ("**Smart & Final**," "**we**" or "**us**"), so we have developed the Smart & Final Privacy Policy ("**Policy**") to explain the collection, use, disclosure, transfer, storage and security of your personal information. This Policy applies to individuals who have made any purchase of goods or services from Smart & Final in stores or through our Website (the "**Site**"), entered a Smart & Final sweepstakes, participated in one of our surveys, or have otherwise provided personal information in any of our online or offline data collection activities (collectively, "**Service**" or "**Services**"). By using our Service, you agree to consent to our collection of data, use and disclosure practices, and other activities set forth in this Policy.

Personal Information We Collect from You

Categories and Types of Personal Information We Collect

We collect the following categories and types of personal information:

- Contact Information: name, mailing address, and phone number;
- Other identifying information: IP address, social media handle, password, security questions and answers, operating system, web browser, phone device ID;
- Financial Information: credit card, debit card and bank account information (including account number, routing number, balance information and transactional data associated with your account);
- Geolocation data;
- Demographic information: date of birth, marital status, gender, income, hobbies, interests, race, national or ethnic origin, languages spoken;
- Internet or other electronic activity: mouse clicks, scrolling activities, website pages visited and time and duration on websites;
- Commercial information: transactional history and products purchased, considered or viewed on our website or in our stores; and
- Inferences drawn from the categories described above in order to create a profile about you to reflect your preferences, characteristics, behavior and attitude.

Categories of Use

- **Transactional Purposes:** We use your contact information, financial information, and commercial information to:
 - Keep a record of our interactions with you when we communicate online, over the telephone, and by other methods in which we provide customer service;
 - Process your registration with our Service; and
 - Process and complete your transactions including, as applicable, order confirmation, billing, enrollment in our loyalty or other programs, and delivering products or services.
- **Analytical Purposes:** We use your internet activity and browsing history to analyze preferences, trends and statistics.
- **Marketing and Promotional Purposes:** We use your contact information, commercial information, demographic information, internet or other electronic activity, and inferences to:
 - Provide you with newsletters, articles, product or service alerts, new product or service announcements, discounts, event invitations, and other information;
 - Contact you about programs, products, or services that we believe may be of interest to you, or sharing special offers from other companies;
 - Administer sweepstakes and promotions; and
 - Provide you with personally tailored coupons, programs, offers, content and ads.
- **Maintenance and Improvement of Services and Website:** We use your contact information, commercial information, and internet activity and browsing history to:
 - Respond to your inquiries on order status, services questions and complaints, technical issues, etc.;
 - To collect feedback from you about our Services; and
 - Help us diagnose technical and service problems and administer our stores, websites and apps.
- **Review and content creation purposes:** We use your photos, graphics and videos to enable reviews of our products and to display content that you have created and allowed us to display on our website and Services and on social media.
- **Legal, Security and Safety Purposes:** We use your personal information to comply with federal, state, and local laws in addition to maintaining the safety and security of your physical and digital selves, including to:
 - Confirm your identity for security safeguard purposes;
 - Prevent, investigate, or provide notice of fraud, unlawful or criminal activity, or unauthorized access to or use of personal information, our website or data systems, or to meet legal obligations;
 - Alert you about a product safety announcement, recall or correction of an offer, promotion or advertisement; and
 - Enforce our Terms of Use and other agreements.

Sources of Personal Information

We collect information from the following sources:

We collect information directly from you. We collect contact information, financial information, and demographic information directly from you.

We collect information about you from third parties. We collect your personal information from third parties, such product vendors, advertising companies and government agencies to deliver quality services to you. These companies may share your information with Smart & Final depending on the consent agreements you have with them at the time of your interactions together. This Policy does not apply to the personal information collection and sharing consent you have given them. Personal information collected from third parties may be combined with the personal information collected via our Services to compile a comprehensive profile of you, your preferences, and your shopping habits.

We collect information from you passively. We collect Internet or other electronic activity passively using tools like browser cookies. This activity is further described in our Cookies section below and further in our [Cookie Policy](#).

Combining Information

We may combine information you give us online and in our stores. We may also combine that information with publicly available information and information we receive from or cross-reference with third parties. We use that combined information to enhance and personalize your shopping experience with us, to communicate with you directly about our products and events that may be of interest to you, and for other promotional and commercial purposes.

* * *

Cookies

Technical information about the computer and mobile devices you use when consuming our Services is sometimes automatically collected by us or our third-party technology partners. Cookies, web beacons, scripts, application logs, fingerprinting technologies, and geo-location tracking are among the common methods in which we're able to learn how you're utilizing our Service as you interact with our websites, mobile apps, and other digital channels.

Most web browsers are initially set up to accept cookies. You can reset your web browser to refuse all cookies or to indicate when a cookie is being sent, however, certain features of the Site or Services may not work if you delete or disable cookies. Some of our Service Providers may use their own cookies, anonymous identifiers, or other tracking technology in connection with the services they perform on our behalf.

We use Google Analytics on the Site and Services to collect usage data, to analyze how users use the Site and Services, and to provide advertisements to you on other websites. For more information about how to opt out of having your information used by Google Analytics, visit <https://tools.google.com/dlpage/gaoptout/>.

See, e.g., <https://www.smartandfinal.com/privacy-policy>;



Privacy Policy

This privacy statement, also known as Fiesta Mart's privacy policy explains our privacy practices for our customers who use our website www.FiestaMart.com Fiesta Mart, L.L.C. (Fiesta Mart) recognizes the importance of privacy to our customers and visitors to our Web site (the "site") and will work to protect the security and privacy of any personal information that you provide to us.

Personally Identifiable Information (PII) we collect:

We collect personal identifiable information about you to deliver the products and services you request and to help improve your shopping experience. We strive to limit the amount of personal information collected to support the intended purpose of the collection. We collect PII from you in a variety of ways when you interact with Fiesta Mart, L.L.C. through our website.

Here are a few ways we collect your PII:

- Create an account on our website
- Make an online purchase from us
- Create a mobile shopping list
- Conduct a transaction where we collect information, including when required by law
- Request customer service or contact us
- Submit a Fiesta Mart related experience, rating or review or other user-generated content that can be posted on our website.
- Participate in an online promotion, or survey
- Apply for a position at Fiesta Mart, L.L.C.

PII is the information that identifies you or can be reasonably linked to you. The personal information we collect may include but is not restricted to contact and payment information like your name, email and physical addresses, phone numbers, and payment information. For certain transactions, we may be required to collect information to comply with legal requirements. Minors are not eligible to use the Site, and we ask that they do not submit any personal information to us.

AUTOMATED INFORMATION COLLECTION

We receive and store certain types of information when you interact with our websites, emails, and online advertising. Our purpose is to allow the websites to work correctly, to evaluate use of the website, and to support website analytics and marketing campaigns.

Some examples include:

- We may collect technical information such as your device operating system and browser type, the address of a referring website,
- if any, and the path you take through our websites.
- We use "cookies" to recognize you as you use or return to our sites. This is done so that we can provide a continuous and more
- personalized shopping experience for you.

Use and/or Disclose PII:

Fiesta Mart uses your information to offer and provide products and services to support our core business functions. These include order or service fulfillment, internal business processes, marketing, authentication, loss prevention, public safety and legal requirements. When you contact our service representatives, we may ask for personal information in order to verify your identity. We may share personal customer information with third parties with whom we have contracted to perform services or functions on our behalf whose activities are subject to the terms of this privacy policy. Fiesta Mart collects, stores, and uses aggregate data that does not contain personally identifiable information. This aggregated data may be shared with and used by third parties in order to help us and our business partners better serve and understand our customers.

We use your PII for functions, such as:

- Fiesta Mart e-newsletter subscriptions
- Notice of special promotions and/or events
- Online ads and coupons
- Customizing your shopping experience
- Verification of payment information
- Surveys and contests
- Employment applications
- Measuring and improving the effectiveness of www.FiestaMart.com

<https://www.fiestamart.com/privacy-policy/>; and



[Home](#) [Weekly Ads](#) [Store Locator](#) [Order Online](#) [Departments](#) [Giveaways](#) [Careers](#)

Privacy Policy

1. INTRODUCTION

1.1. PURPOSE OF POLICY. Bodega Latina Corporation dba El Super ("us," "we," or "Company") is committed to respecting the privacy rights of its customers, visitors, and other users of the Company Website (the "Site"). We created this Website Privacy Policy (this "Policy") to give you confidence as you visit and use the Site, and to demonstrate our commitment to fair information practices and the protection of privacy. This Policy is only applicable to the Site. It is not applicable to any other websites that you may be able to access from the Site, each of which may have data collection, storage, and use practices and policies that differ materially from this Policy.

Our services are provided to U.S. Customers, and this Policy is governed by U.S. legal requirements. If you access our services from outside the U.S., such as by using our Site, you agree to the application of U.S. law.

2. INFORMATION THE COMPANY COLLECTS

In operating the Site, Company may include registration, online surveys, and other online forms that ask users to provide their names, e-mail addresses, and other contact information. Categories of information the Company may collect include:

(a) PERSONAL INFORMATION YOU PROVIDE TO, OR SHARE WITH, US. In order for you to access certain services and to purchase products that we may offer via the Site, we may require you to provide us with certain information that personally identifies you ("Personal Information"). Personal Information includes the following categories of information: (1) Contact Data (such as your name, mailing address, phone number and e-mail address); (2) Financial Data (such as your account or credit card number) and other payment information; and (3) Demographic Data (such as your zip code, age, and income). If you communicate with us by e-mail, post messages to any of our chat groups, bulletin boards, or forums, or otherwise complete online forms, surveys, or contest entries, any information provided in such communication may be collected as Personal Information.

(b) TRAFFIC DATA COLLECTED; AUTOMATIC COLLECTION. We automatically track and collect the following categories of information when you visit our Site or use our mobile apps, or when you use our online services or view our online advertisements: (1) IP addresses; (2) domain servers; (3) types of computers accessing the Site; and (4) types of web browsers used to access the Site (collectively "Traffic Data"). Traffic Data is anonymous information that does not personally identify you but is helpful for marketing purposes or for improving your experience on the Site or the services we offer. Our servers automatically recognize visitors' domain names and IP addresses (the number assigned to computers on the Internet). No personal information about you is revealed in this process.

In addition, we may collect information when you use our mobile apps, including device location (if you choose to turn this feature on). If you choose to connect to our in-store wireless service, we may collect websites you visit and your mobile device identifier so you can automatically be connected.

(c) COOKIES, web beacons and other similar technology.

When you visit our Site, access our mobile apps or open one of our emails, we may automatically collect information about you using tracking technology, including but not limited to the following:

- Internet Protocol address
- Unique device or user ID
- System and browser type
- Referring website address
- Content and pages you access on our websites or mobile apps

• Dates, times and locations when actions take place.

We may use the standard "cookies" feature of major browser applications that allows us to store a small piece of data on your computer about your visit to our Site. We use "cookies" to customize content specific to your interests, to ensure that you do not see the same advertisement repeatedly, and to store your password so you do not have to re-enter it each time you visit the Site. We do not set any personally identifiable information in cookies, nor do we employ any data capture mechanisms on our Site other than cookies. Cookies help us learn which areas of our site are useful and which areas need improvement. You can choose whether to accept cookies by changing the settings on your browser. However, if you choose to disable this function, your experience at our Site may be diminished and some features may not work as they were intended.

(d) THIRD-PARTY TECHNOLOGY. We may use third-party technology to better understand your online behavior. However, this Policy does not cover the use of cookies by others, including online tracking companies. We do not have access or control over the cookies placed on your computer by other websites you may visit.

When you connect to our Site or mobile apps through a third party, we may collect information from their website, including but not limited to User ID, demographic information, and other information shared with us based on your account settings.

We may also gather information about you from other sources, including consumer research firms and public databases.

We may provide links to third-party websites in order to provide additional goods, services or information to our customers. Any information you provide when accessing a third-party website is subject to that company's privacy policy. Please know that we are not responsible for information you provide directly to a third party. If you register for or use such third-party websites, the third party may receive information collected through the use of the websites, as described in the privacy policies on those websites. We encourage you to check the privacy policies of such third parties to learn about their practices with respect to the collection, use, disclosure, and protection of your personal information.

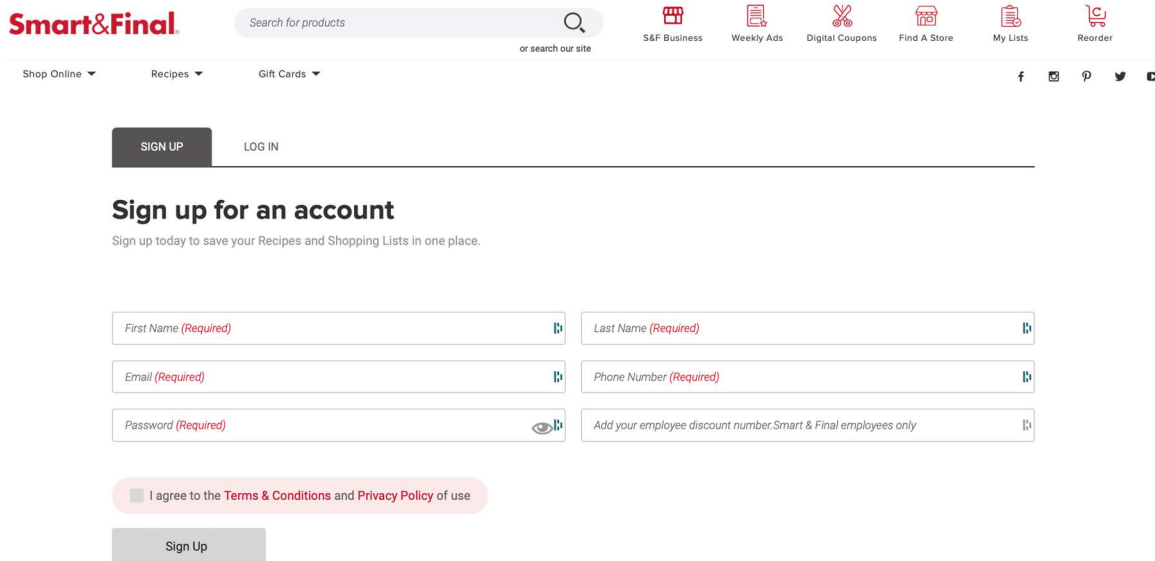
3. USE AND SHARING OF INFORMATION

3.1. GENERAL USES OF INFORMATION COLLECTED

(a) COMPANY USE OF INFORMATION. We use Contact Data to send you information about our Company or our products or services, or promotional material from some of our partners, or to contact you when necessary. We use your Financial Data to verify your qualifications for certain products or services and to bill you for products and services. We use your Demographic Data to customize and tailor your experience on the Site, displaying content that we think you might be interested in and according to your preferences.

<https://elsupermarkets.com/en/privacy-policy/>.

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Smart&Final Search for products or search our site

S&F Business Weekly Ads Digital Coupons Find A Store My Lists Reorder

Shop Online Recipes Gift Cards

SIGN UP LOG IN

Sign up for an account

Sign up today to save your Recipes and Shopping Lists in one place.

First Name (Required) Last Name (Required)

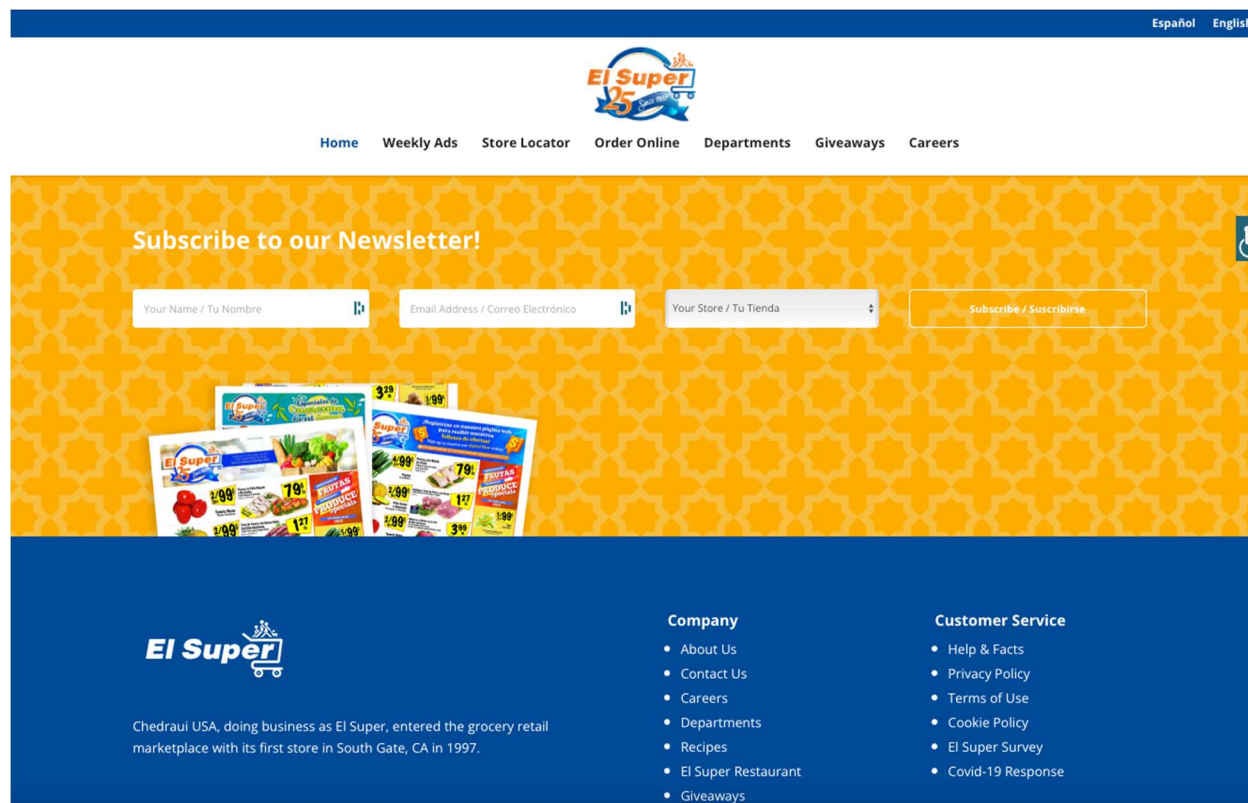
Email (Required) Phone Number (Required)

Password (Required) Add your employee discount number Smart & Final employees only

I agree to the [Terms & Conditions](#) and [Privacy Policy](#) of use

Sign Up

See e.g., https://www.smartandfinal.com/user_info/register;



Español English

El Super 25 años

Home Weekly Ads Store Locator Order Online Departments Giveaways Careers

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Your Name / Tu Nombre Email Address / Correo Electrónico Your Store / Tu Tienda Subscribe / Suscribirse

El Super

Chedraui USA, doing business as El Super, entered the grocery retail marketplace with its first store in South Gate, CA in 1997.

Company

- About Us
- Contact Us
- Careers
- Departments
- Recipes
- El Super Restaurant
- Giveaways

Customer Service

- Help & Facts
- Privacy Policy
- Terms of Use
- Cookie Policy
- El Super Survey
- Covid-19 Response

[https://elsupermarkets.com/en/home-2/;](https://elsupermarkets.com/en/home-2/) and

The screenshot shows the footer of the Fiesta Mart website. At the top left is the Fiesta Mart logo, which includes the word "Fiesta" in a stylized font, "50" in a large number, and "Since 1973" below it. To the right of the logo is a navigation menu with links for Home, Weekly Ads, Store Locator, Order Now!, Departments, and Giveaways. Below the navigation is a red banner with a repeating geometric pattern. The banner contains a "Subscribe to our Newsletter!" heading, two input fields for "Name / Nombre" and "Email / Correo electrónico", and a "Subscribe / Suscribete" button. Below the banner is a collage of several weekly ad flyers. The bottom section of the page is a solid red background. On the left is the Fiesta logo and a paragraph: "At Fiesta Mart we relentlessly strive to be the retailer of choice for the communities we serve by celebrating food and delivering the lowest possible prices." In the center is a "Company" section with a list of links: About Us, Contact Us, Careers, Departments, Pepe's Kitchen, Recipes, Find a Store, and Fiesta Financial Center. On the right is a "Customer Service" section with a list of links: Help & Facts, Privacy Policy, Terms of Use, Cookie Policy, Fiesta Survey, and Covid-19 Response. At the bottom right are social media icons for Facebook and Instagram.

<https://www.fiestamart.com>.

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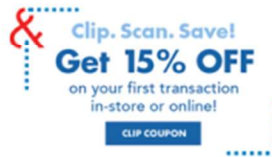
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Welcome!

El Super

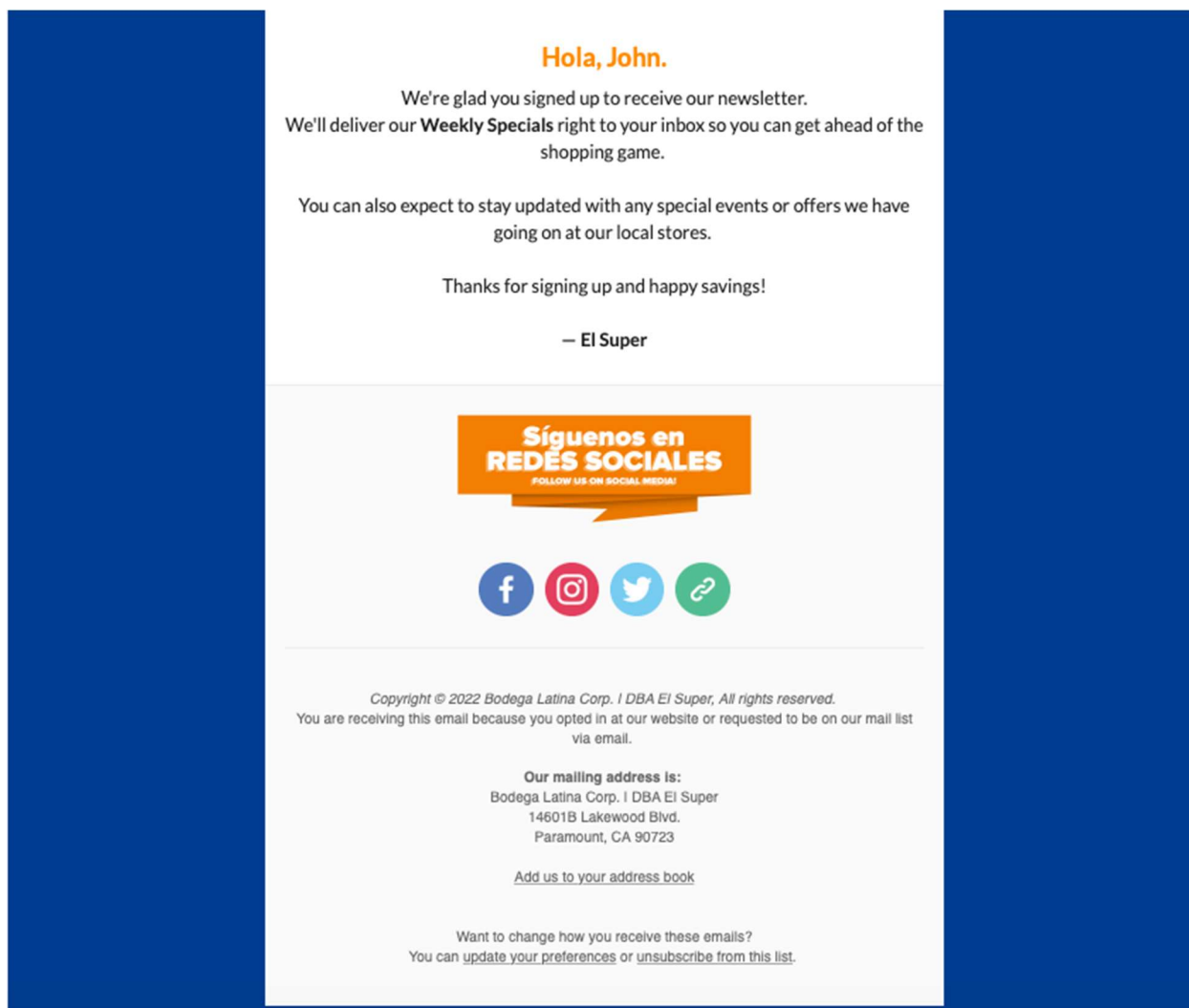
Hola, John.

Estamos felices de que te hayas suscrito para recibir nuestro newsletter. Cada semana te haremos llegar nuestros **Weekly Specials** directamente a tu bandeja de entrada para que hagas tus compras con las mejores ofertas.

También queremos mantenerte al tanto sobre cualquier evento especial que este sucediendo en tu tienda local.

¡Muchas gracias por suscribirte y esperamos disfrutes tus descuentos!

— El Super



See e.g., screenshots of emails received from Chedraui email servers.

118. On information and belief, one or more components the Chedraui Defendants Marketing Systems comprise a system for conducting an email campaign, comprising a means for generating a message template, (e.g., the template used to generate the email reproduced below) of an email campaign template.

Thank You For Registering with Smartandfinal.com



Smart and Final <noreply_at_e_SmartandFinal_com_dbjdf8m3s66bsf_8f571064@icloud.com>

To: Hide My Email

Smart&Final.

Welcome John!

Thank you for registering! Your Smart & Final Smart Advantage account is active, and if you haven't done so already, please complete your account profile [here](#).

We think you're going to love the variety and value in our aisles, in store and online! Get your essentials on time on budget & all under one roof. One trip & that's it!



If you received this in error or have questions about your account, please [contact us](#).

START SHOPPING

Smart&Final

PO BOX 2377, GME, Los Angeles, CA 90051-0377 - (800) 894-0511

Online Support - Click Here sfonlinesupport@smartandfinal.com

We respect your right to privacy - click [here](#) to view our policy.

If you did not register or have any questions about your account, please visit our [website](#).

Get ready for your **WEEKLY SPECIALS!** 😊



El Super Market <marketing.social_at_elsuper_org_ttyyb59bkbdv43_05rj3...
To: Hide My Email

Monday, May 23, 2022 at 1:17 PM



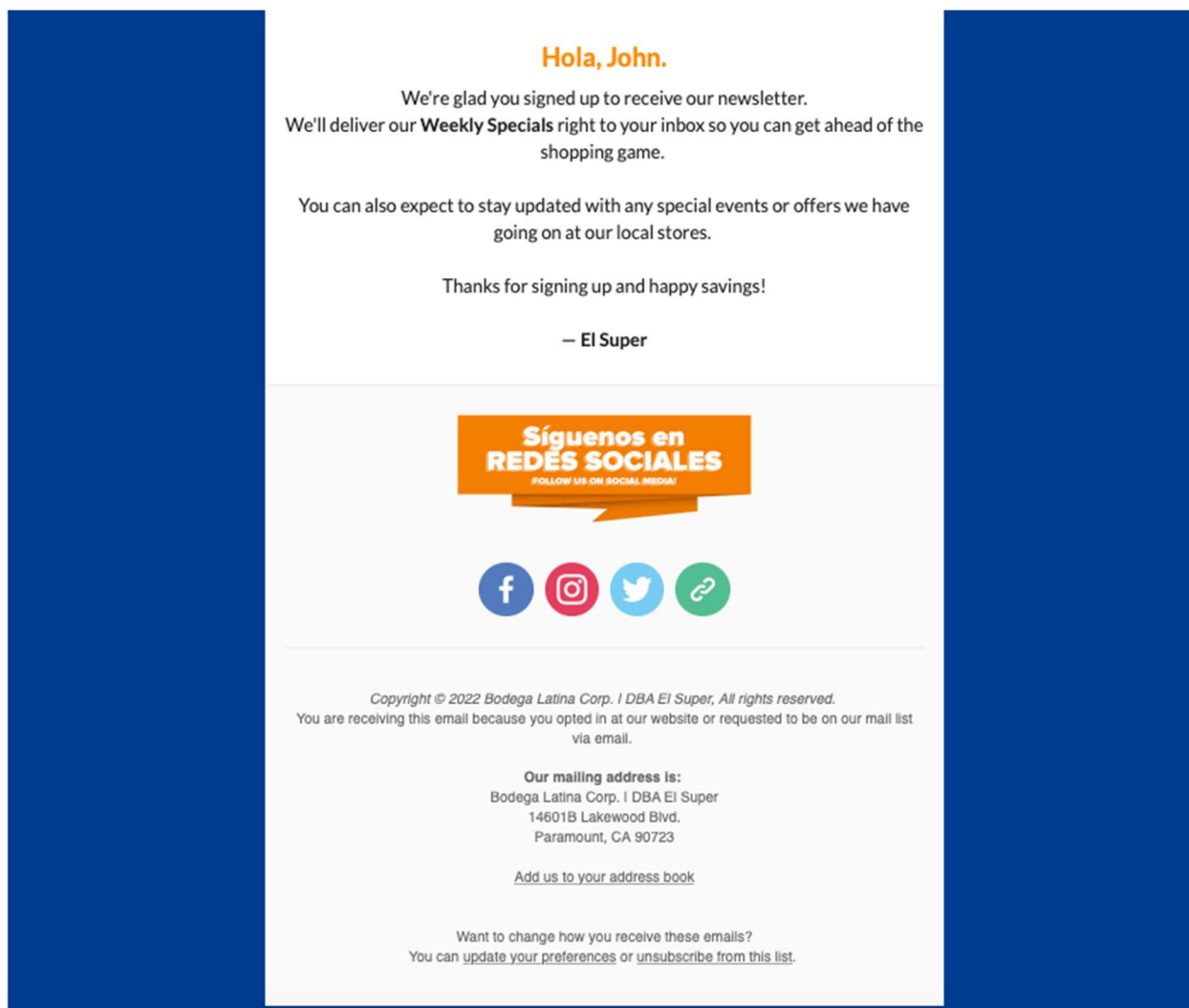
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También queremos mantenerte al tanto sobre cualquier evento especial que este sucediendo en tu tienda local.

¡Muchas gracias por suscribirte y esperamos disfrutes tus descuentos!

— El Super



See e.g., screenshots of emails received from Chedraui email servers.

119. On information and belief, one or more components the Chedraui Defendants Marketing Systems comprise a system for conducting an email campaign, comprising a means for generating a configuration file of the email campaign template to contain data related to each of at least one email target, (e.g., text and images associated with the intended recipient of the email below) wherein the data is insertable in the message template.

Thank You For Registering with Smartandfinal.com



Smart and Final <noreply_at_e_SmartandFinal_com_dbjdf8m3s66bsf_8f571064@icloud.com>

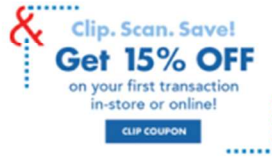
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Smart&Final.

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START SHOPPING

Smart&Final

PO BOX 2377, GME, Los Angeles, CA 90051-0377 - (800) 894-0511

Online Support - Click Here sfonlinesupport@smartandfinal.com

We respect your right to privacy - click [here](#) to view our policy.

If you did not register or have any questions about your account, please visit our [website](#).

Get ready for your **WEEKLY SPECIALS!** 😊



El Super Market <marketing.social_at_elsuper_org_ttyyb59bkbdv43_05rj3...
To: Hide My Email

Monday, May 23, 2022 at 1:17 PM

¡Bienvenido!
Welcome!

El Super

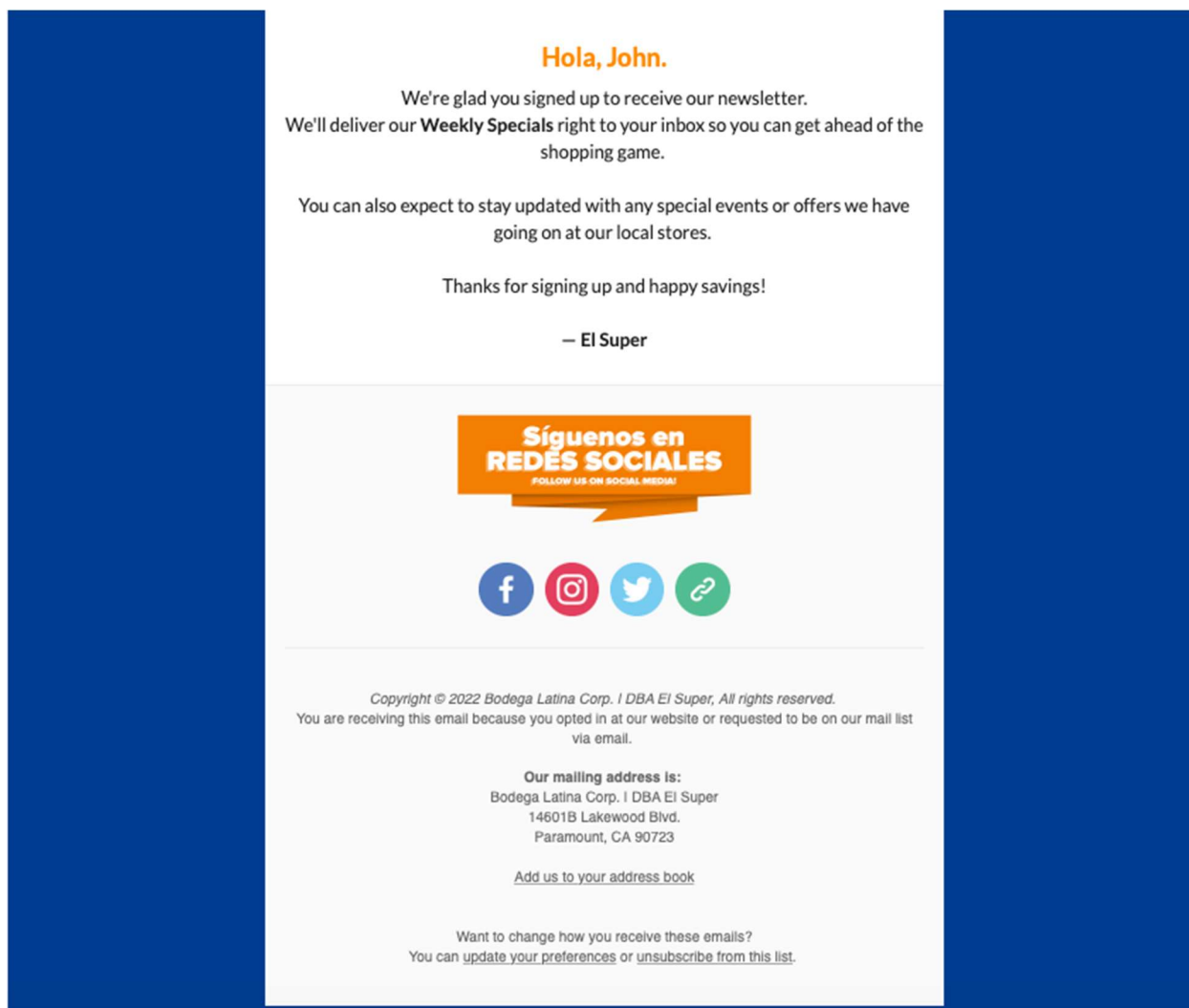
Hola, John.

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También queremos mantenerte al tanto sobre cualquier evento especial que este sucediendo en tu tienda local.

¡Muchas gracias por suscribirte y esperamos disfrutes tus descuentos!

— El Super



See e.g., screenshots of emails received from Chedraui email servers.

120. On information and belief, one or more components the Chedraui Defendants Marketing Systems comprise a system for conducting an email campaign, comprising a means for sending to each of the at least one email target a corresponding custom email, wherein the custom email, (e.g., the custom email reproduced below) is formed from the email campaign template.

Thank You For Registering with Smartandfinal.com



Smart and Final <noreply_at_e_SmartandFinal_com_dbjdf8m3s66bsf_8f571064@icloud.com>

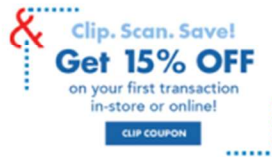
To: Hide My Email

Smart&Final.

Welcome John!

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We think you're going to love the variety and value in our aisles, in store and online! Get your essentials on time on budget & all under one roof. One trip & that's it!



If you received this in error or have questions about your account, please [contact us](#).

START SHOPPING

Smart&Final

PO BOX 2377, GME, Los Angeles, CA 90051-0377 - (800) 894-0511

Online Support - Click Here sfonlinesupport@smartandfinal.com

We respect your right to privacy - click [here](#) to view our policy.


If you did not register or have any questions about your account, please visit our [website](#).

Get ready for your **WEEKLY SPECIALS!** 😊



El Super Market <marketing.social_at_elsuper_org_ttyyb59bkbdv43_05rj3...
To: Hide My Email

Monday, May 23, 2022 at 1:17 PM



¡Bienvenido!
Welcome!

El Super

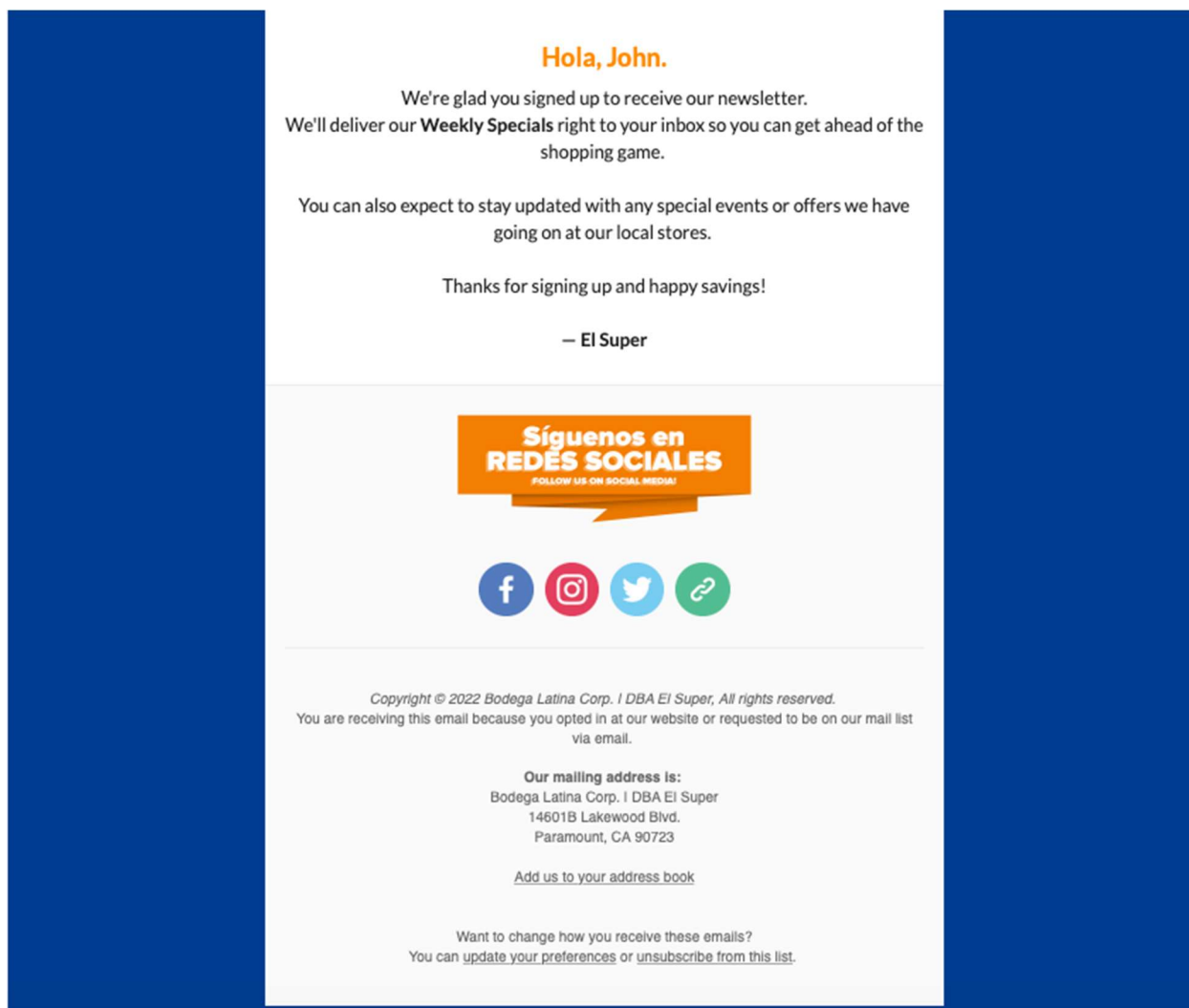
Hola, John.

Estamos felices de que te hayas suscrito para recibir nuestro newsletter. Cada semana te haremos llegar nuestros **Weekly Specials** directamente a tu bandeja de entrada para que hagas tus compras con las mejores ofertas.

También queremos mantenerte al tanto sobre cualquier evento especial que este sucediendo en tu tienda local.

¡Muchas gracias por suscribirte y esperamos disfrutes tus descuentos!

— El Super



See e.g., screenshots of emails received from Chedraui email servers.

121. On information and belief, the Chedraui Defendants directly infringe at least claim 13 of the '950 patent and are in violation of 35 U.S.C. § 271(a) by making, using, selling, importing, and/or offering to sell the Chedraui Defendants Marketing Products and Services; and making, using, selling, selling access to, importing, offering for sale, and/or offering to sell access to the Chedraui Defendants Marketing Systems.

122. The Chedraui Defendants' direct infringement has damaged Advanced Transactions and caused it to suffer and continue to suffer irreparable harm and damages.

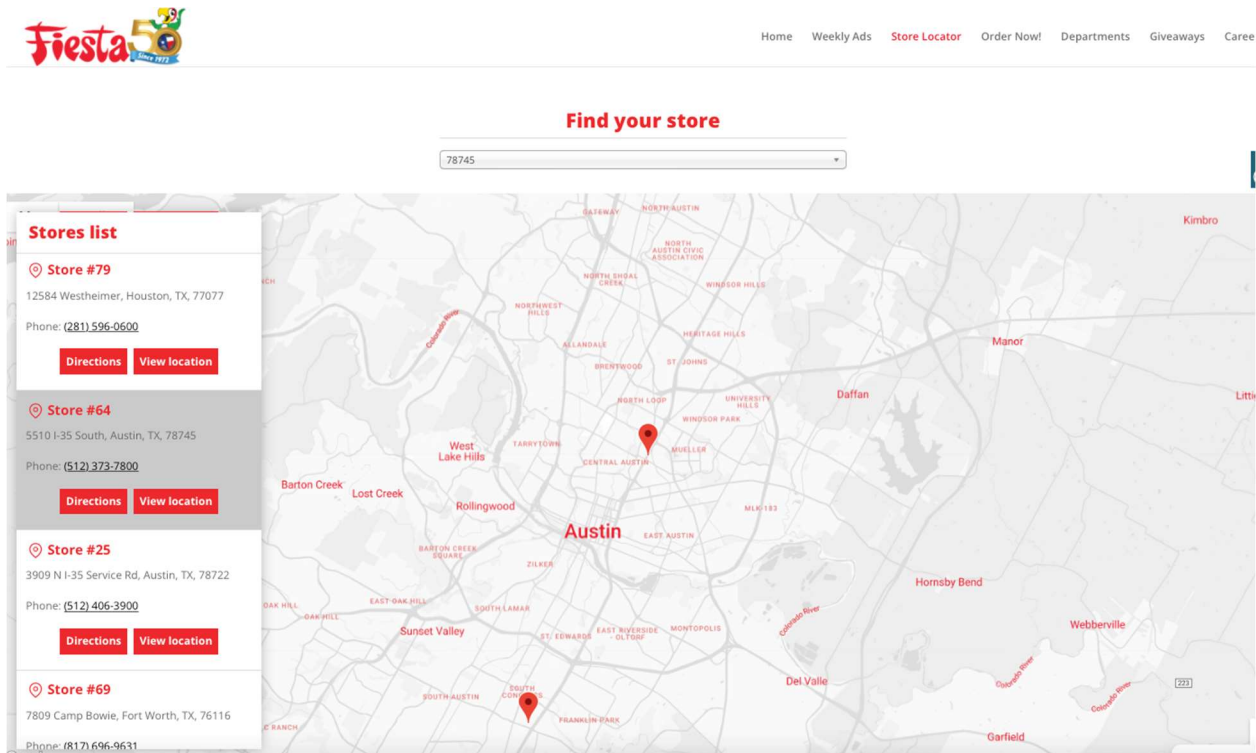
Count IV
Infringement of United States Patent No. 8,150,736 by the Chedraui Defendants

123. Advanced Transactions repeats, realleges, and incorporates by reference, as if fully set forth here, the allegations of the preceding paragraphs above.

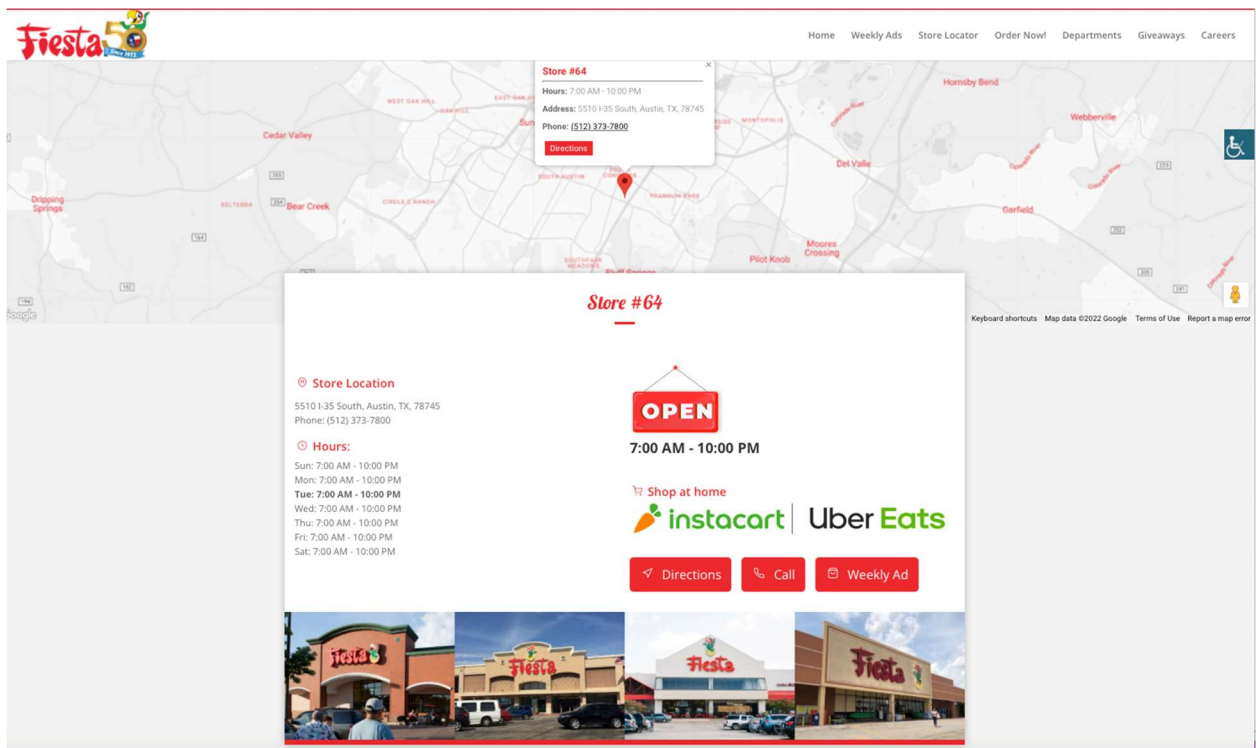
124. On information and belief, the Chedraui Defendants (or those acting on their behalf) make, use, sell, import and/or offer to sell the Chedraui Defendants Marketing Products and Services; and make, use, sell, sell access to, import, offer to sell and/or offer to sell access to the Chedraui Defendants Marketing Systems in the United States that infringe (literally and/or under the doctrine of equivalents) at least claim 1 of the '736 patent.

125. On information and belief, one or more components of the Chedraui Defendants Marketing Systems employ and provide a method in a computing system having a processor, (e.g., a Chedraui Defendant's webserver) comprising the step of receiving a request for a web page, the request including a locale identifier value, the locale identifier value referencing a geographic location associated with a referral website and a language associated with a webpage of the referral website containing a

link used to generate the request.



See e.g., <https://www.fiestamart.com/store-locator/>;



https://www.fiestamart.com/store-detail/?store_id=401; and

Weekly Ad
May 25th - May 31st

Home Weekly Ads Store Locator Order Now! Departments Giveaways Careers

Fiesta Mart
5510 S Interstate 35

Fiesta 50 Memorial Day
Since 1972 RECORDANDO A NUESTROS HEROES

Follow us at: [Facebook](#) [Instagram](#) [Twitter](#) or at www.fiestamart.com

Melón Cantaloupe Melons **2/99¢ lbs**

Pierna de Pollo sin Hueso con o sin Marinar Fresh Boneless Chicken Leg Meat Regular or Marinated Bulk or Family Pack **2.29 lb**

1 DÍA DE FRUTA Y PRODUCTOS MIÉRCOLES DE WEDNESDAY **PRODUCE SPECIAL** VALIDO / EFFECTIVE D 5/25/22

Crawfish **2.99 lb** When you buy a sack **¡Ya tenemos Crawfish vivo!**

\$2.99 LB WHEN YOU BUY A SACK
May 25th - May 31st 2022

In the event of disagreement between the flyer and this popup, the flyer shall take precedence.

https://www.fiestamart.com/weekly-ads/.

El Super 25

Home Weekly Ads Store Locator Order Online Departments Giveaways Careers

Find your store

79907

Stores list

10501 Gateway Blvd. West Suite 600, El Paso, TX, 79925
Phone: (915) 591-0418
[Directions](#) [View location](#)

Zaragoza
703 N. Zaragoza Rd., El Paso, TX, 79907
Phone: (915) 242-0686
[Directions](#) [View location](#)

International Airport
Fort Bliss
EAST EL PASO
MONTWOOD
MISSION VALLEY
CENTRO
FRONTERA
PARTIDO SENEQU
PRADERA DORADA
ALTA VISTA
CENTRAL EL PASO
ZONA PRONAF CONDOMINIO LA PLATA
Homes' Meado Sout

See, e.g., <https://elsupermarkets.com/en/store-locator/>;

The screenshot displays the El Super website's store locator interface. At the top, the El Super logo is visible, along with a navigation menu containing: Home, Weekly Ads, Store Locator, Order Online, Departments, Giveaways, and Careers. The main content area features a map of the El Paso and Ciudad Juárez region. A popup window titled "Zaragoza" is overlaid on the map, providing the following information:

- Hours:** 7:00 AM - 10:00 PM
- Address:** 703 N. Zaragoza Rd., El Paso, TX, 79907
- Phone:** (915) 242-0686
- Directions:** A button labeled "Directions" is present.

Below the map, a detailed store information card for "Zaragoza" is shown. It includes the store's name in a large blue font, a location pin icon, and the following details:

- Store Location:** 703 N. Zaragoza Rd., El Paso, TX, 79907; Phone: (915) 242-0686
- Hours:**
 - Sun: 7:00 AM - 10:00 PM
 - Mon: 7:00 AM - 10:00 PM
 - Tue: 7:00 AM - 10:00 PM**
 - Wed: 7:00 AM - 10:00 PM
 - Thu: 7:00 AM - 10:00 PM
 - Fri: 7:00 AM - 10:00 PM
 - Sat: 7:00 AM - 10:00 PM
- Open At:** 7:00 AM - 10:00 PM
- Actions:** Three buttons are provided: "Directions" (with a location pin icon), "Call" (with a phone icon), and "Weekly Ad" (with a document icon).

https://elsupermarkets.com/en/store-detail/?store_id=638; and



Home Weekly Ads Store Locator Order Online Departments Giveaways Careers



Weekly Ad
May 25th - May 31st

Zaragoza
703 North Zaragoza R...

Memorial Day
REMEMBERING OUR HEROES RECORDANDO NUESTROS HEROES

FRUTAS WEDNESDAY PRODUCE SPECIALS
MÉRCOLES DE FRUTAS WEDNESDAY PRODUCE SPECIALS

3/99¢ per lb Pepino Cucumber	89¢ lb Piernas con Muslos de Pollo Fresh Frying Chicken Leg Quarters Family Pack	2/99¢ lb Tomate Roto Rounded Tomato
3/99¢ lbs Melón Chino Cantaloupe	2.99 lb Carne Mollida de Res 73% Lean, 27% Fat	2/88¢ lb Plátanos Bananas
1.29 lb Durazno Peaches	3.99 lb Bistec o Trozo de Espaldilla de Res sin Hueso Fresh Boneless Beef Clod Steaks or Roast Regular or Marinated Sold in Bulk	59¢ lb Limon Verde Green Limes
3.99 lb Jamón de Pavo FUD Turkey Ham, Regular or Low Salt	3.69 lb Queso Fresco Que Francisco Fresh Cheese	59¢ lb Fresa Dulce Gold Pineapple
2.49 lb Imitación de Jaiiba Fresh Imitation Crab Fishes	6.99 lb Camarón Blanco sin Cabeza 20-30 Ct. White Shrimp Headless Frozen/Defrosted	



Cucumber

3 POR \$0.99

May 25th - May 31st 2022

Description

Pepino

In the event of disagreement between the flyer and this popup, the flyer shall take precedence.

<https://elsupermarkets.com/en/weekly-ads/>.

Smart&Final S&F Business Weekly Ads Digital Coupons Find A Store My Lists Reorder

Digital Coupons

Detect My Location Enter a Store Name, Address, City, State, or ZIP Code

Select a store below

- Glendale - Verdugo Rd #304** OPEN UNTIL 10:00 PM
210 N VERDUGO ROAD
GLENDALE, CA 91206
- SAN DIMAS #305** OPEN UNTIL 10:00 PM
1005 W. ARROW HIGHWAY
SAN DIMAS, CA 91773
- Rancho Palos Verdes #306** OPEN UNTIL 10:00 PM
28500 S. WESTERN AVENUE
RANCHO PALOS VERDES, CA 90275
- Pomona #308** OPEN UNTIL 10:00 PM
160 W WILLOW STREET
POMONA, CA 91768
- Los Angeles - Compton #310** OPEN UNTIL 10:00 PM
1216 S. COMPTON AVENUE
LOS ANGELES, CA 90021
- Bellflower #311** OPEN UNTIL 10:00 PM

See, e.g., <https://www.smartandfinal.com/stores/>;

Smart&Final Search for products

Download Our App Business Services Online Support Of Search Our Site Seasonal Departments Recipes

IT PAYS TO BE PREPARED FOR SUMMER

GET A \$5 OR \$10 REWARD*
WITH QUALIFYING PURCHASE BETWEEN 5/8/22 AND 7/2/22

SHOP NOW

650 N Imperial Ave
650 N Imperial Ave, El Centro, CA 92243

El Centro #798
650 NORTH IMPERIAL AVENUE
EL CENTRO, CA 92243

Phone
(760) 352-0811

Manager
Jimmy Cambero

OPEN UNTIL 10:00 PM

Browse Flyer Details
Get Directions to Store
Change My Store

My STORE

General Store Information

HOURS OF OPERATION		CONTACT INFORMATION	
Sunday	6:00 am - 10:00 pm	Primary	(760) 352-0811
Monday	6:00 am - 10:00 pm		
Tuesday	6:00 am - 10:00 pm		
Wednesday	6:00 am - 10:00 pm		
Thursday	6:00 am - 10:00 pm		
Friday	6:00 am - 10:00 pm		
Saturday	6:00 am - 10:00 pm		
AMENITIES			
• Delivery		• Picking	
LANGUAGES			
• English			

<https://www.smartandfinal.com/stores/el-centro-798/8131>; and

Smart&Final.

Search for products



or search our site



El Centro #798 [Change Store](#)

Weekly Ad
May 25th - May 31st

Smart & Final. HAPPY MEMORIAL DAY!

PRICES EFFECTIVE MAY 25 - 31, 2022

Pork Spareribs

Previously Frozen
Sold in the Bag
Costillas de Puerco
Limit 2

\$1.99
lb

GREAT ON THE GRILL!



First Street Chicken Drumsticks, Thighs or Leg Quarters

Value Pack
Piernitas, Mustos
o Piernas de Pollo
Limit 2

99¢
lb

FRESH!



First Street Ground Beef Patties

80% Lean
2.5 lb. Package
Hamburguesas de Res

10 PATTIES FOR \$10

FRESH!



Bar S Jumbo Meat Franks
16 oz.
Selected Varieties
Salchichas
99¢
ea



Strawberries
2 lb. Package
Fresas
Limit 2

\$3.49
ea

SWEET!



Seedless Watermelon
Sandia sin Semillas
Limit 2

\$3.99
ea



Honey Bunches of Oats 12 oz., Pebbles 11 oz., or Honey-Comb Cereal 12.5 oz.
Selected Varieties
Must Buy in Multiples of 4
\$1.99
ea
MUST BUY 4



MORE WAYS TO Save!
WEEKLY DIGITAL DEALS

Scan this QR to learn more & download the app



Hoffy Beef Franks or Sausage



Frito-Lay



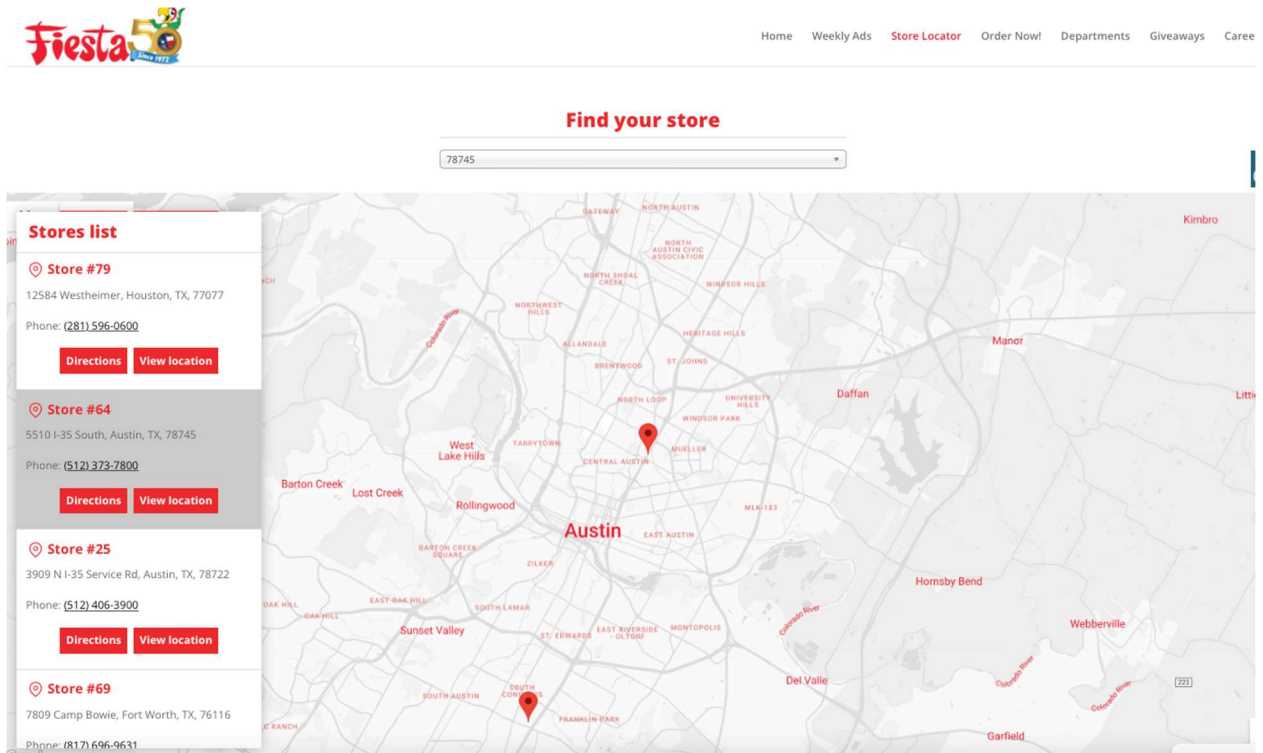
First Street



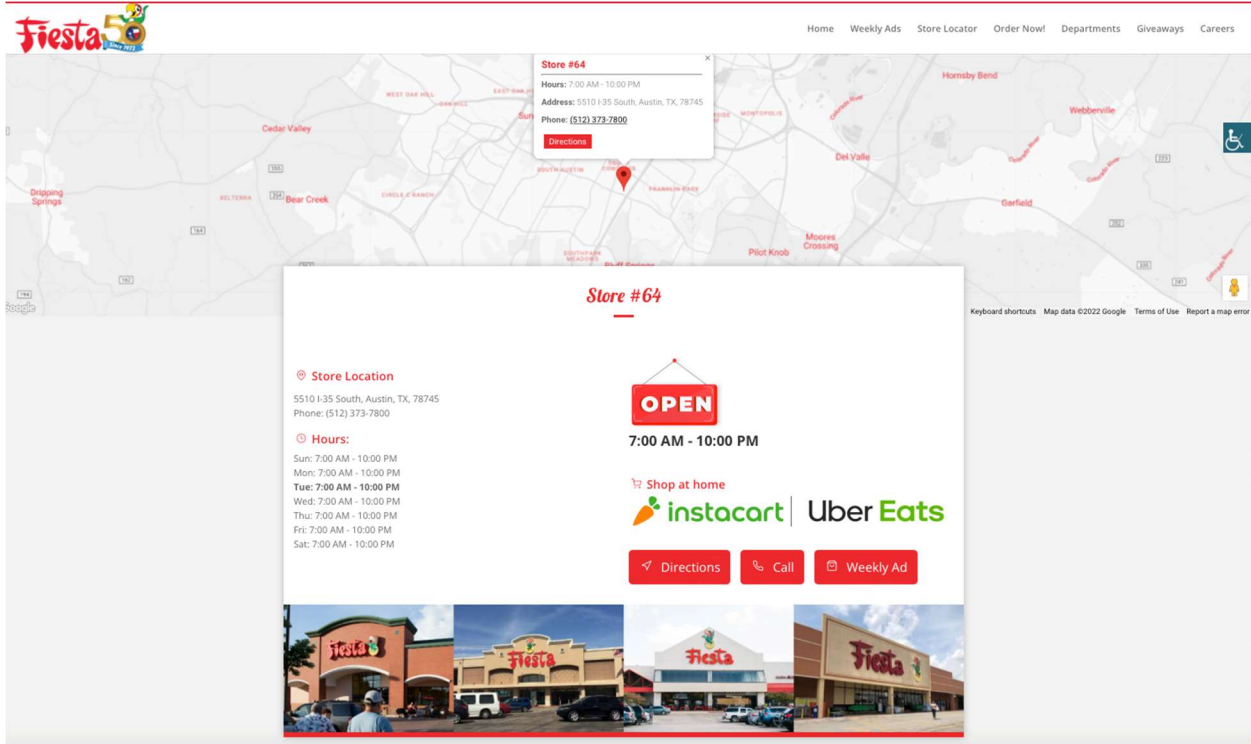
and <https://www.smartandfinal.com/flyers/177540/print>.

126. On information and belief, one or more components of the Chedraui Defendants Marketing Systems employ and provide a method in a computing system having a processor, (e.g., a Chedraui Defendants webserver) comprising the step of with

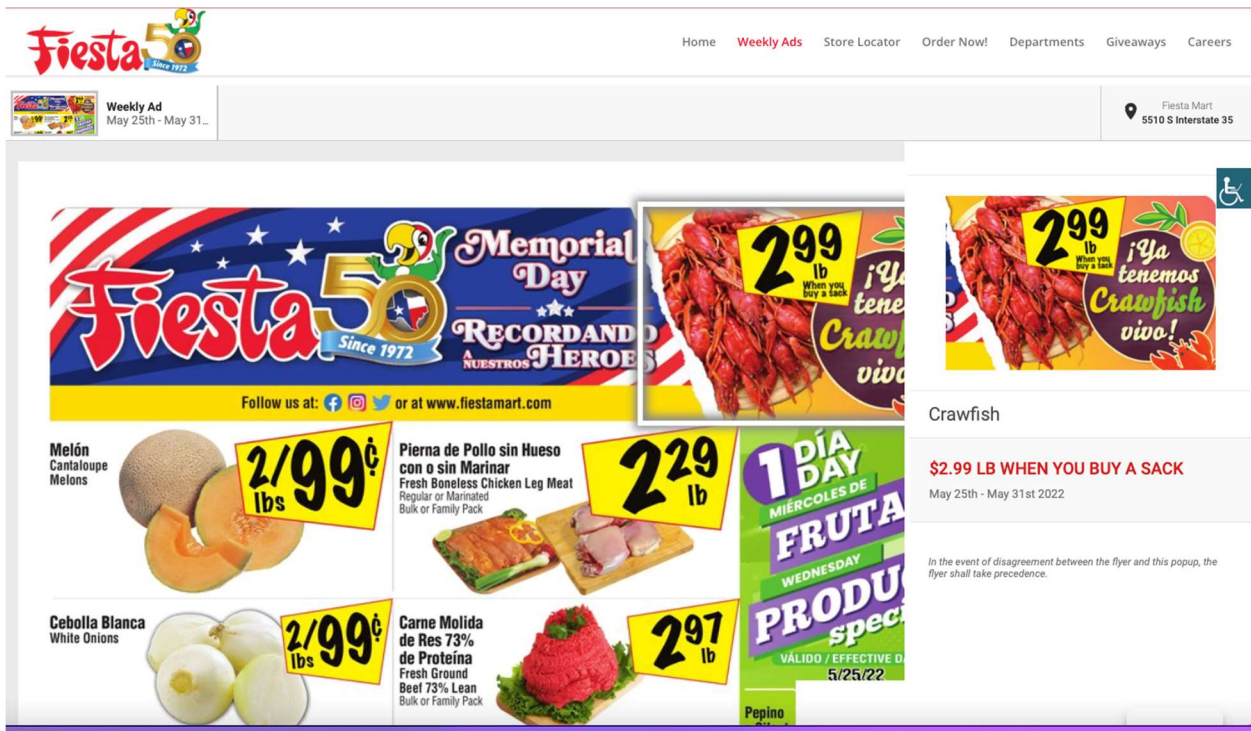
the processor, retrieving a version of marketing information identified by processing the locale identifier value included in the request for the web page.



See e.g., <https://www.fiestamart.com/store-locator/>;



https://www.fiestamart.com/store-detail/?store_id=401; and



<https://www.fiestamart.com/weekly-ads/>.



Home Weekly Ads Store Locator Order Online Departments Giveaways Careers

Find your store

79907

Stores list

10501 Gateway Blvd. West Suite 600, El Paso, TX, 79925
Phone: (915) 591-0418
[Directions](#) [View location](#)

Zaragoza
703 N. Zaragoza Rd., El Paso, TX, 79907
Phone: (915) 242-0686
[Directions](#) [View location](#)

See, e.g., <https://elsupermarkets.com/en/store-locator/>;

El Super
25th Anniversary

Home Weekly Ads Store Locator Order Online Departments Giveaways Careers

Zaragoza
Hours: 7:00 AM - 10:00 PM
Address: 703 N. Zaragoza Rd., El Paso, TX, 79907
Phone: (915) 242-0686
Directions

Zaragoza

Store Location
703 N. Zaragoza Rd., El Paso, TX, 79907
Phone: (915) 242-0686

Hours:
Sun: 7:00 AM - 10:00 PM
Mon: 7:00 AM - 10:00 PM
Tue: 7:00 AM - 10:00 PM
Wed: 7:00 AM - 10:00 PM
Thu: 7:00 AM - 10:00 PM
Fri: 7:00 AM - 10:00 PM
Sat: 7:00 AM - 10:00 PM

Open At
7:00 AM - 10:00 PM

Directions Call Weekly Ad

https://elsupermarkets.com/en/store-detail/?store_id=638; and



Home Weekly Ads Store Locator Order Online Departments Giveaways Careers



Weekly Ad
May 25th - May 31st

Zaragoza
703 North Zaragoza R...

Memorial Day
REMEMBERING OUR HEROES RECORDANDO NUESTROS HEROES

3/99¢ por Pepino Cucumber

89¢ lb Piernas con Muslos de Pollo Fresh Frying Chicken Leg Quarters Family Pack

3/99¢ lbs Melón Chino Cantaloupe

2.99 lb Carne Molida de Res Fresh Ground Beef 73% Lean, 27% Fat

1.29 lb Durazno Peaches

3.99 lb Bistec o Trozo de Espaldilla de Res sin Hueso Fresh Boneless Beef Clod Steaks or Roast Regular or Marinated Sold in Bulk

3.99 lb Queso Fresco Que Francisco Fresh Cheese

3.69 lb Jamón de Pavo FUD Turkey Ham, Regular or Low Salt

2.49 lb Imitación de Jaiba Fresh Imitation Crab Flakes

6.99 lb Camarón Blanco sin Cabeza 25-30 Ct. White Shrimp Headless Frozen/Defrosted

2/99¢ lb Tomate Roto Round Tomato

2/88¢ lb Plátanos Bananas

59¢ lb Limón Verde Green Limes

59¢ lb Fresa Dorada Gold Pineapple

MÉRCOLES DE FRUTAS WEDNESDAY PRODUCE SPECIALS
WEDNESDAY 5/25/22



Cucumber

3 POR \$0.99

May 25th - May 31st 2022

Description

Pepino

In the event of disagreement between the flyer and this popup, the flyer shall take precedence.

<https://elsupermarkets.com/en/weekly-ads/>.

The image shows the 'Digital Coupons' section of the Smart&Final website. At the top, there are navigation icons for S&F Business, Weekly Ads, Digital Coupons, Find A Store, My Lists, and Reorder. Below the header is a search bar with the text 'Detect My Location' and a prompt to 'Enter a Store Name, Address, City, State, or ZIP Code'. A map of California is displayed with numerous red location pins. To the right of the map is a list of store details under the heading 'Select a store below'. The list includes store numbers, addresses, and operating hours.

Store Name	Address	Hours
Glendale - Verdugo Rd #304	210 N VERDUGO ROAD, GLENDALE, CA 91206	OPEN UNTIL 10:00 PM
SAN DIMAS #305	1005 W. ARROW HIGHWAY, SAN DIMAS, CA 91773	OPEN UNTIL 10:00 PM
Rancho Palos Verdes #306	28500 S. WESTERN AVENUE, RANCHO PALOS VERDES, CA 90275	OPEN UNTIL 10:00 PM
Pomona #308	160 W WILLOW STREET, POMONA, CA 91768	OPEN UNTIL 10:00 PM
Los Angeles - Compton #310	1216 S. COMPTON AVENUE, LOS ANGELES, CA 90021	OPEN UNTIL 10:00 PM
Bellflower #311		OPEN UNTIL 10:00 PM

See, e.g., <https://www.smartandfinal.com/stores/>;

The image shows a promotional banner for Smart&Final. The banner features a yellow background with the text 'IT PAYS TO BE PREPARED FOR SUMMER' and 'GET A \$5 OR \$10 REWARD* WITH QUALIFYING PURCHASE BETWEEN 5/8/22 AND 7/2/22'. Below the banner is a map showing the location of the El Centro store. To the left of the map is a sidebar with store details.

El Centro #798
 650 NORTH IMPERIAL AVENUE
 EL CENTRO, CA 92243
 Phone: (760) 352-0811
 Manager: Jimmy Cambero
 My STORE

650 N Imperial Ave
 650 N Imperial Ave, El Centro, CA 92243
 View larger map

General Store Information

HOURS OF OPERATION		CONTACT INFORMATION	
Sunday	6:00 am - 10:00 pm	Primary	(760) 352-0811
Monday	6:00 am - 10:00 pm		
Tuesday	6:00 am - 10:00 pm		
Wednesday	6:00 am - 10:00 pm		
Thursday	6:00 am - 10:00 pm		
Friday	6:00 am - 10:00 pm		
Saturday	6:00 am - 10:00 pm		
AMENITIES			
• Delivery		• Picking	
LANGUAGES			
• English			

<https://www.smartandfinal.com/stores/el-centro-798/8131>; and

Smart & Final
HAPPY MEMORIAL DAY!
 PRICES EFFECTIVE MAY 25 - 31, 2022

El Centro #798 [Change Store](#)

Weekly Ad
 May 25th - May 31st

GREAT ON THE GRILL!
Pork Spareribs
 Previously Frozen
 Sold in the Bag
 Costillas de Puerco
 Limit 2
\$1.99
 lb

REMEMBER and HONOR
 ALL STORES OPEN REGULAR HOURS ON MEMORIAL DAY

FRESH!
First Street Chicken Drumsticks, Thighs or Leg Quarters
 Value Pack
 Piernitas, Mustos o Piernas de Pollo
 Limit 2
99¢
 lb

FRESH!
First Street Ground Beef Patties
 80% Lean
 2.5 lb. Package
 Hamburguesas de Res
10 PATTIES FOR \$10

Bar S Jumbo Meat Franks
 16 oz.
 Selected Varieties
 Salchichas
99¢
 ea

SWEET!
Strawberries
 2 lb. Package
 Fresas
 Limit 2
\$3.49
 ea

Seedless Watermelon
 Sandia sin Semillas
 Limit 2
\$3.99
 ea

Honey Bunches of Oats 12 oz.,
Pebbles 11 oz.,
 or **Honey-Comb Cereal** 12.5 oz.
 Selected Varieties
MUST BUY 4
\$1.99
 ea

MORE WAYS TO Save!
WEEKLY DIGITAL DEALS

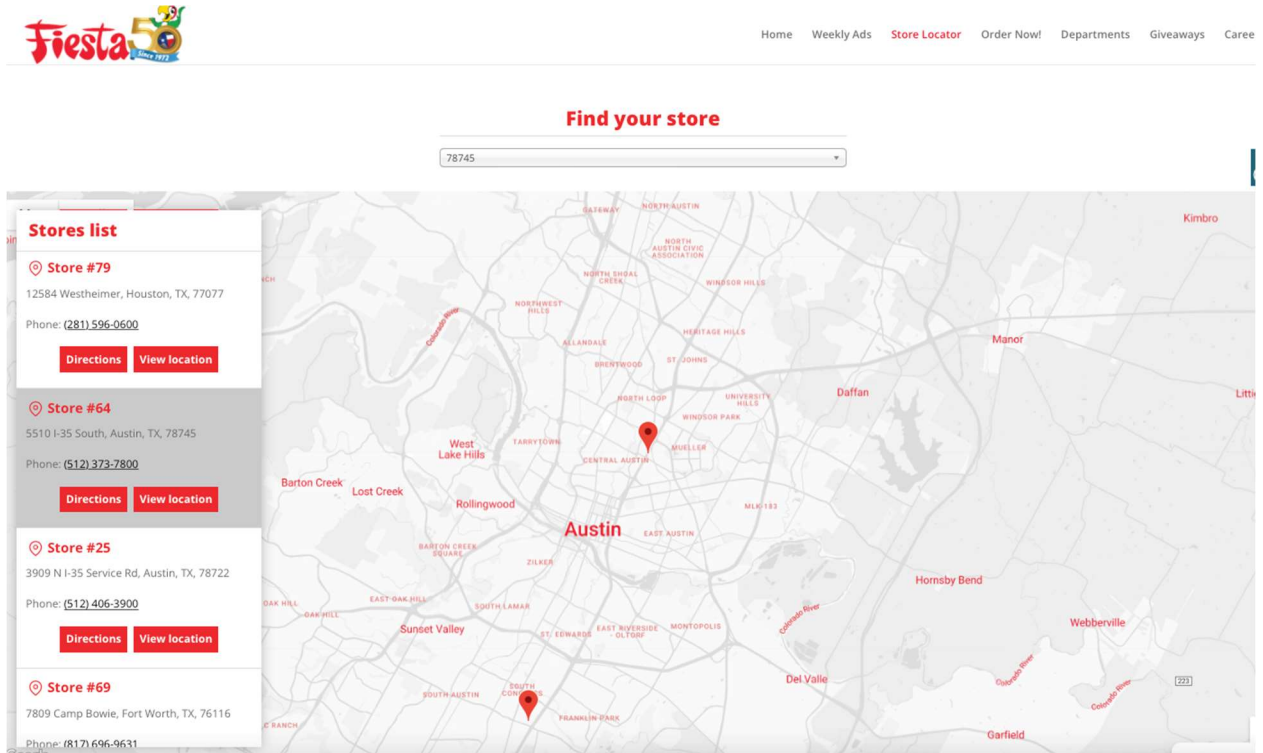
Scan this QR to learn more & download the app

Hoffy Beef Franks or Sausage | Frito-Lay | First Street

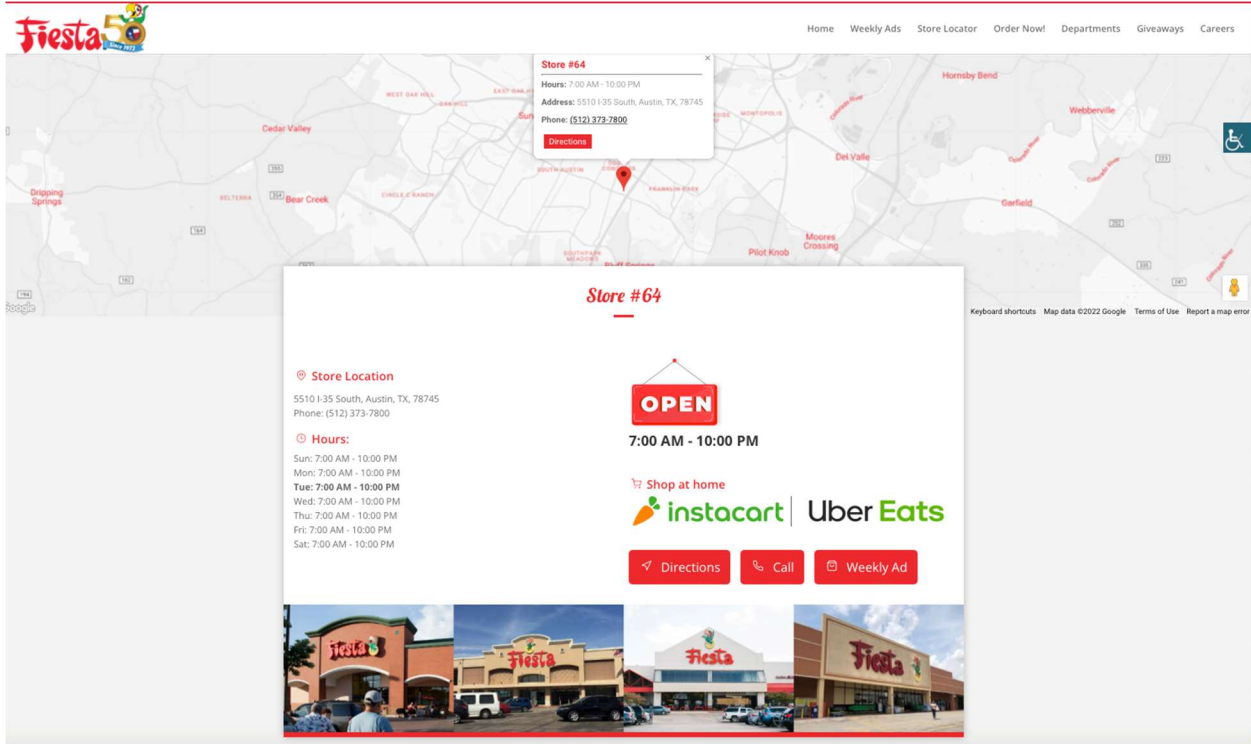
and <https://www.smartandfinal.com/flyers/177540/print>.

127. On information and belief, one or more components of the Chedraui Defendants Marketing Systems employ and provide a method in a computing system having a processor, (e.g., a Chedraui Defendants webserver) comprising the step of

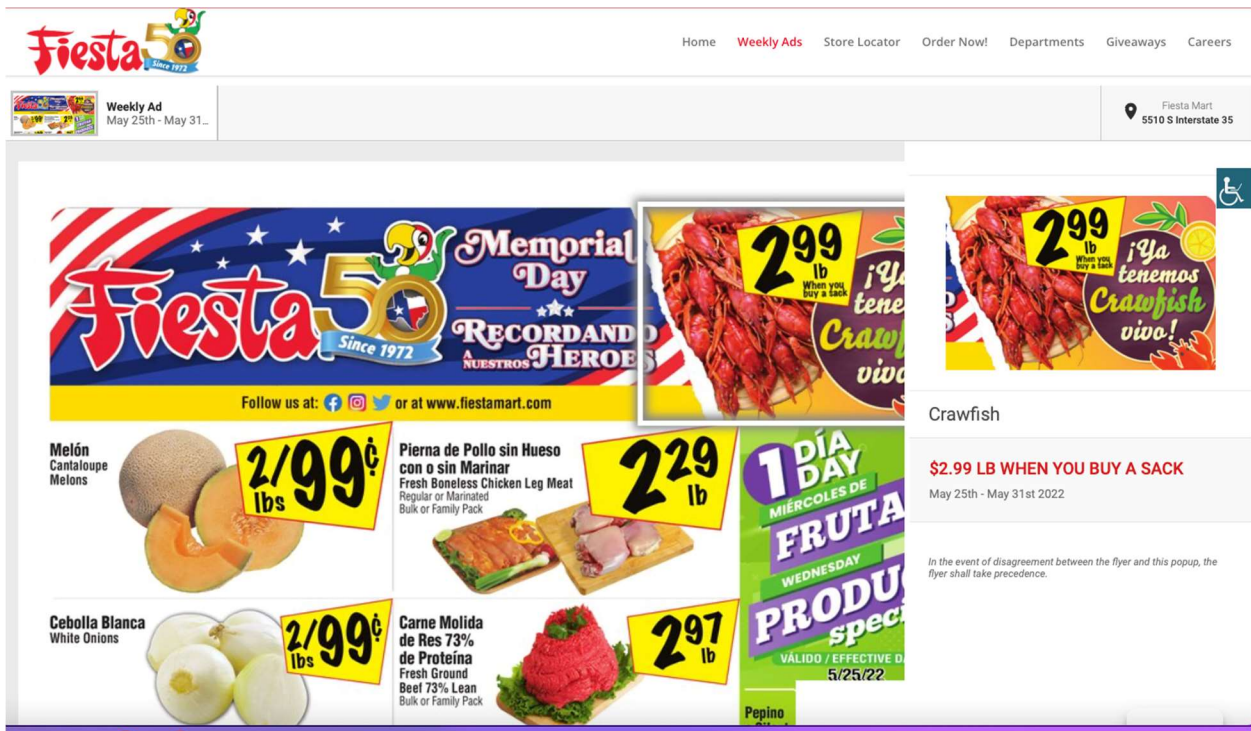
with the processor, generating the requested web page to include information representative of the retrieved version of the marketing information.



See e.g., <https://www.fiestamart.com/store-locator/>;



https://www.fiestamart.com/store-detail/?store_id=401; and



<https://www.fiestamart.com/weekly-ads/>.



[Home](#) [Weekly Ads](#) [Store Locator](#) [Order Online](#) [Departments](#) [Giveaways](#) [Careers](#)

Find your store

79907

Stores list

10501 Gateway Blvd. West Suite 600, El Paso, TX, 79925
Phone: (915) 591-0418
[Directions](#) [View location](#)

Zaragoza
703 N. Zaragoza Rd., El Paso, TX, 79907
Phone: (915) 242-0686
[Directions](#) [View location](#)

See, e.g., <https://elsupermarkets.com/en/store-locator/>;

Home Weekly Ads Store Locator Order Online Departments Giveaways Careers

Zaragoza
Hours: 7:00 AM - 10:00 PM
Address: 703 N. Zaragoza Rd., El Paso, TX, 79907
Phone: (915) 242-0686
Directions

Zaragoza

Store Location
703 N. Zaragoza Rd., El Paso, TX, 79907
Phone: (915) 242-0686

Hours:
Sun: 7:00 AM - 10:00 PM
Mon: 7:00 AM - 10:00 PM
Tue: 7:00 AM - 10:00 PM
Wed: 7:00 AM - 10:00 PM
Thu: 7:00 AM - 10:00 PM
Fri: 7:00 AM - 10:00 PM
Sat: 7:00 AM - 10:00 PM

Open At
7:00 AM - 10:00 PM

Directions Call Weekly Ad

https://elsupermarkets.com/en/store-detail/?store_id=638; and



Home Weekly Ads Store Locator Order Online Departments Giveaways Careers



Weekly Ad
May 25th - May 31st

Zaragoza
703 North Zaragoza R...

Memorial Day
REMEMBERING OUR HEROES RECORDANDO NUESTROS HEROES

FRUTAS WEDNESDAY PRODUCE SPECIALS
MÉRCOLES DE FRUTAS WEDNESDAY PRODUCE SPECIALS
WEDNESDAY 5/25/22

3/99¢ per Pepino Cucumber	89¢ lb Piernas con Muslos de Pollo Fresh Frying Chicken Leg Quarters Family Pack	2/99¢ lb Tomate Roto Rounded Tomatoes
3/99¢ lbs Melón Chino Cantaloupe	2.99 lb Carne Molido de Res Fresh Ground Beef 73% Lean, 27% Fat	2/88¢ lb Plátanos Bananas
1.29 lb Durazno Peaches	3.99 lb Bistec o Trozo de Espaldilla de Res sin Hueso Fresh Boneless Beef Clod Steaks or Roast Regular or Marinated Sold in Bulk	59¢ lb Limon Verde Green Limes
3.99 lb Jamón de Pavo FUD Turkey Ham, Regular or Low Salt	3.69 lb Queso Fresco Que Francisco Fresh Cheese	59¢ lb Fresa Dulce Gold Pineapple
2.49 lb Imitación de Jaiha Fresh Imitation Crab Fishes	6.99 lb Camarón Blanco sin Cabeza 20-30 Ct. White Shrimp Headless Frozen/Defrosted	



Cucumber

3 POR \$0.99

May 25th - May 31st 2022

Description

Pepino

In the event of disagreement between the flyer and this popup, the flyer shall take precedence.

<https://elsupermarkets.com/en/weekly-ads/>.

Smart&Final S&F Business Weekly Ads Digital Coupons Find A Store My Lists Reorder

Digital Coupons

Detect My Location Enter a Store Name, Address, City, State, or ZIP Code

Select a store below

- Glendale - Verdugo Rd #304** OPEN UNTIL 10:00 PM
210 N VERDUGO ROAD
GLENDALE, CA 91206
- SAN DIMAS #305** OPEN UNTIL 10:00 PM
1005 W. ARROW HIGHWAY
SAN DIMAS, CA 91773
- Rancho Palos Verdes #306** OPEN UNTIL 10:00 PM
28500 S. WESTERN AVENUE
RANCHO PALOS VERDES, CA 90275
- Pomona #308** OPEN UNTIL 10:00 PM
160 W WILLOW STREET
POMONA, CA 91768
- Los Angeles - Compton #310** OPEN UNTIL 10:00 PM
1216 S. COMPTON AVENUE
LOS ANGELES, CA 90021
- Bellflower #311** OPEN UNTIL 10:00 PM

See, e.g., [https://www.smartandfinal.com/stores/;](https://www.smartandfinal.com/stores/)

Smart&Final Search for products

IT PAYS TO BE PREPARED FOR SUMMER

GET A \$5 OR \$10 REWARD*
WITH QUALIFYING PURCHASE BETWEEN 5/8/22 AND 7/2/22

SHOP NOW

650 N Imperial Ave
650 N Imperial Ave, El Centro, CA 92243

El Centro #798
650 NORTH IMPERIAL AVENUE
EL CENTRO, CA 92243

Phone
(760) 352-0811

Manager
Jimmy Cambero

OPEN UNTIL 10:00 PM

View larger map

General Store Information

HOURS OF OPERATION		CONTACT INFORMATION	
Sunday	6:00 am - 10:00 pm	Primary	(760) 352-0811
Monday	6:00 am - 10:00 pm		
Tuesday	6:00 am - 10:00 pm		
Wednesday	6:00 am - 10:00 pm		
Thursday	6:00 am - 10:00 pm		
Friday	6:00 am - 10:00 pm		
Saturday	6:00 am - 10:00 pm		
AMENITIES			
• Delivery		• Picking	
LANGUAGES			
• English			

<https://www.smartandfinal.com/stores/el-centro-798/8131;> and

Smart&Final

Search for products



or search our site



El Centro #798 [Change Store](#)

Weekly Ad
May 25th - May 31st

Smart & Final

HAPPY MEMORIAL DAY!

PRICES EFFECTIVE MAY 25 - 31, 2022

Pork Spareribs

Previously Frozen
Sold in the Bag
Costillas de Puerco
Limit 2

\$1.99
lb

GREAT ON THE GRILL!



First Street Chicken Drumsticks, Thighs or Leg Quarters

Value Pack
Piernitas, Mustos
o Piernas de Pollo
Limit 2

99¢
lb

FRESH!



First Street Ground Beef Patties

80% Lean
2.5 lb. Package
Hamburguesas de Res

10 PATTIES FOR \$10

FRESH!



Bar S Jumbo Meat Franks

16 oz.
Selected Varieties
Salchichas
99¢
ea



Strawberries

2 lb. Package
Fresas
Limit 2

\$3.49
ea

SWEET!



Seedless Watermelon

Sandia sin Semillas
Limit 2

\$3.99
ea



Honey Bunches of Oats 12 oz., Pebbles 11 oz., or Honey-Comb Cereal 12.5 oz.

Selected Varieties
Must Buy in Multiples of 4
\$1.99
ea
MUST BUY 4



MORE WAYS TO Save!
WEEKLY DIGITAL DEALS

Scan this QR to learn more & download the app



Hoffy Beef Franks or Sausage



Frito-Lay



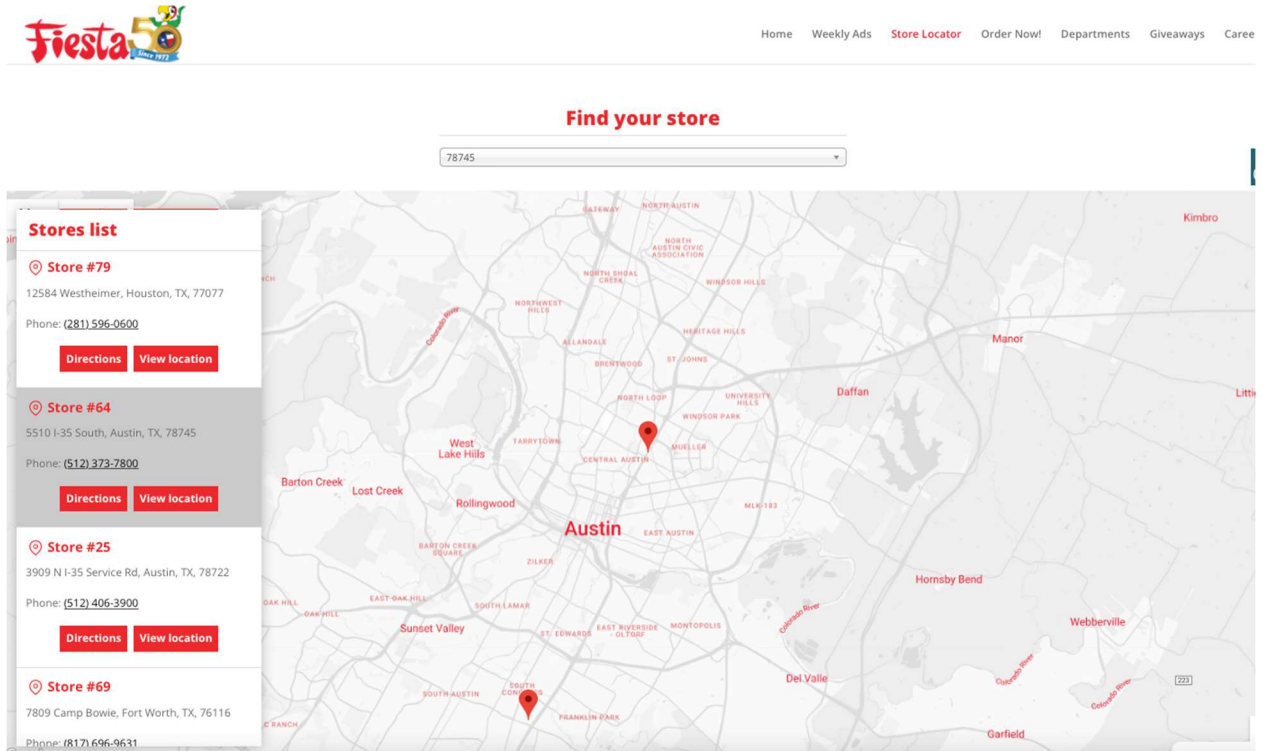
First Street



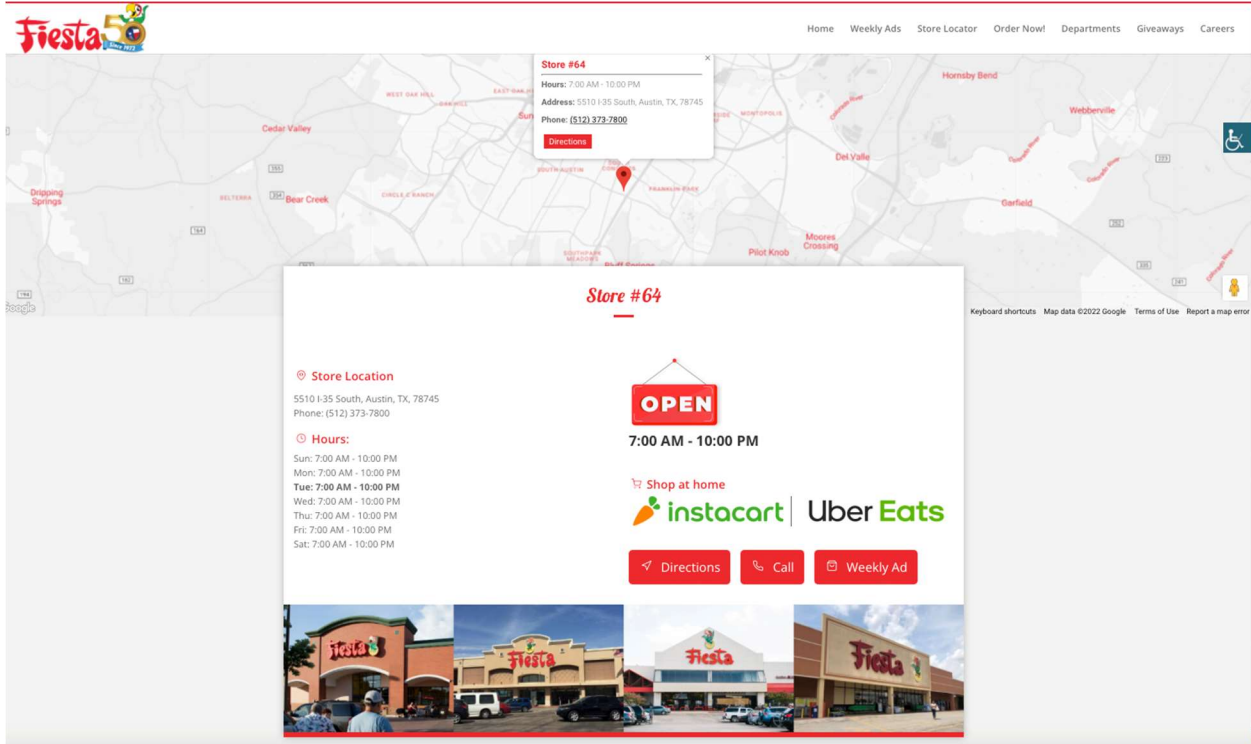
and <https://www.smartandfinal.com/flyers/177540/print>.

128. On information and belief, one or more components the Chedraui Defendants Marketing Systems employ and provide a method in a computing system

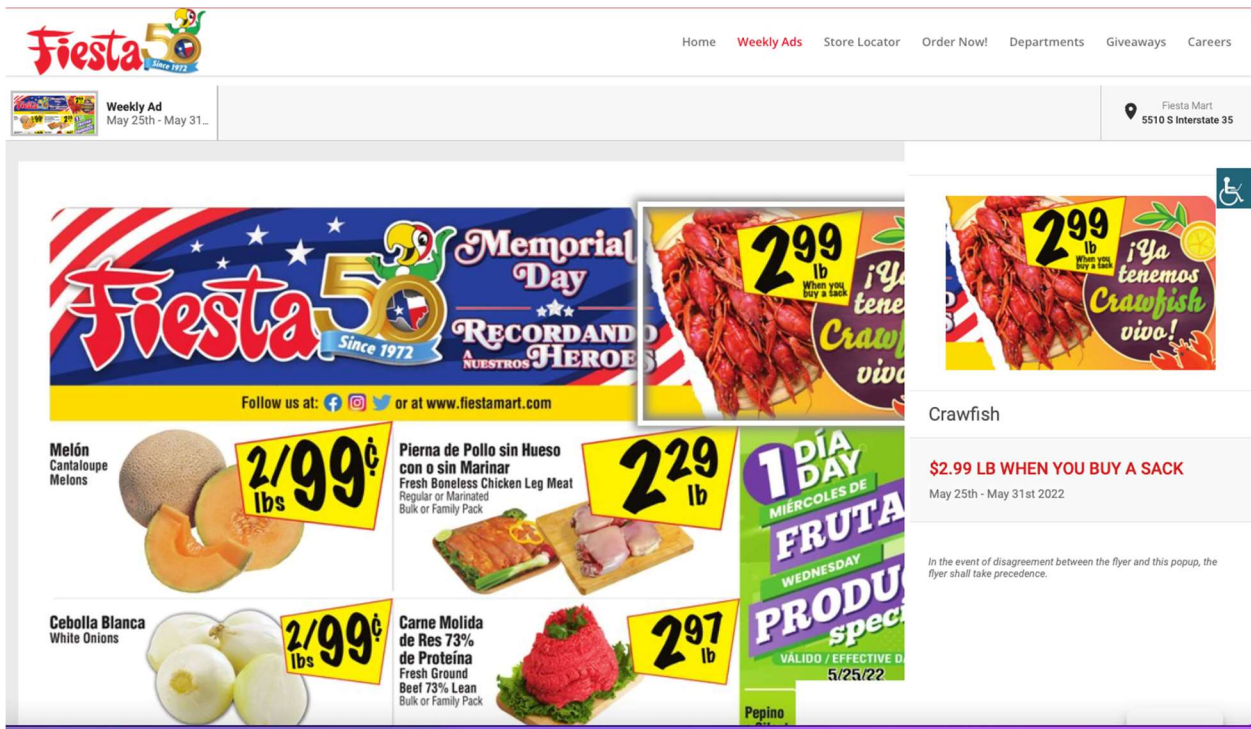
having a processor, (e.g., a Chedraui Defendants webserver) comprising the step of transmitting the generated web page.



See e.g., <https://www.fiestamart.com/store-locator/>;



https://www.fiestamart.com/store-detail/?store_id=401; and



<https://www.fiestamart.com/weekly-ads/>.



[Home](#) [Weekly Ads](#) [Store Locator](#) [Order Online](#) [Departments](#) [Giveaways](#) [Careers](#)

Find your store

79907

Stores list

10501 Gateway Blvd. West Suite 600, El Paso, TX, 79925
Phone: (915) 591-0418
[Directions](#) [View location](#)

Zaragoza
703 N. Zaragoza Rd., El Paso, TX, 79907
Phone: (915) 242-0686
[Directions](#) [View location](#)

See, e.g., <https://elsupermarkets.com/en/store-locator/>;

The screenshot displays the El Super website's store locator interface. At the top, the El Super logo is visible, followed by a navigation menu with links for Home, Weekly Ads, Store Locator, Order Online, Departments, Giveaways, and Careers. Below the menu is a map of the El Paso and Ciudad Juárez area. A red location pin is placed on the map, and a popup window provides details for the Zaragoza store. The popup includes the store name, hours (7:00 AM - 10:00 PM), address (703 N. Zaragoza Rd., El Paso, TX, 79907), and phone number ((915) 242-0686). A 'Directions' button is also present in the popup. Below the map, a larger white box contains the store's name 'Zaragoza' in a stylized font. Underneath, it lists the store location with the address and phone number, and the opening hours: 'Open At 7:00 AM - 10:00 PM'. At the bottom of this box are three buttons: 'Directions', 'Call', and 'Weekly Ad'.

https://elsupermarkets.com/en/store-detail/?store_id=638; and



Home Weekly Ads Store Locator Order Online Departments Giveaways Careers



Weekly Ad
May 25th - May 31st

Zaragoza
703 North Zaragoza R...

Memorial Day
REMEMBERING OUR HEROES RECORDANDO NUESTROS HEROES

3/99¢ por Pepino Cucumber

89¢ lb Piernas con Muslos de Pollo Fresh Frying Chicken Leg Quarters Family Pack

3/99¢ lbs Melón Chino Cantaloupe

2.99 lb Carne Mollida de Res Fresh Ground Beef 73% Lean, 27% Fat

1.29 lb Durazno Peaches

3.99 lb Bistec o Trozo de Espaldilla de Res sin Hueso Fresh Boneless Beef Clod Steaks or Roast Regular or Marinated Sold in Bulk

3.99 lb Queso Fresco Que Francisco Fresh Cheese

2.49 lb Imitación de Jaiba Fresh Imitation Crab Flakes

6.99 lb Camarón Blanco sin Cabeza 25-30 Ct. White Shrimp Headless Frozen/Defrosted

2/99¢ lb Tomate Roto Round Tomato

2/88¢ lb Plátanos Bananas

59¢ lb Limón Verde Green Limes

59¢ lb Fresa Dorada Gold Pineapple

MÉRCOLES DE FRUTAS WEDNESDAY PRODUCE SPECIALS
WEDNESDAY SPECIALS - VALID 5/25/22



Cucumber

3 POR \$0.99

May 25th - May 31st 2022

Description

Pepino

In the event of disagreement between the flyer and this popup, the flyer shall take precedence.

<https://elsupermarkets.com/en/weekly-ads/>.

Smart&Final S&F Business Weekly Ads Digital Coupons Find A Store My Lists Reorder

Digital Coupons

Detect My Location Enter a Store Name, Address, City, State, or ZIP Code

Select a store below

- Glendale - Verdugo Rd #304** OPEN UNTIL 10:00 PM
210 N VERDUGO ROAD
GLENDALE, CA 91206
- SAN DIMAS #305** OPEN UNTIL 10:00 PM
1005 W. ARROW HIGHWAY
SAN DIMAS, CA 91773
- Rancho Palos Verdes #306** OPEN UNTIL 10:00 PM
28500 S. WESTERN AVENUE
RANCHO PALOS VERDES, CA 90275
- Pomona #308** OPEN UNTIL 10:00 PM
160 W WILLOW STREET
POMONA, CA 91768
- Los Angeles - Compton #310** OPEN UNTIL 10:00 PM
1216 S. COMPTON AVENUE
LOS ANGELES, CA 90021
- Bellflower #311** OPEN UNTIL 10:00 PM

See, e.g., [https://www.smartandfinal.com/stores/;](https://www.smartandfinal.com/stores/)

Smart&Final Search for products

Download Our App Business Services Online Support Of Search Our Site Seasonal Departments Recipes

IT PAYS TO BE PREPARED FOR SUMMER

GET A \$5 OR \$10 REWARD*
WITH QUALIFYING PURCHASE BETWEEN 5/8/22 AND 7/2/22

SHOP NOW

650 N Imperial Ave
650 N Imperial Ave, El Centro, CA 92243
View larger map

El Centro #798
650 NORTH IMPERIAL AVENUE
EL CENTRO, CA 92243
Phone: (760) 352-0811
Manager: Jimmy Cambero
MY STORE

OPEN UNTIL 10:00 PM
Browse Flyer Details
Get Directions to Store
Change My Store

General Store Information

HOURS OF OPERATION		CONTACT INFORMATION	
Sunday	6:00 am - 10:00 pm	Primary	(760) 352-0811
Monday	6:00 am - 10:00 pm		
Tuesday	6:00 am - 10:00 pm		
Wednesday	6:00 am - 10:00 pm		
Thursday	6:00 am - 10:00 pm		
Friday	6:00 am - 10:00 pm		
Saturday	6:00 am - 10:00 pm		

AMENITIES

- Delivery
- Picking

LANGUAGES

- English

Cookie Settings

<https://www.smartandfinal.com/stores/el-centro-798/8131;> and

Smart & Final
HAPPY MEMORIAL DAY!
 PRICES EFFECTIVE MAY 25 - 31, 2022

El Centro #798 [Change Store](#)

Weekly Ad May 25th - May 31st

GREAT ON THE GRILL!
Pork Spareribs
 Previously Frozen
 Sold in the Bag
 Costillas de Puerco
 Limit 2
\$1.99
 lb

REMEMBER and HONOR
 ALL STORES OPEN REGULAR HOURS ON MEMORIAL DAY

FRESH!
First Street Chicken Drumsticks, Thighs or Leg Quarters
 Value Pack
 Piernitas, Mustos o Piernas de Pollo
 Limit 2
99¢
 lb

FRESH!
First Street Ground Beef Patties
 80% Lean
 2.5 lb. Package
 Hamburguesas de Res
10 PATTIES FOR \$10

Bar S Jumbo Meat Franks
 16 oz.
 Selected Varieties
 Salchichas
99¢
 ea

SWEET!
Strawberries
 2 lb. Package
 Fresas
 Limit 2
\$3.49
 ea

Seedless Watermelon
 Sandia sin Semillas
 Limit 2
\$3.99
 ea

Honey Bunches of Oats 12 oz., Pebbles 11 oz., or Honey-Comb Cereal 12.5 oz.
 Selected Varieties
 Must Buy in Multiples of 4
\$1.99
 ea
MUST BUY 4

MORE WAYS TO Save!
WEEKLY DIGITAL DEALS

Scan this QR to learn more & download the app

Hoffy Beef Franks or Sausage | Frito-Lay | First Street

and <https://www.smartandfinal.com/flyers/177540/print>.

129. On information and belief, the Chedraui Defendants directly infringe at least claim 1 of the '736 patent and are in violation of 35 U.S.C. § 271(a) by making, using, selling, importing, and/or offering to sell the Chedraui Defendants Marketing

Products and Services; and making, using, selling, selling access to, importing, offering for sale, and/or offering to sell access to the Chedraui Defendants Marketing Systems.

130. The Chedraui Defendants' direct infringement has damaged Advanced Transactions and caused it to suffer and continue to suffer irreparable harm and damages.

Count V
Infringement of United States Patent No. 7,979,057 by Smart & Final

131. Advanced Transactions repeats, realleges, and incorporates by reference, as if fully set forth here, the allegations of the preceding paragraphs above.

132. On information and belief, Smart & Final (or those acting on its behalf) makes, uses, sells, imports and/or offers to sell the Smart & Final Marketing Products and Services; and makes, uses, sells, sells access to, imports, offers to sell and/or offers to sell access to the Smart & Final Marketing System in the United States that infringe (literally and/or under the doctrine of equivalents) at least claim 1 of the '057 patent.

133. On information and belief, one or more components of the Smart & Final Marketing System employ and provide a method for processing negotiable economic credits, (*e.g.*, Smart & Final Digital Coupons, Online Shopping, Smart & Final Charge Card, gift cards, *etc.*) through a wireless hand held device, (*e.g.*, a smart phone with the Smart & Final App installed).

Smart&Final Search for products or search our site


S&F Business Weekly Ads Digital Coupons My Lists Find A Store Reorder

Download Our App Business Services Online Support Seasonal Departments Recipes


Introducing Smart&Final. Digital Coupons

Clip your digital coupon now and **SAVE 15% on your first purchase in-store or online when you sign up**


(*Login to view your one-time use 15% off digital coupon) [Click Here!](#)



Clip.
[View Coupon Gallery](#)




Scan.
[Scan your Barcode](#)



Save!
[View Weekly Ad](#)


or search our site

@Princess_Cataleya_ Digital Coupon How-to-Guide



Clip. Scan. Save!
FOOD CONTENT CREATOR
@PRINCESS_CATALEYA_

[View Video](#)




My Clipped Digital Coupons

SAVE 15%
Expires Feb 18, 2022

SAVE \$0.50
Expires Feb 18, 2022

[View Video](#)




WE'RE PARTNERING WITH SOME OF OUR FAVORITE CONTENT CREATORS TO SHOW YOU HOW DIGITAL COUPONS CAN HELP YOU SAVE EVEN MORE.

@PRINCESS_CATALEYA_

[View Video](#)


Digital Coupons

Frequently Asked Questions! [Click Here](#)



Digital Coupon FAQ


[Learn More](#)



Download on the **App Store**

App Store

[Download Now](#)

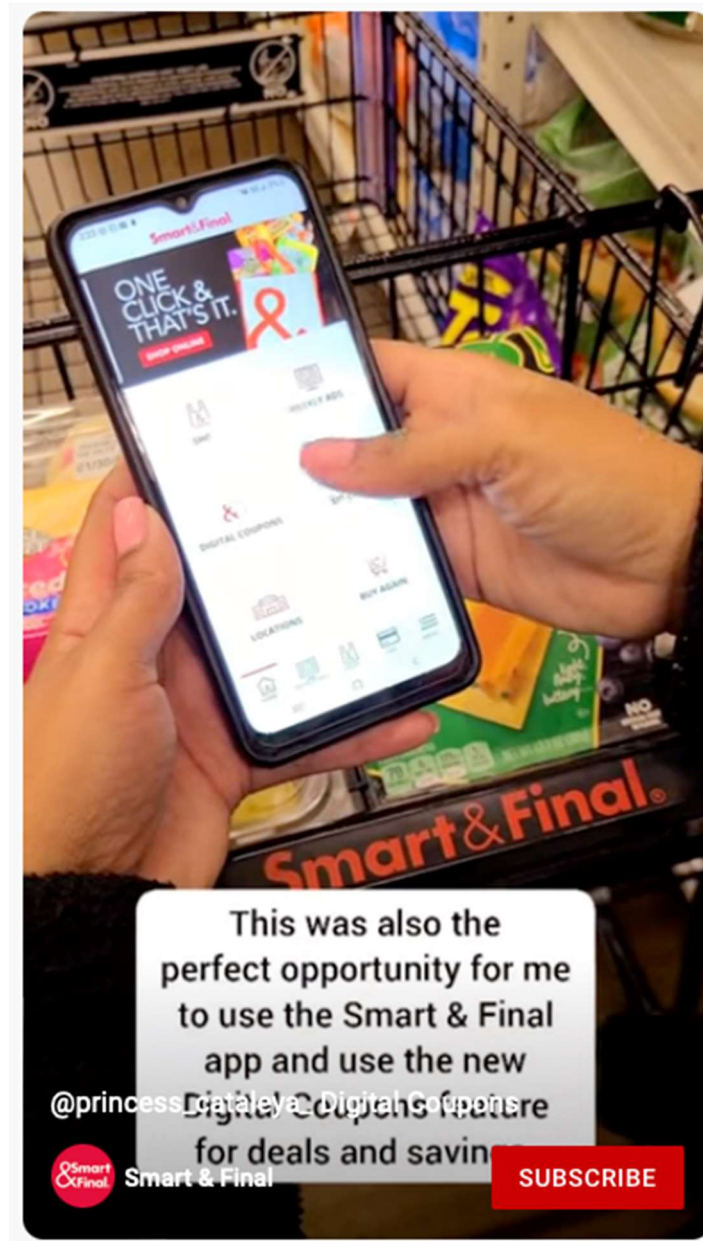


GET IT ON **Google Play**

Play Store

[Download Now](#)

See e.g., https://www.smartandfinal.com/digital-coupons?utm_source=9columnblock&utm_medium=secondblock&utm_campaign=digitalcoupon.



See, <https://www.youtube.com/shorts/xrn9kuviVM8>.

Digital Coupons



How do I get extra savings at Smart & Final using Digital Coupons?

Get extra savings at Smart & Final using our new Digital Coupons, provided exclusively to all Smart Advantage members. They're loaded directly onto your Smart Advantage account and can be redeemed automatically when purchasing qualifying items. Simply have the associate at checkout scan your Smart Advantage barcode in your Smart & Final app! Then watch the savings pile up at the end.

Where can I access Digital Coupons?

Access Digital Coupons via your Smart & Final app.

- Go to the app main screen, select the menu on the bottom corner and scroll through the coupons available for use. It's that simple. *
- *Digital Coupons can also be accessed via the Smart & Final website.

How do I redeem Digital Coupons in-store and online?

- Be sure to use the latest version of the Smart & Final app. Sign into your Smart Advantage account or create one for free.
 - Navigate to the Digital Coupons section via the main menu on the bottom right-hand corner and add coupons to your Smart Advantage account.
 - When purchasing in-store, have the associate at checkout scan your Smart Advantage barcode at the time of purchase.
 - Discounts will then be applied automatically to your purchase and will appear on your receipt under each qualifying item. *
- *Digital Coupons are labeled as "DC [name of Digital Coupon]" on your receipt.

Why is the app barcode so important?

The app bar code allows you to access all Digital Coupon savings for orders placed in-store and online via SmartandFinal.com.

or search our site

How can I create a Smart Advantage account?

Customers can register on SmartandFinal.com or download the app for iOS and Android and create an account for free.

How can I see my extra savings from Digital Coupons?

- When shopping in-store, the Digital Coupon discount will appear on your physical receipt.
 - When shopping online, discounts will be applied to the order total and may not be reflected until the order is submitted. *
- *Please allow up to 24 hours after purchase for discounts to be reflected on your final receipt.

Can Digital Coupons be printed and redeemed in-store?

Digital Coupons can be printed; however, you will still need to display your Smart Advantage barcode at checkout to receive extra savings.

How do I know if a coupon has been clipped and added to my account?

Searching for Digital Coupons added to your account is easy! Simply follow these three steps:

- Select "Browse Digital Coupons" to view available offers.
 - Once a coupon is clipped, you can view your added offers under "My Clipped Digital Coupons."
 - Review your coupon activity under "My Digital Coupon History." *
- *Please allow up to 24 hours for coupon history to be updated.

Will Smart & Final still accept physical coupons?

Yes, manufacturer and featured coupons in the print ad are still accepted.

Do Digital Coupons expire?

Yes. Each coupon will have a clear expiration date listed along with any other exclusions.

Who do I contact for support with Digital Coupons?

If you experience any issues redeeming Digital Coupons or have trouble accessing your account, contact support [here](#).

Can I use a phone number to redeem Digital Coupons in store?

You must display your Smart Advantage barcode via the Smart & Final app at checkout to redeem Digital Coupons and get your extra savings.

Do I need to remove expired coupons from my Smart Advantage card?

No. Once a coupon expires or has reached its redemption limit, the offer will be automatically removed from the coupon gallery and available offers section on the coupons page.

Can I use Digital Coupons at El Super Stores?

Currently, Digital Coupons are only redeemable at Smart & Final locations in California, Arizona and Nevada.

Can I add my Smart Advantage card to a different online profile?

Your Smart Advantage card can only be linked to one online profile.

I'm a Smart Advantage member but didn't receive the extra savings from Digital Coupons. Can you help?

If you are a Smart Advantage member and did not receive your Digital Coupon savings, contact support [here](#).

Can I use Digital Coupons on third-party marketplaces (i.e., Instacart, DoorDash, Shipt)?

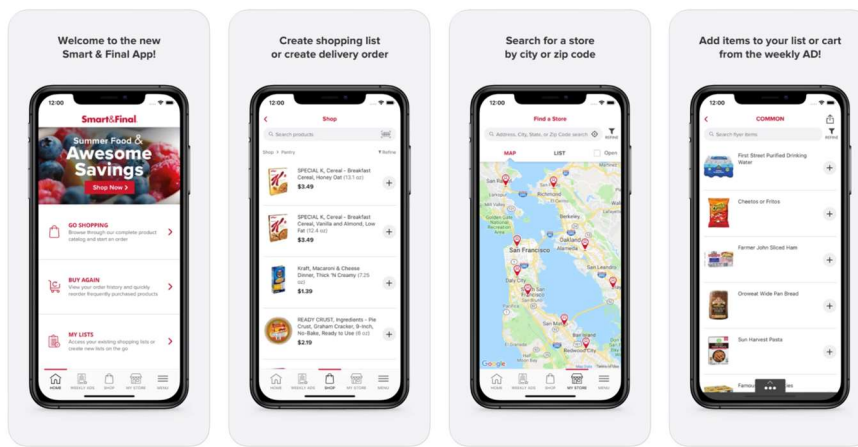
Digital Coupons are only redeemable at Smart & Final stores or on online.

What if I don't own a mobile phone with internet access and am unable to download the app?

If you don't own a mobile phone with internet access, you can still clip your favorite Digital Coupons via [smartandfinal.com](https://www.smartandfinal.com). Simply follow these steps:

- [Sign up](#) or log into your account.
- Search and clip [Digital Coupons](#).
- Once your coupons have been clipped, select "Smart Advantage" to view and print your account barcode.
- At the time of your in-store purchase, simply have the associate at checkout scan your [printed barcode](#).

See, <https://www.smartandfinal.com/digital-coupons-FAQ>.




A brand new Smart & Final experience awaits you! And so does the same great low pricing you'll find in our stores. With our new and improved mobile app, we've made it easier than ever for you to order everything you need for your household, business or organization while on-the-go, plus apply coupons, access promotions, create shopping lists & much more! Simply download the app, create an account and complete your registration to access all these great benefits:

- Place Orders Online... for all your necessities and have them delivered same-day.
- Access Weekly Ads... directly on the app and apply them with just one click.
- Receive Online Promotions... automatically applied during checkout.
- Create Shopping Lists... directly from our weekly ads and recipe sections to help with meal planning or the perfect dish.
- Add Personalized Preferences... for any dietary interests or requirements. As we get to know you, the level of personalization you experience on our app will increase.
- View Order History... through the app or at SmartandFinal.com.
- Rest Assured Your Information is Stored in a Protected Environment... if you choose to store your address and credit cards for easy checkout, this information is very secure and we are compliant with various security standards.
- Guest Shopping... If you prefer to remain a guest customer, you do not have to create an account on the app or on SmartandFinal.com.
- Find Your Nearest Store... with our new store locator.

We're constantly improving our app and website to offer you an even better and more personalized online shopping experience. Stay tuned, as we continue to add more features.

To use the Smart & Final app, you'll need a Smart & Final digital account, which you can register for through the app. Thanks for shopping with Smart & Final, the smaller, faster grocery warehouse store!

See e.g., <https://apps.apple.com/us/app/smart-final/id1476069363> and



Smart & Final

Smart & Final Stores LLC Shopping

Everyone

You don't have any devices


You can share this with your family. [Learn more about Family Library](#)

Add to Wishlist

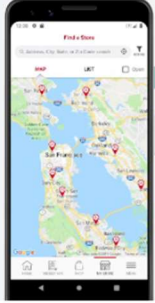
★★★★★ 301

[Install](#)

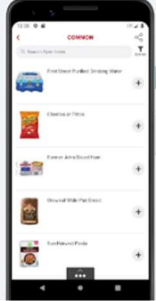
Shopping list every order




Search for a store by city or zip code



Add items to your list or cart from the weekly AD!



Track your in-store transactions online!



A brand new Smart & Final experience awaits you! And so does the same great low pricing you'll find in our stores. With our new and improved mobile app, we've made it easier than ever for you to order everything you need for your household, business or organization while on-the-go, plus apply coupons, access promotions, create shopping lists & much more! Simply download the app, create an account and complete your registration to access all these great benefits:

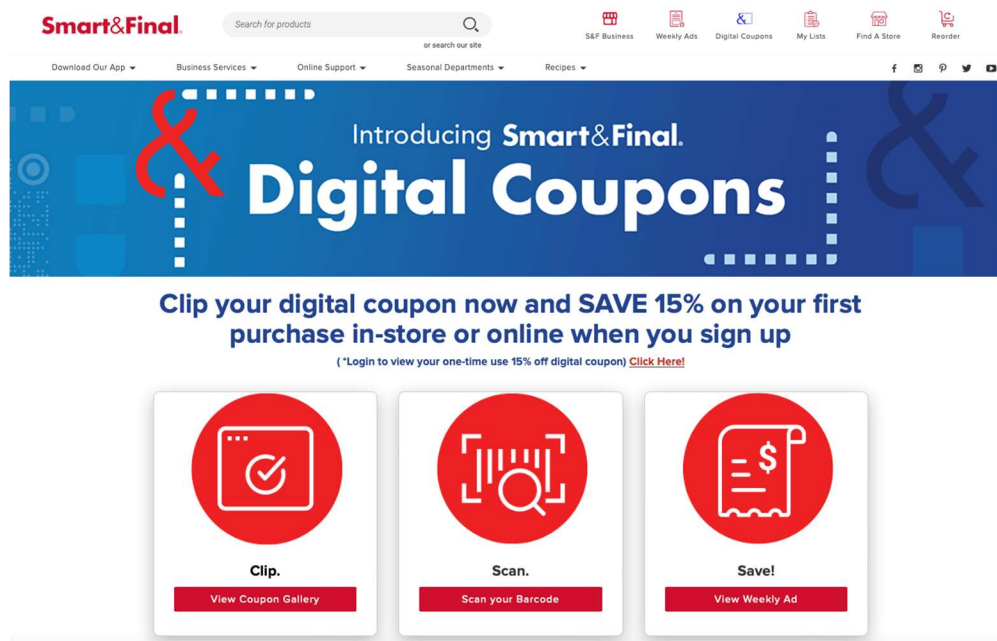
- Place Orders Online... for all your necessities and have them delivered same-day.
- Access Weekly Ads... directly on the app and apply them with just one click.
- Receive Online Promotions... automatically applied during checkout.
- Create Shopping Lists... directly from our weekly ads and recipe sections to help with meal planning or the perfect dish.
- Add Personalized Preferences... for any dietary interests or requirements. As we get to know you, the level of personalization you experience on our app will increase.
- View Order History... through the app or at SmartandFinal.com.
- Rest Assured Your Information is Stored in a Protected Environment... if you choose to store your address and credit cards for easy checkout, this information is very secure and we are compliant with various security standards.
- Guest Shopping... If you prefer to remain a guest customer, you do not have to create an account on the app or on SmartandFinal.com.
- Find Your Nearest Store... with our new store locator.

We're constantly improving our app and website to offer you an even better and more personalized online shopping experience. Stay tuned, as we continue to add more features.

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https://play.google.com/store/apps/details?id=com.mercatustechnologies.smartfinal&hl=en_US&gl=US.

133. On information and belief, one or more components of the Smart & Final Marketing System employ and provide a method for processing negotiable economic credits through a wireless hand held device, comprising the step of storing a filter in a memory of a hand held device, wherein the hand held device comprises a display, user controls, the memory, and a wireless controller, wherein the wireless controller is configured to communicate with a wireless network, (e.g., a cellular data network, Smart & Final in-store WIFI network, etc.) and wherein the filter is configurable via the user controls.



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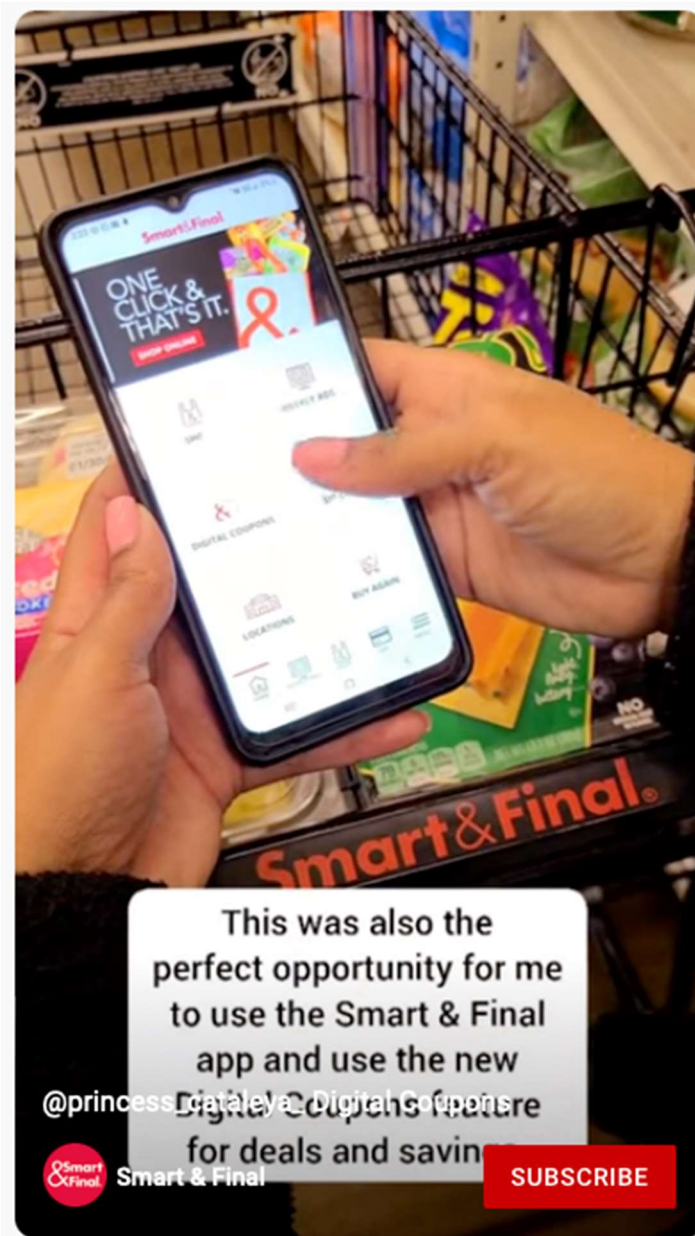
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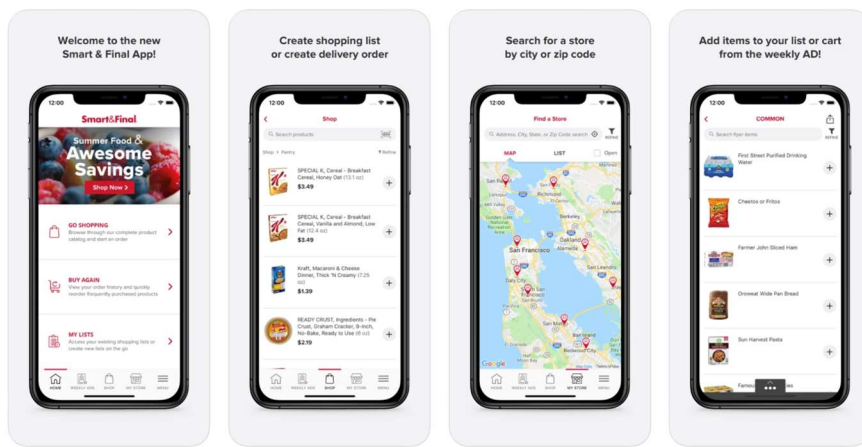
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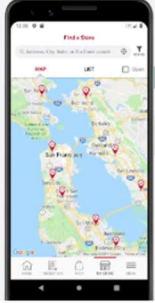
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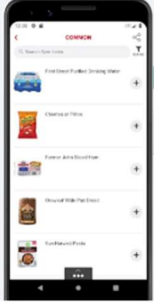
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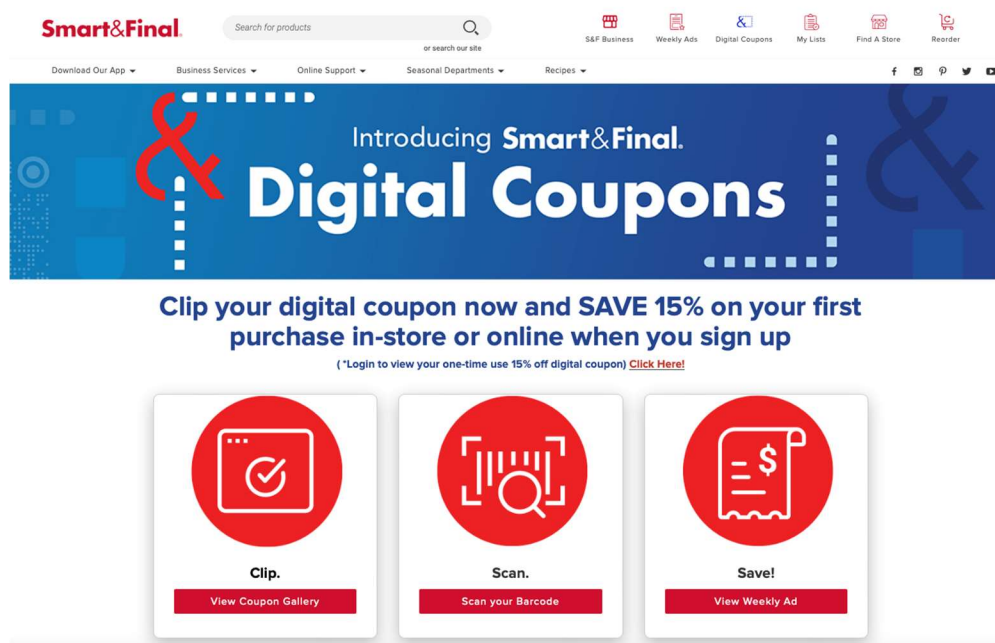
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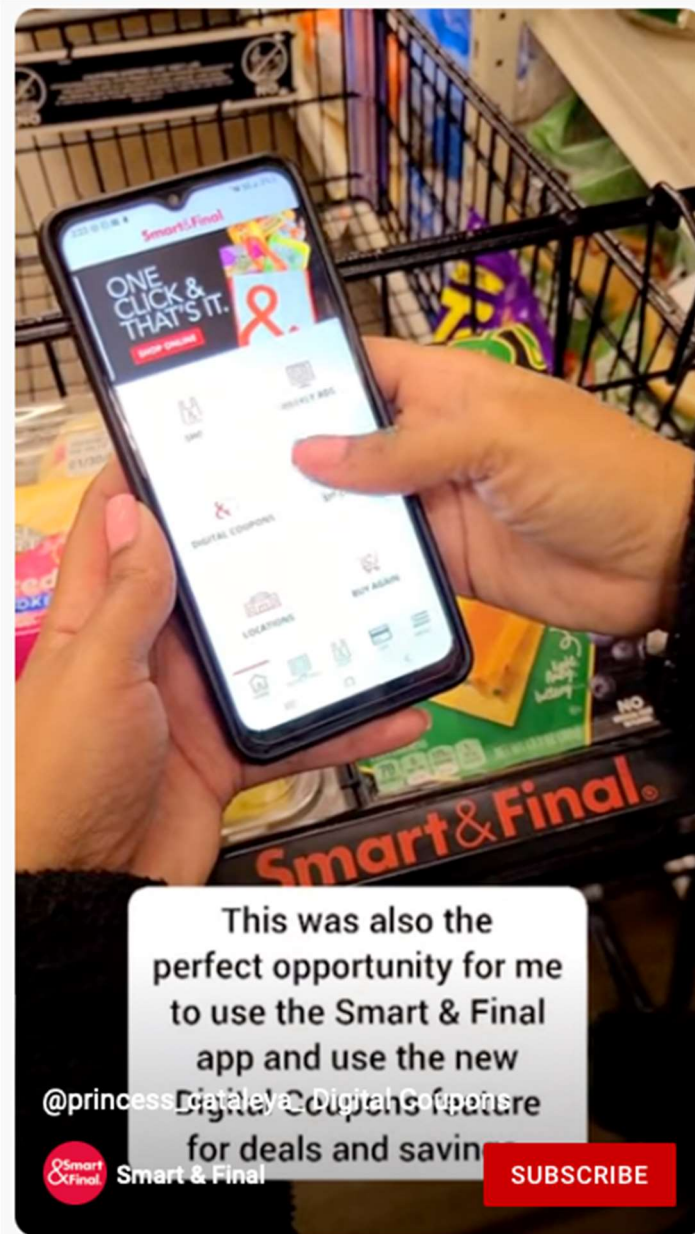
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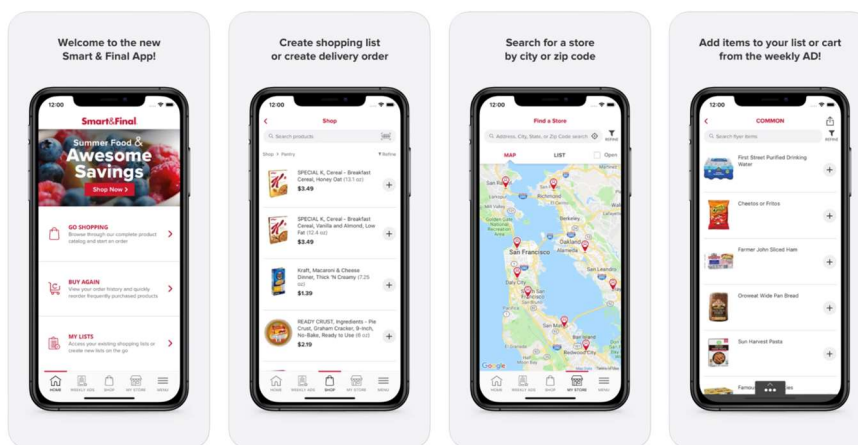
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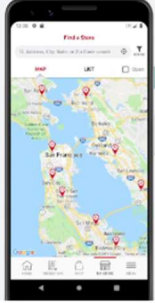
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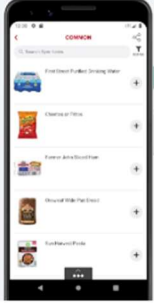
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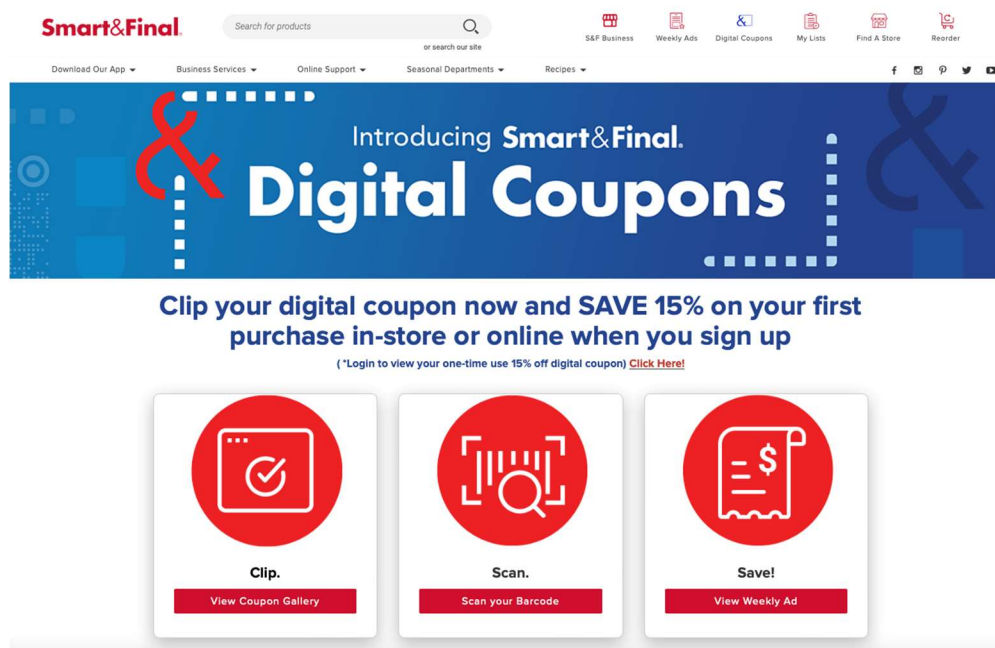
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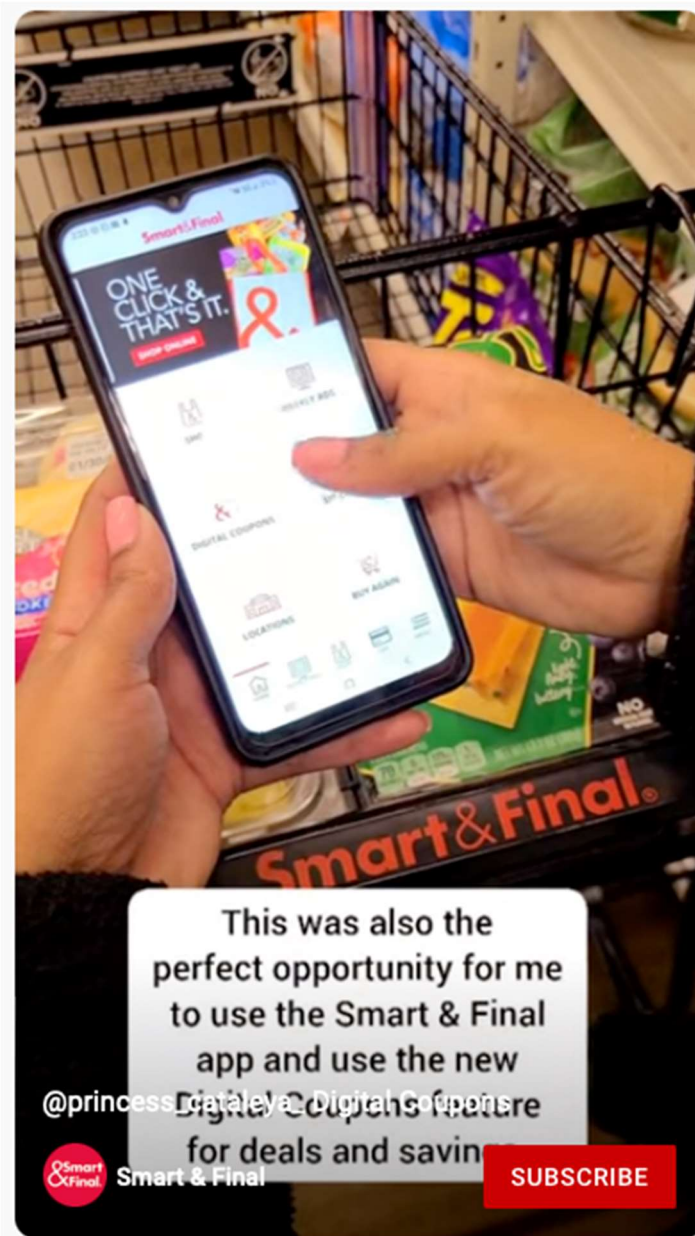
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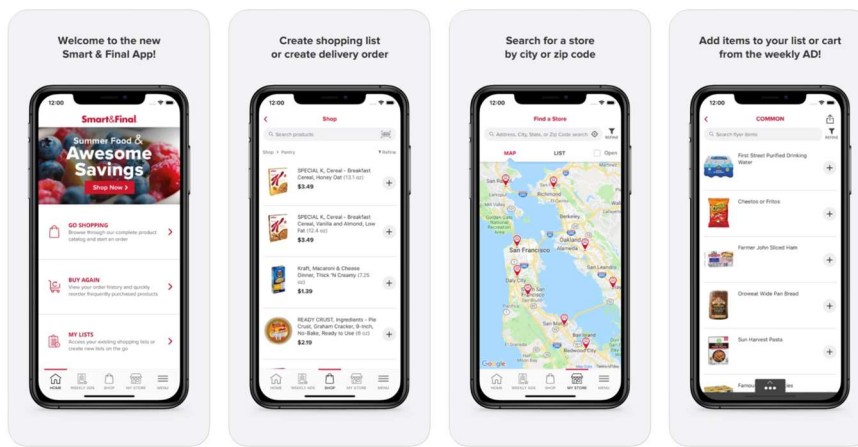
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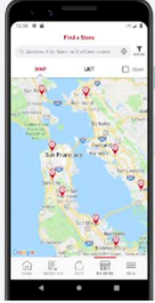
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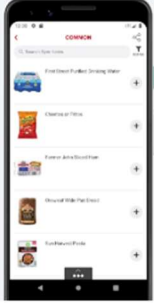
Shopping list every order




Search for a store by city or zip code



Add items to your list or cart from the weekly AD!



Track your in-store transactions online!



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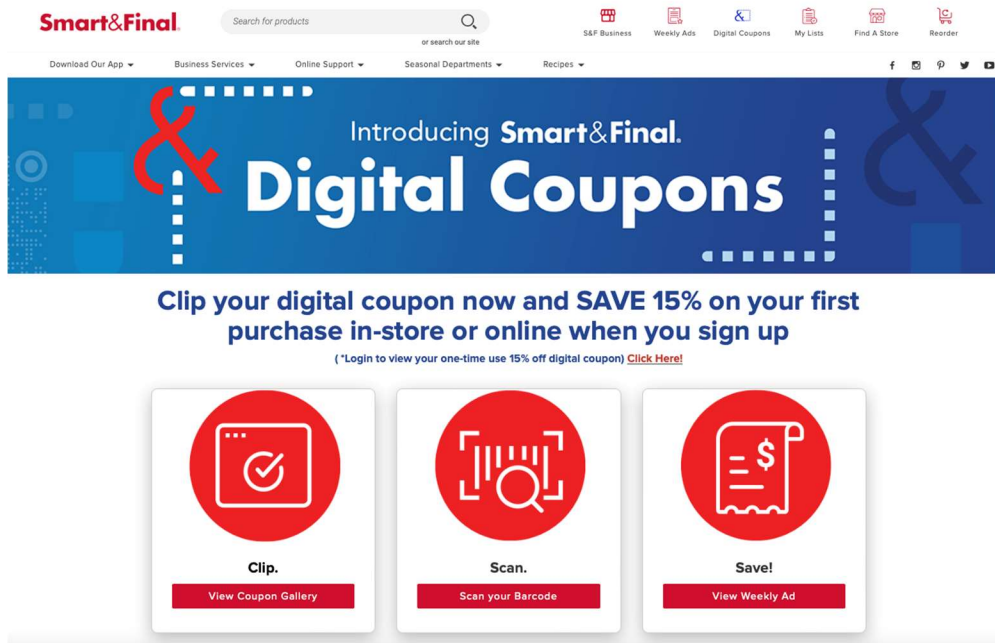
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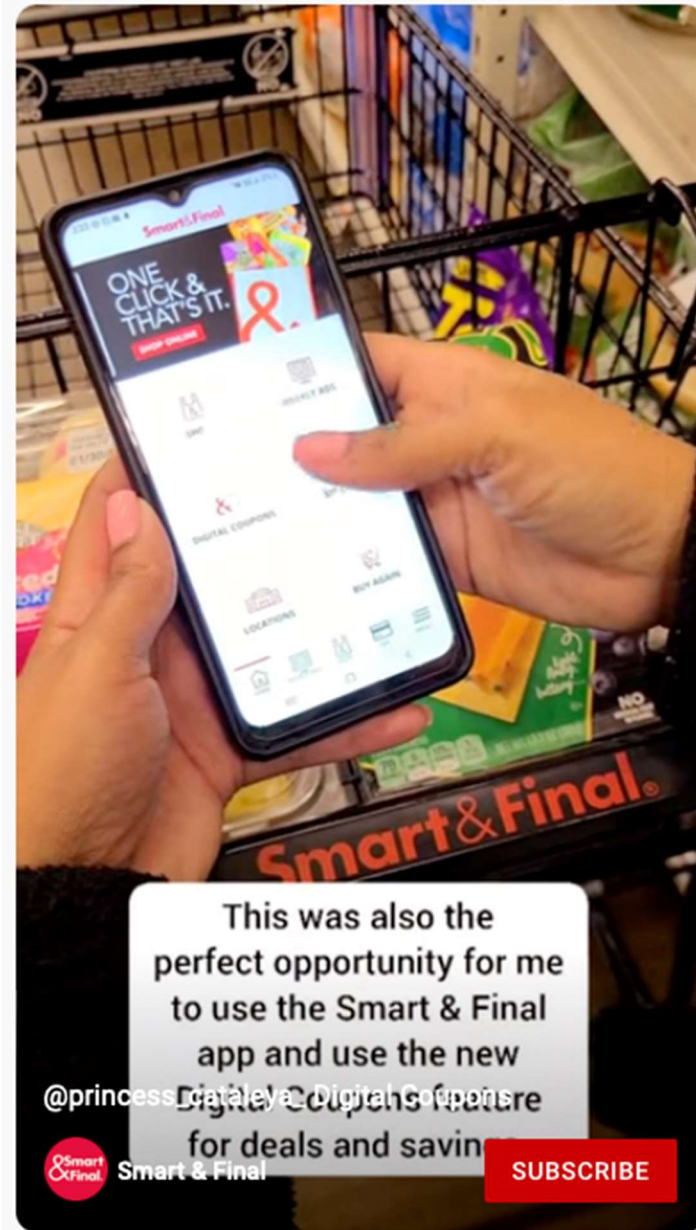
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Digital Coupons



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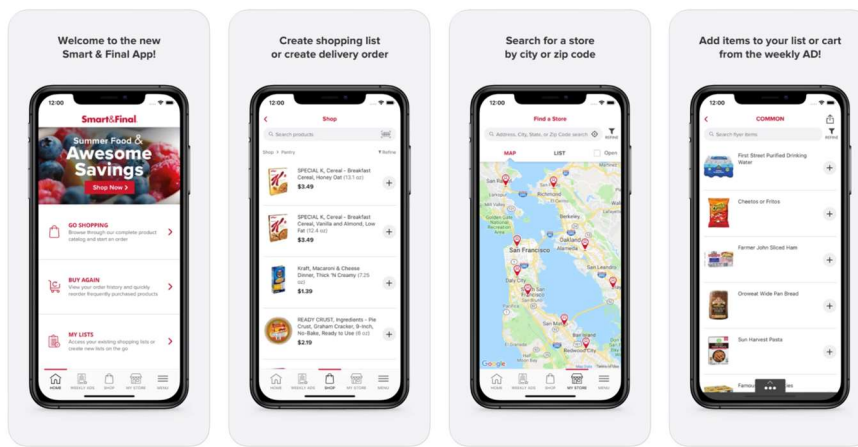
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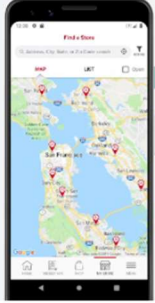
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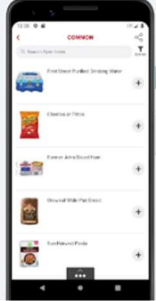
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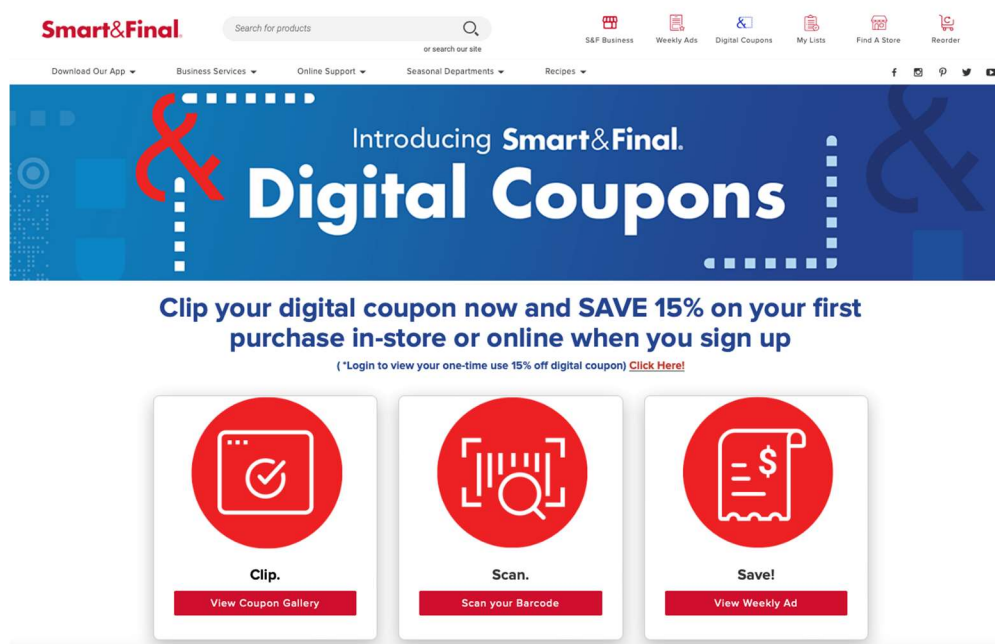
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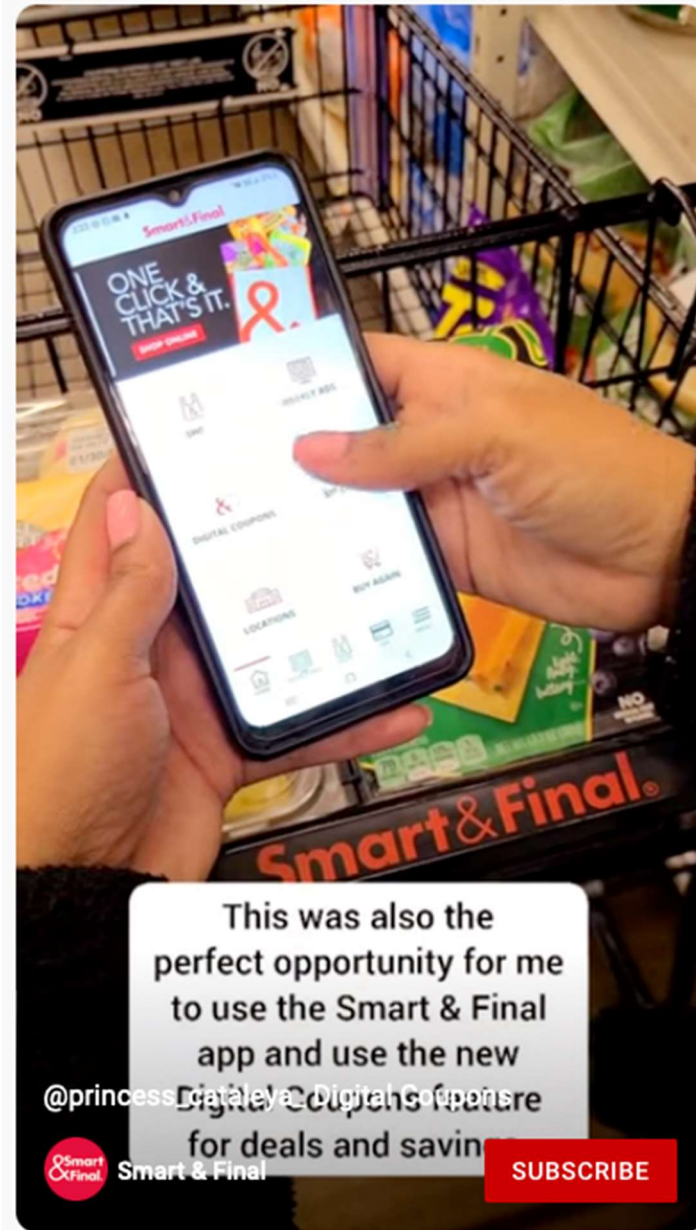
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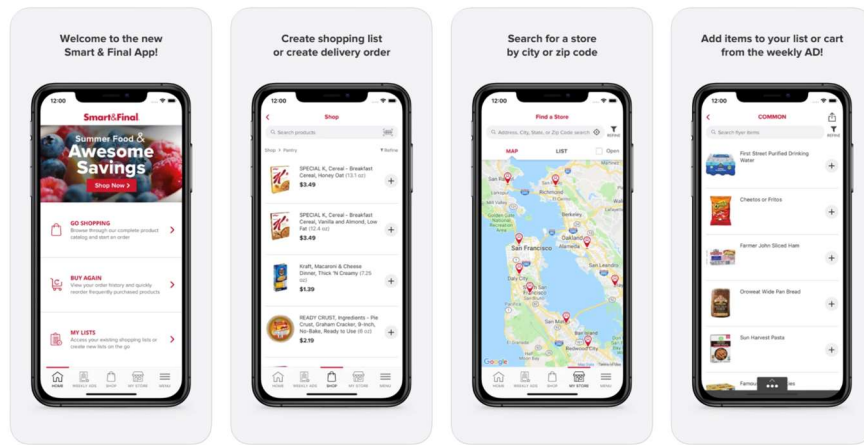
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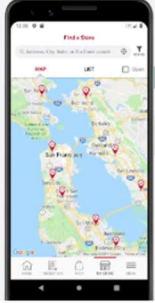
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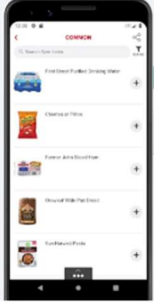
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138. On information and belief, Smart & Final directly infringes at least claim 1 of the '057 patent and is in violation of 35 U.S.C. § 271(a) by making, using, selling, importing, and/or offering to sell the Smart & Final Marketing Products and Services; and making, using, selling, selling access to, importing, offering for sale, and/or offering to sell access to Smart & Final Marketing System.

139. Smart & Final's direct infringement has damaged Advanced Transactions and caused it to suffer and continue to suffer irreparable harm and damages.

Count VI
Infringement of United States Patent No. 8,175,519 by Smart & Final

140. Advanced Transactions repeats, realleges, and incorporates by reference, as if fully set forth here, the allegations of the preceding paragraphs above.

141. On information and belief, Smart & Final (or those acting on its behalf) makes, uses, sells, imports and/or offers to sell the Smart & Final Marketing Products and Services; and makes, uses, sells, sells access to, imports, offers to sell and/or offers to sell access to the Smart & Final Marketing System in the United States that infringe (literally and/or under the doctrine of equivalents) at least claim 22 of the '519 patent.

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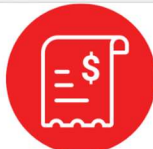
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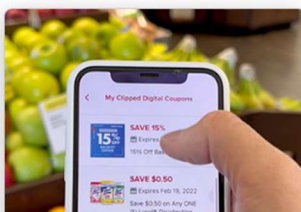
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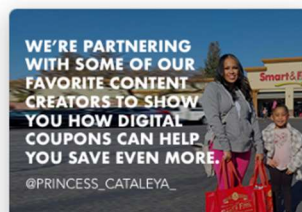
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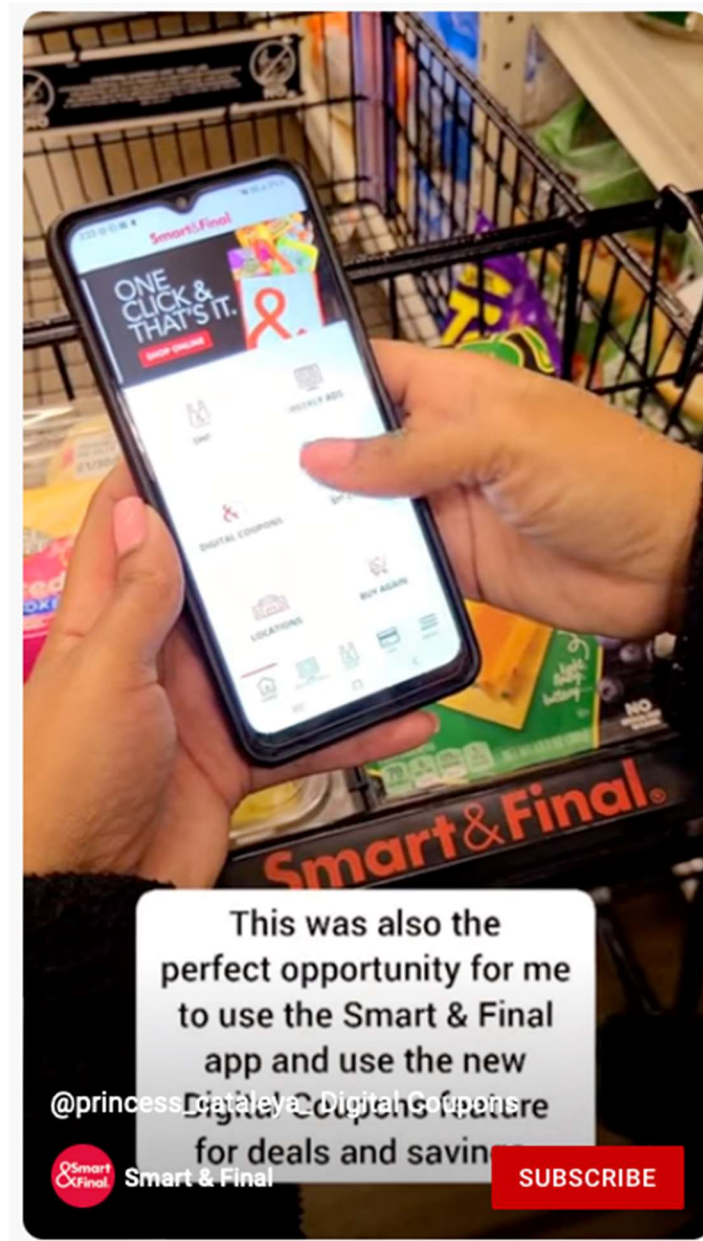


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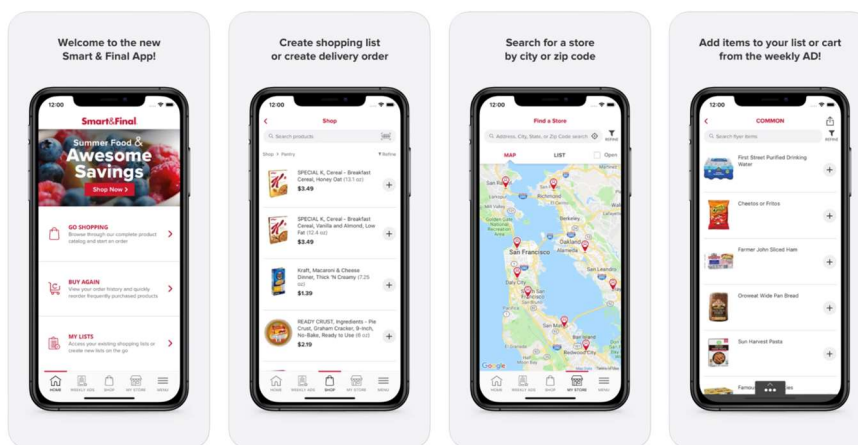
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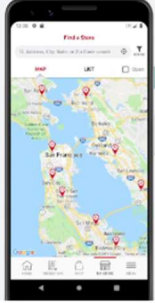
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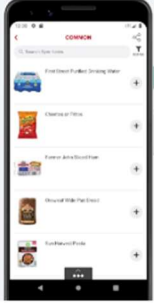
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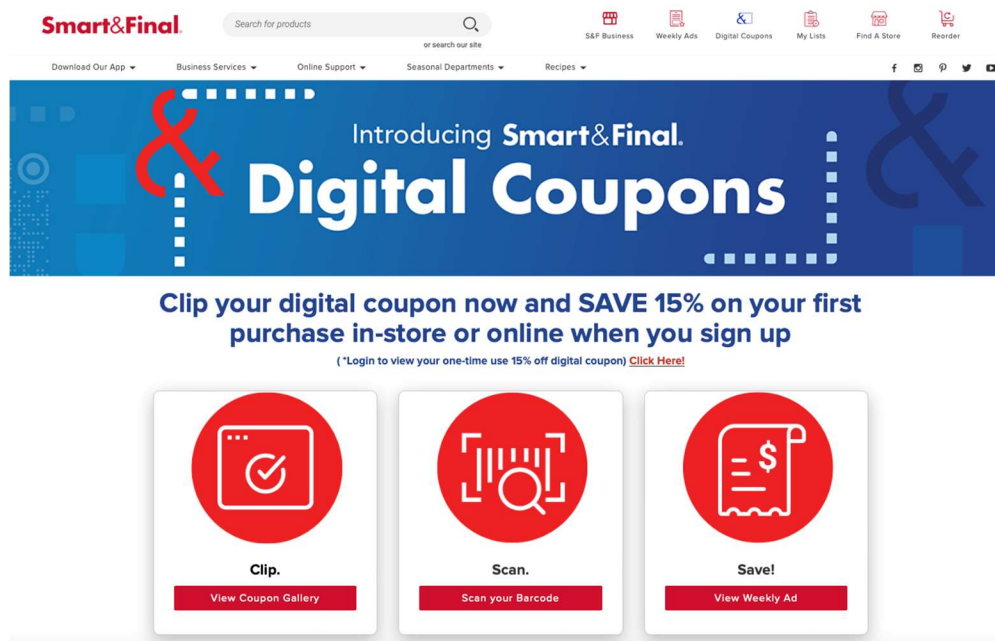
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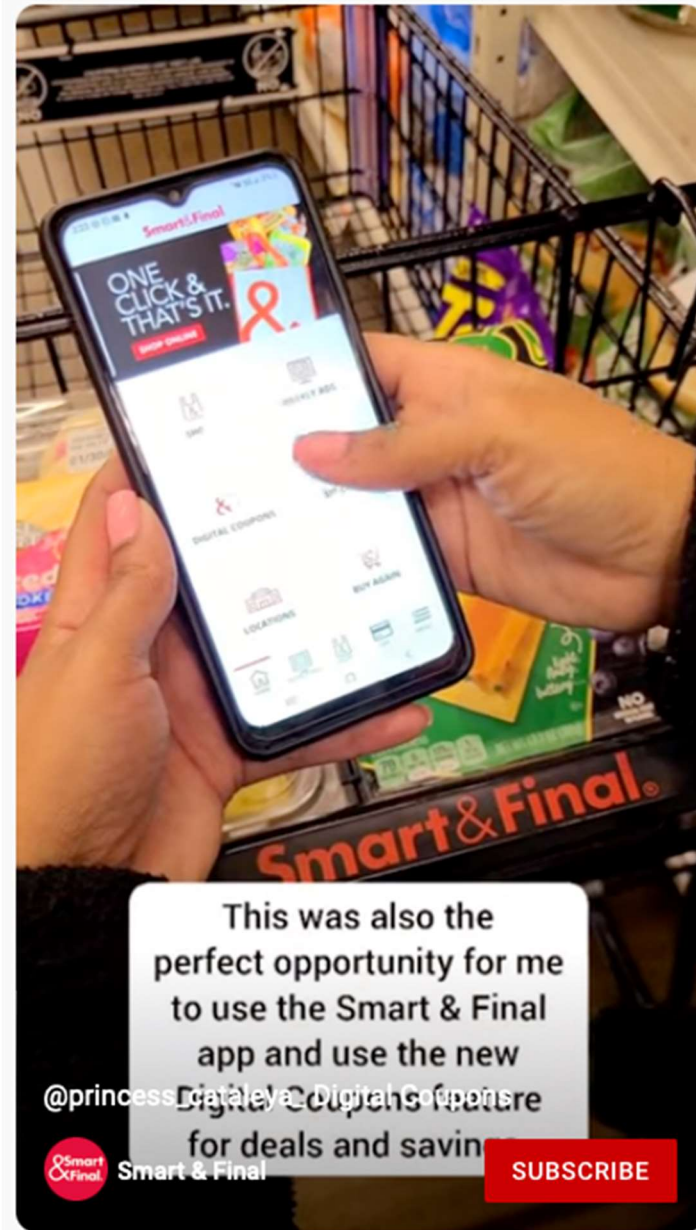
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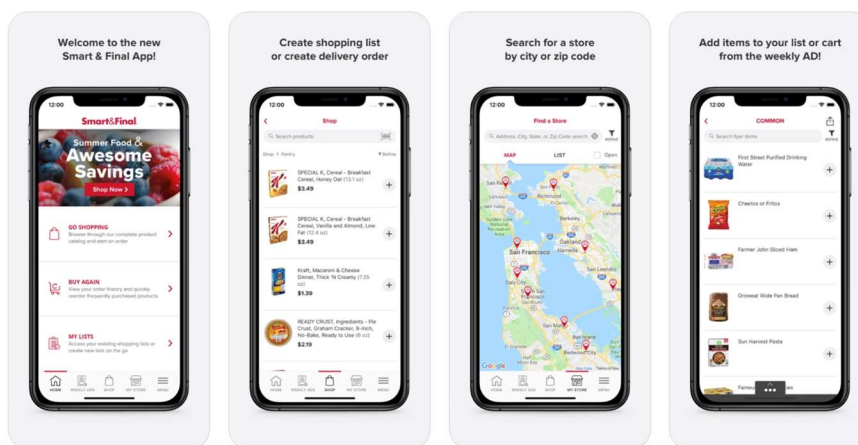
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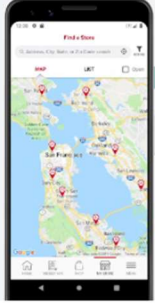
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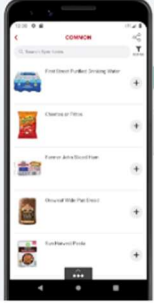
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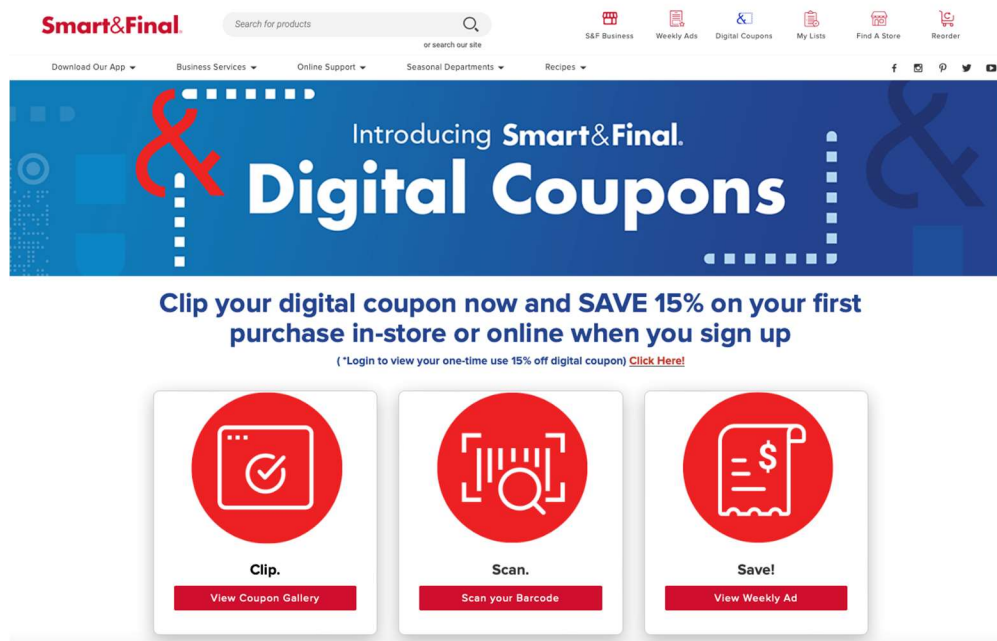
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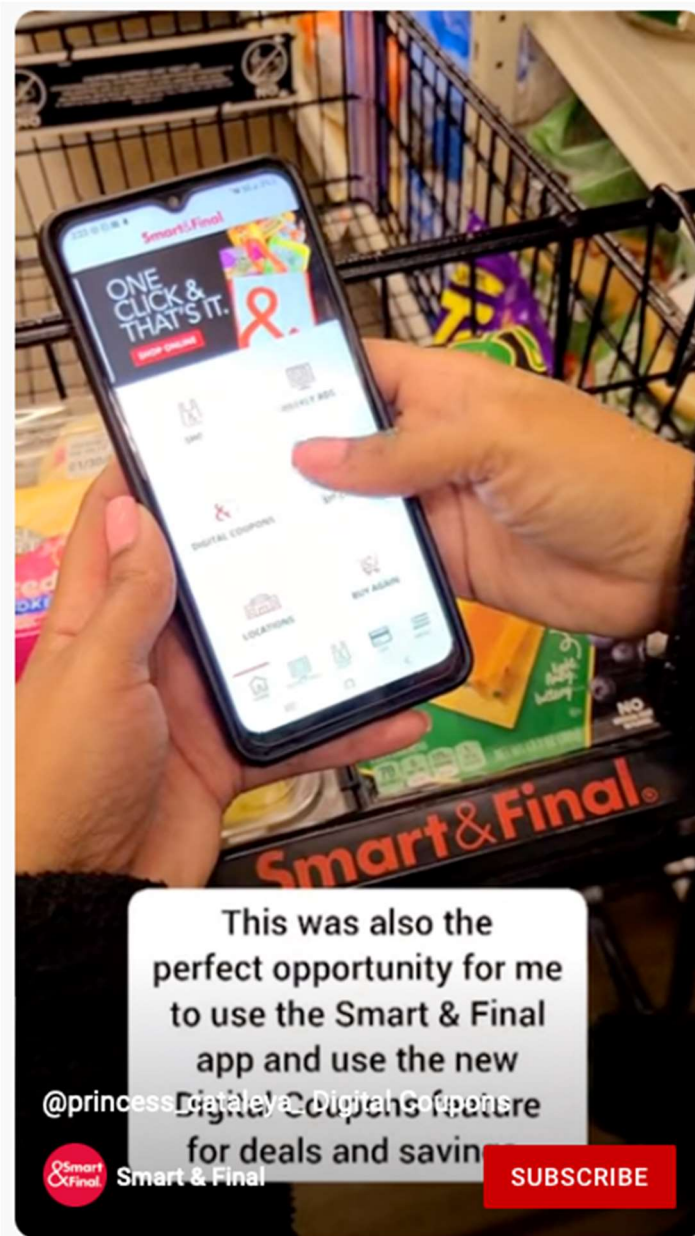
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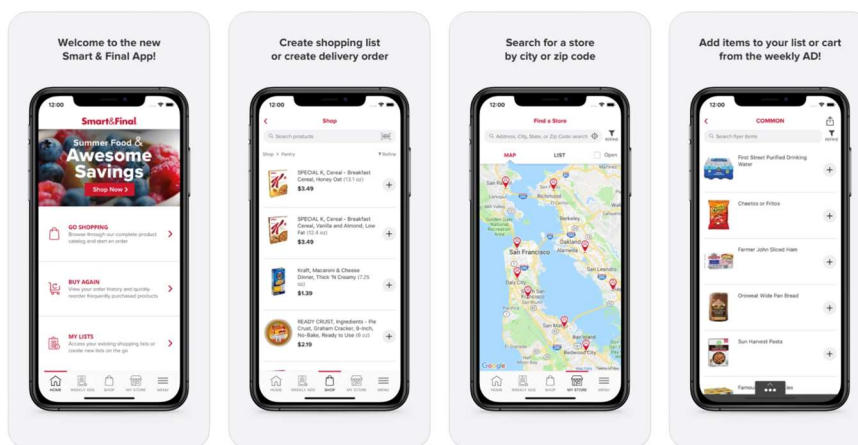
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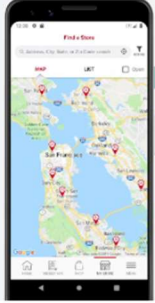
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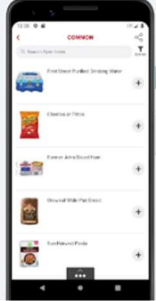
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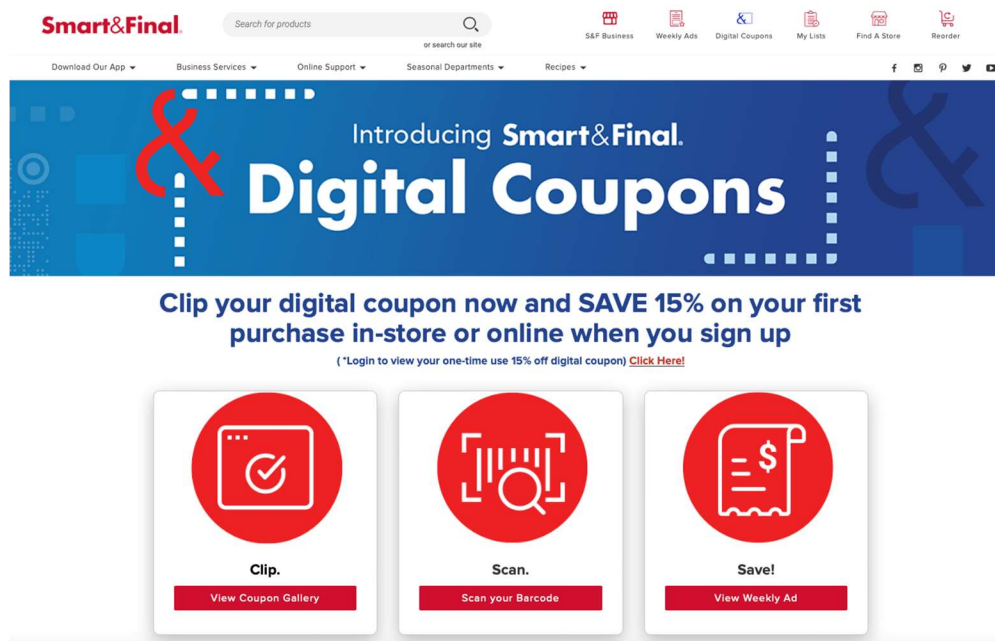
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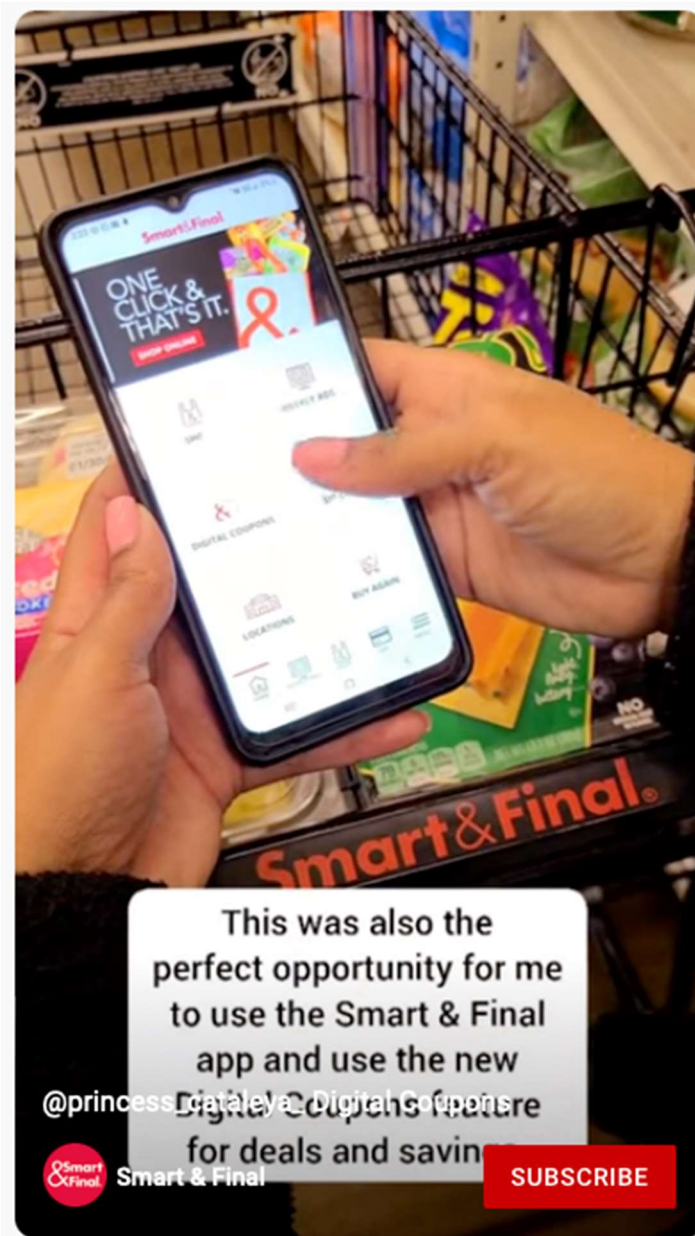
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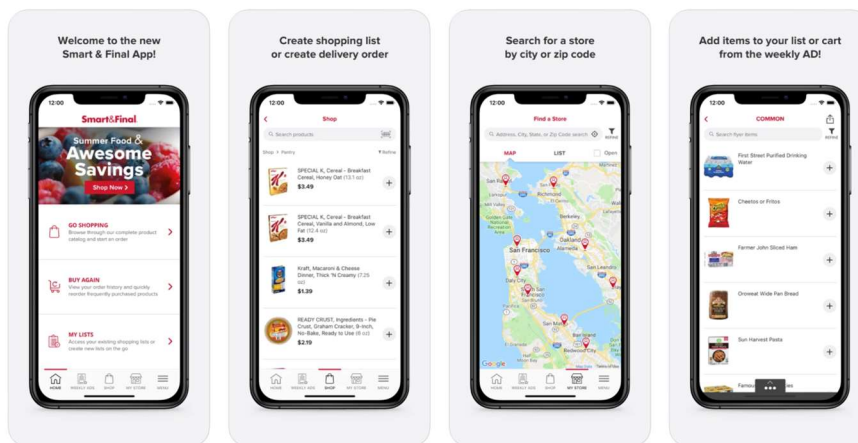
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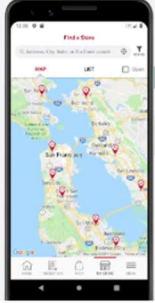
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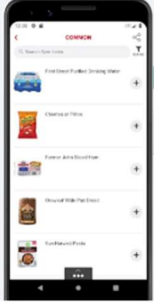
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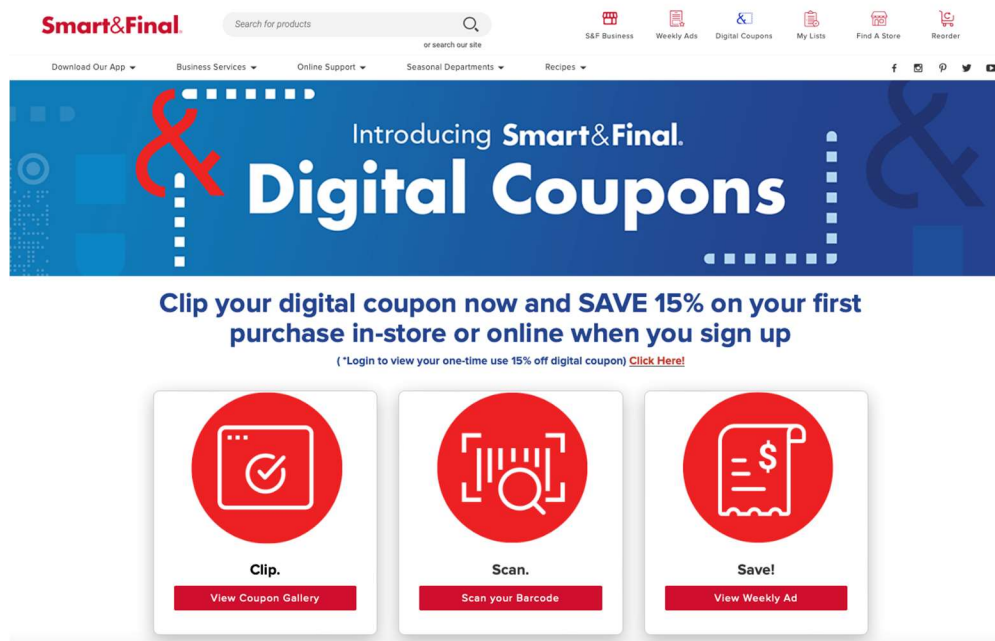
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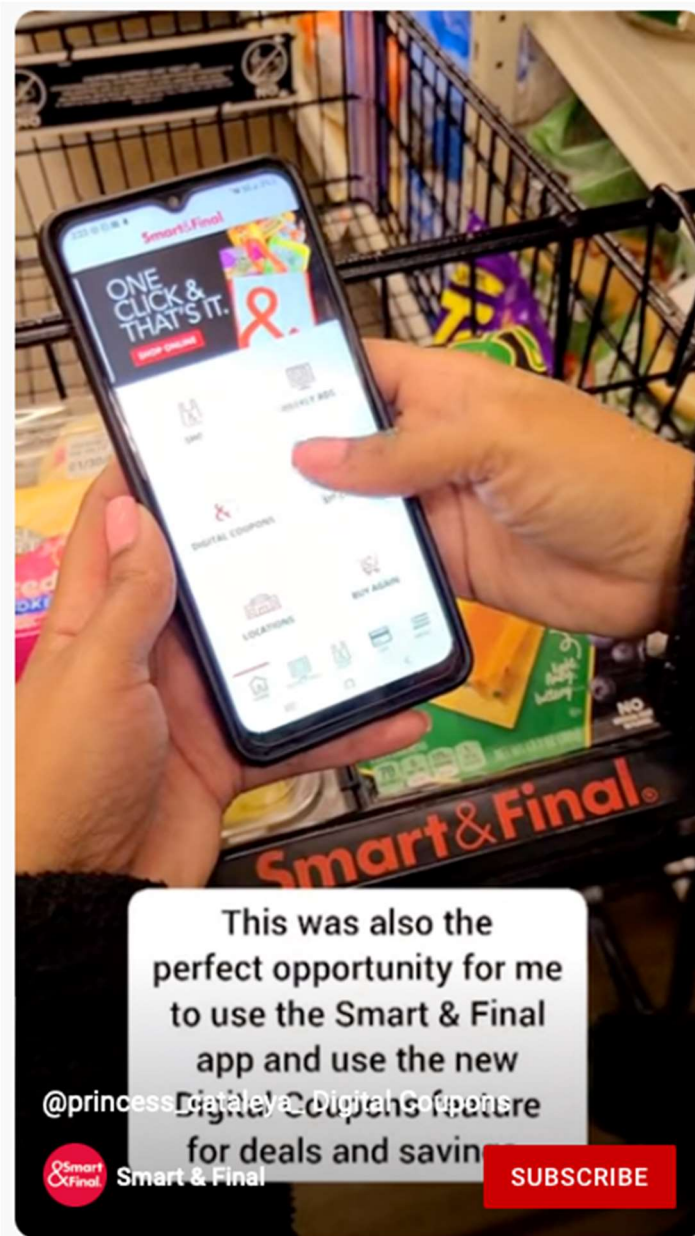
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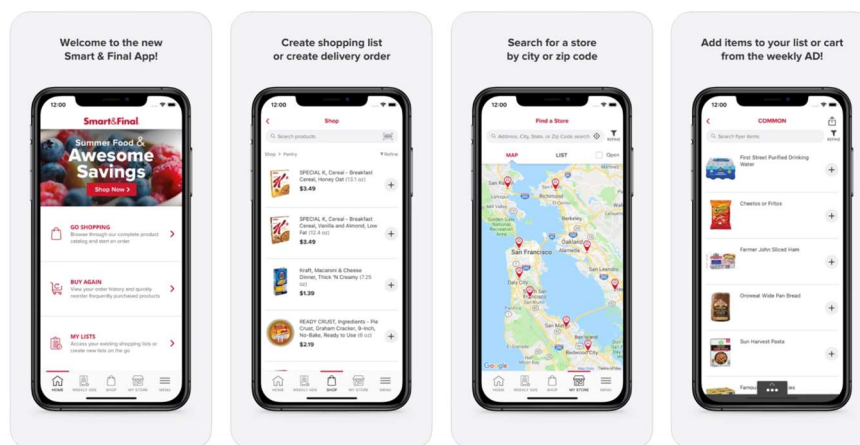
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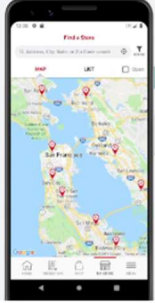
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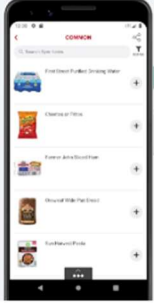
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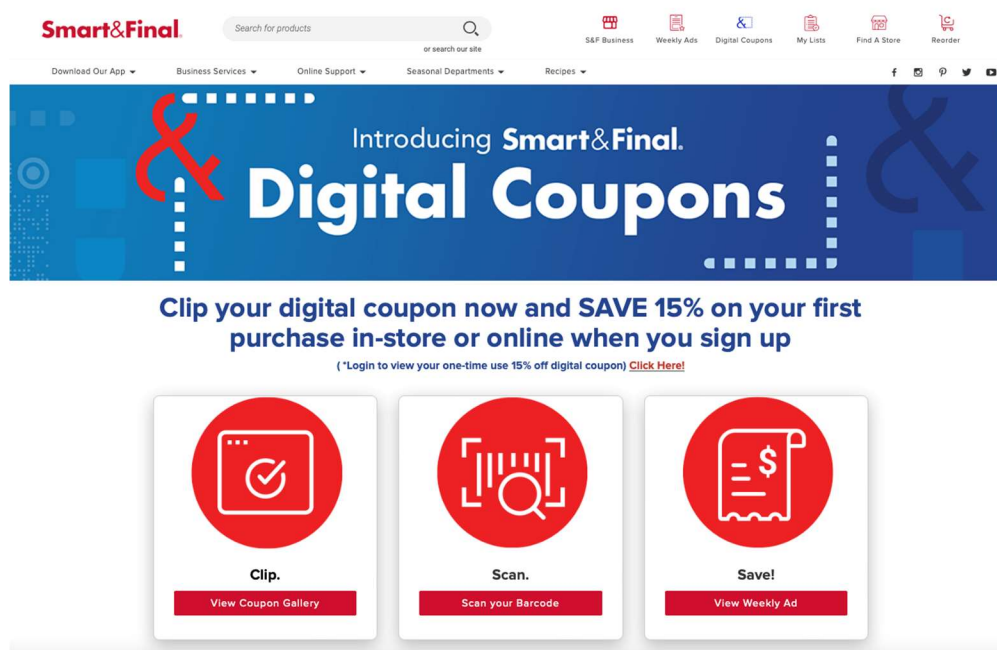
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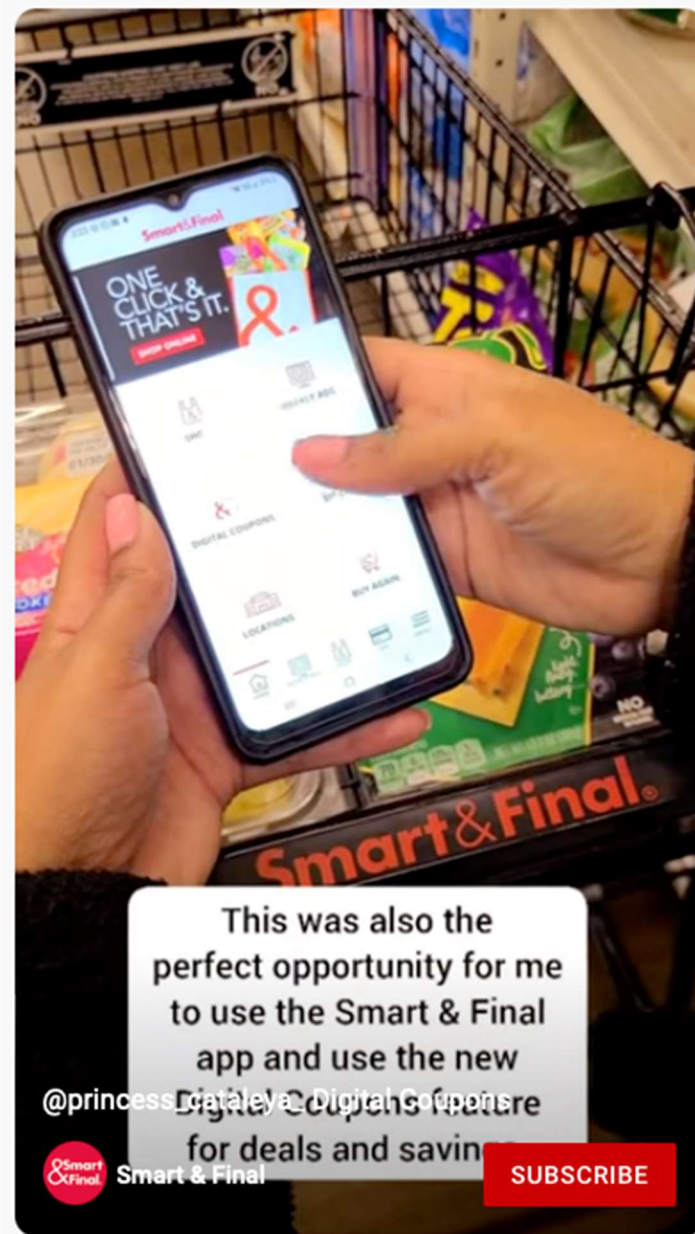
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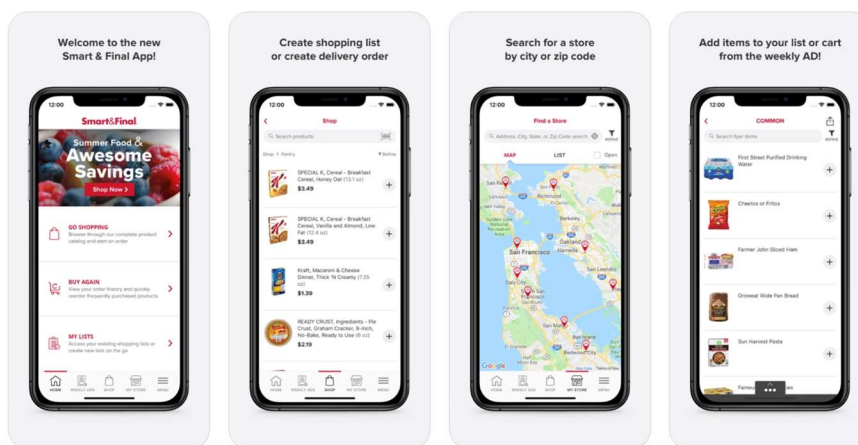
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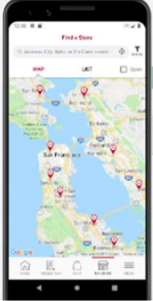
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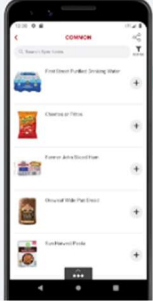
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148. On information and belief, Smart & Final directly infringes at least claim 22 of the '519 patent and is in violation of 35 U.S.C. § 271(a) by making, using, selling, importing, and/or offering to sell the Smart & Final Marketing Products and Services; and making, using, selling, selling access to, importing, offering for sale, and/or offering to sell access to the Smart & Final Marketing System.

149. Smart & Final's direct infringement has damaged Advanced Transactions and caused it to suffer and continue to suffer irreparable harm and damages.

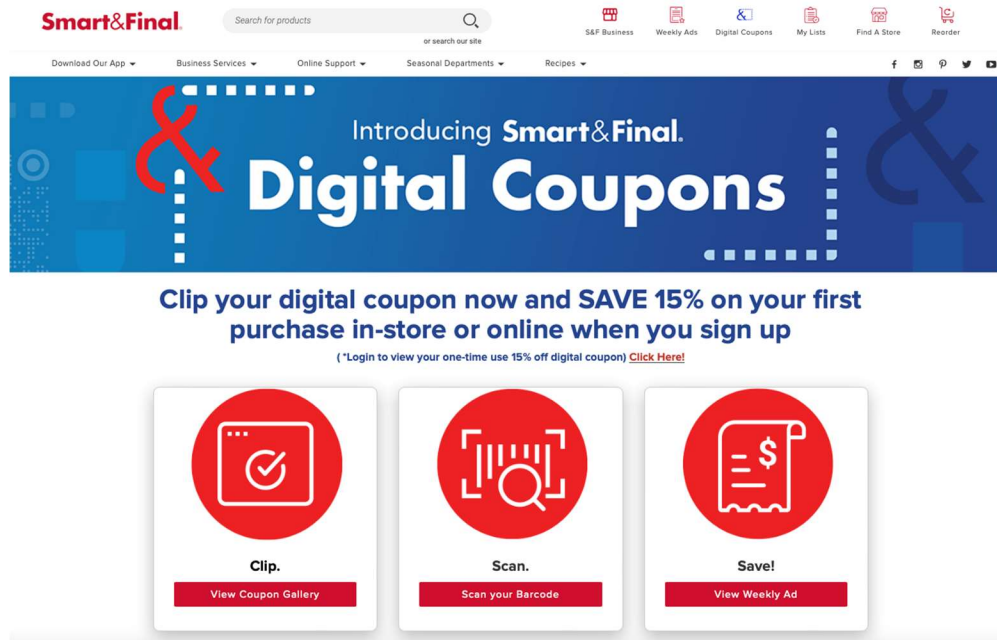
Count VII
Infringement of United States Patent No. 9,747,608 by Smart & Final

150. Advanced Transactions repeats, realleges, and incorporates by reference, as if fully set forth here, the allegations of the preceding paragraphs above.

151. On information and belief, Smart & Final (or those acting on its behalf) makes, uses, sells, imports and/or offers to sell the Smart & Final Marketing Products and Services; and makes, uses, sells, sells access to, imports, offers to sell and/or offers to sell access to The Smart & Final Marketing System in the United States that infringe (literally and/or under the doctrine of equivalents) at least claim 10 of the '608 patent.


152. On information and belief, one or more components the Smart & Final Marketing System employ and provide a method comprising the step of an electronic, portable device, (*e.g.*, a smartphone with Chedraui Defendants App installed) transmitting via a network connection, (*e.g.*, a cellular network connection, a Smart &

Final in-store WIFI connection, etc.) to a computer system, (e.g., a Smart & Final server) a request for issuing a data structure corresponding to an account associated with the electronic, portable device.



or search our site

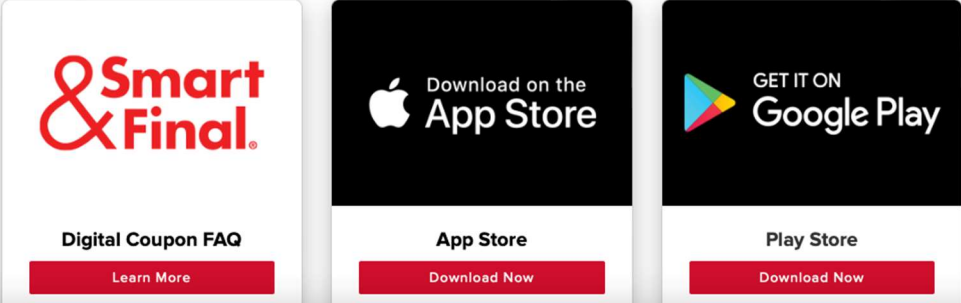
@Princess_Cataleya_ Digital Coupon How-to-Guide



The first thumbnail shows a woman and a child with Smart & Final coupons, with the text "Clip. Scan. Save!" and "FOOD CONTENT CREATOR @PRINCESS_CATALEYA_". The second thumbnail shows a hand scanning a coupon on a smartphone screen. The third thumbnail features a woman and child with a shopping bag, with the text "WE'RE PARTNERING WITH SOME OF OUR FAVORITE CONTENT CREATORS TO SHOW YOU HOW DIGITAL COUPONS CAN HELP YOU SAVE EVEN MORE." and "@PRINCESS_CATALEYA_". Each thumbnail has a "View Video" button.

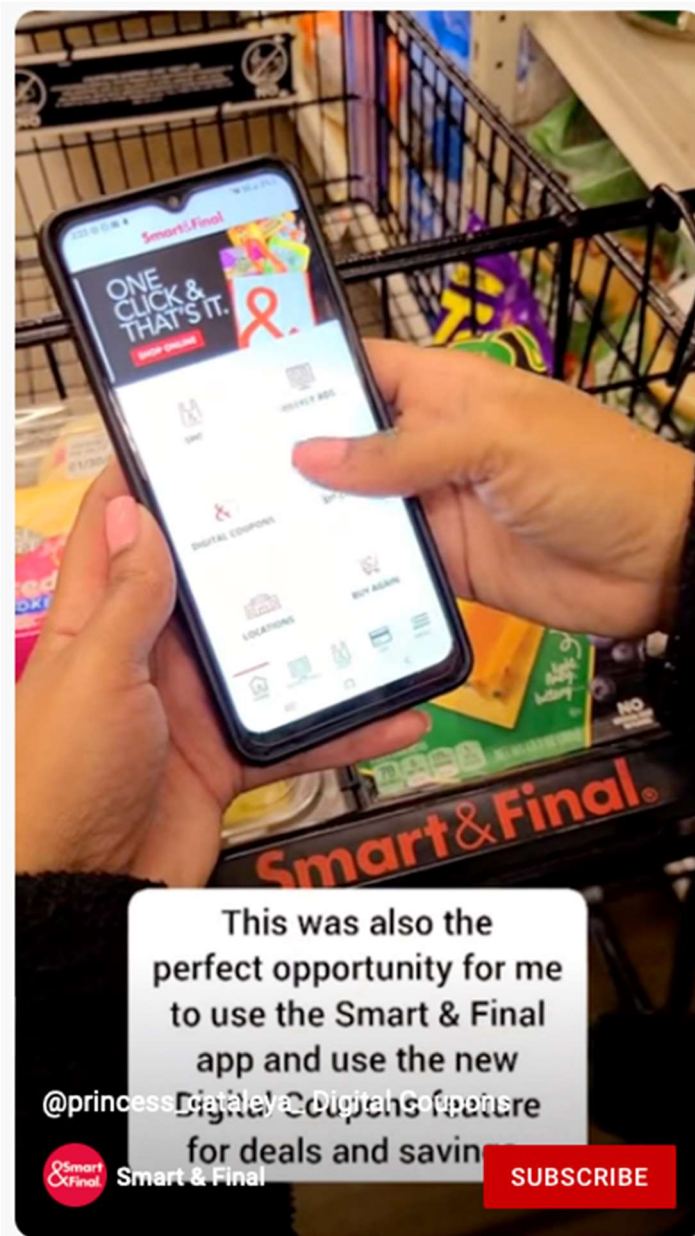
Digital Coupons

Frequently Asked Questions! [Click Here](#)



The first button features the Smart & Final logo and the text "Digital Coupon FAQ" with a "Learn More" button. The second button features the Apple logo and the text "Download on the App Store" with a "Download Now" button. The third button features the Google Play logo and the text "GET IT ON Google Play" with a "Download Now" button.

See e.g., https://www.smartandfinal.com/digital-coupons?utm_source=9columnblock&utm_medium=secondblock&utm_campaign=digitalcoupon.



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Digital Coupons



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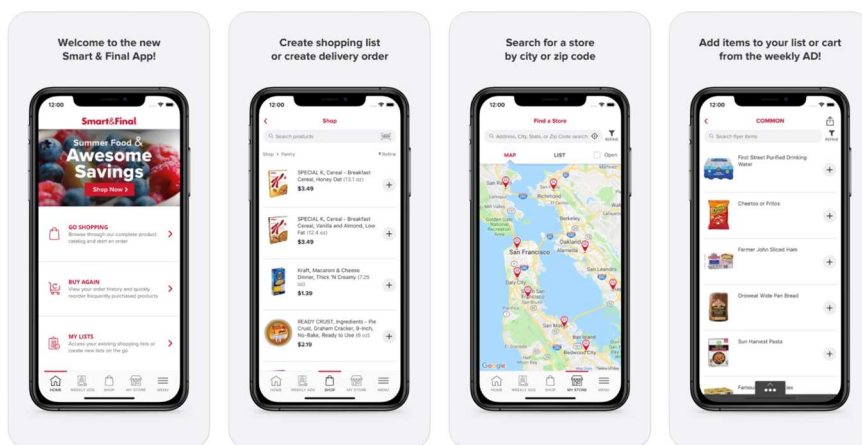
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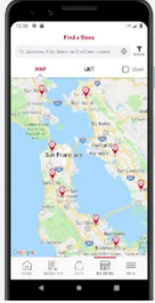
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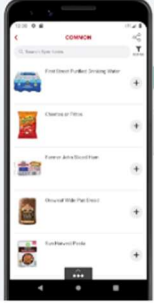
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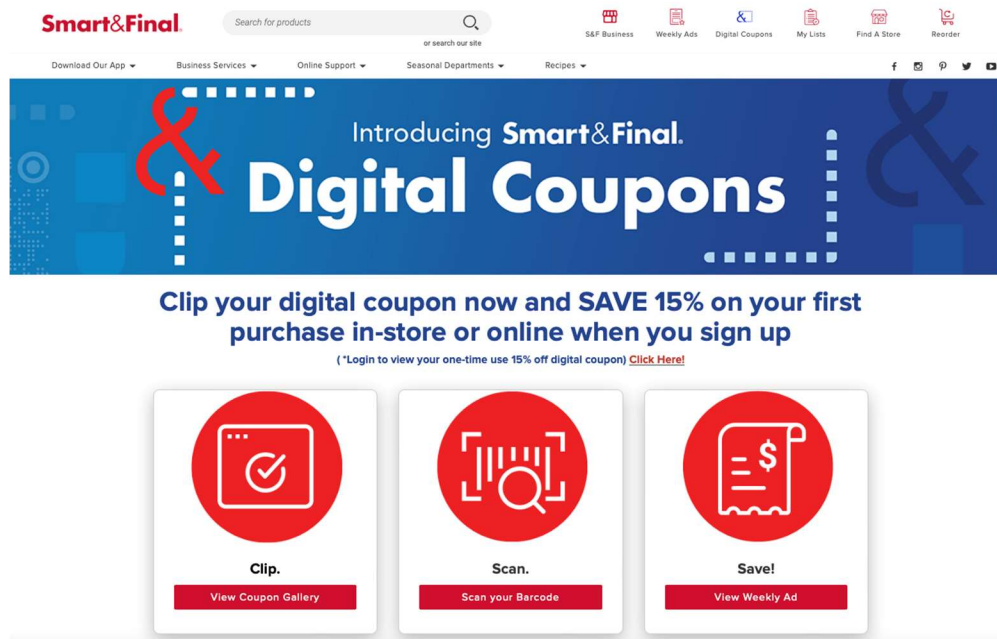
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https://play.google.com/store/apps/details?id=com.mercatustechnologies.smartfinal&hl=en_US&gl=US.

153. On information and belief, one or more components the Smart & Final Marketing System employ and provide a method comprising the step of in response to the request, receiving, by the electronic, portable device, via the network connection, the data structure, wherein the data structure encodes information indicative of a particular item of negotiable economic credit (*e.g.*, Smart & Final Digital Coupons, Online Shopping, Smart & Final Charge Card, gift cards, *etc.*) and further includes authentication information usable to authenticate the particular item of negotiable economic credit.



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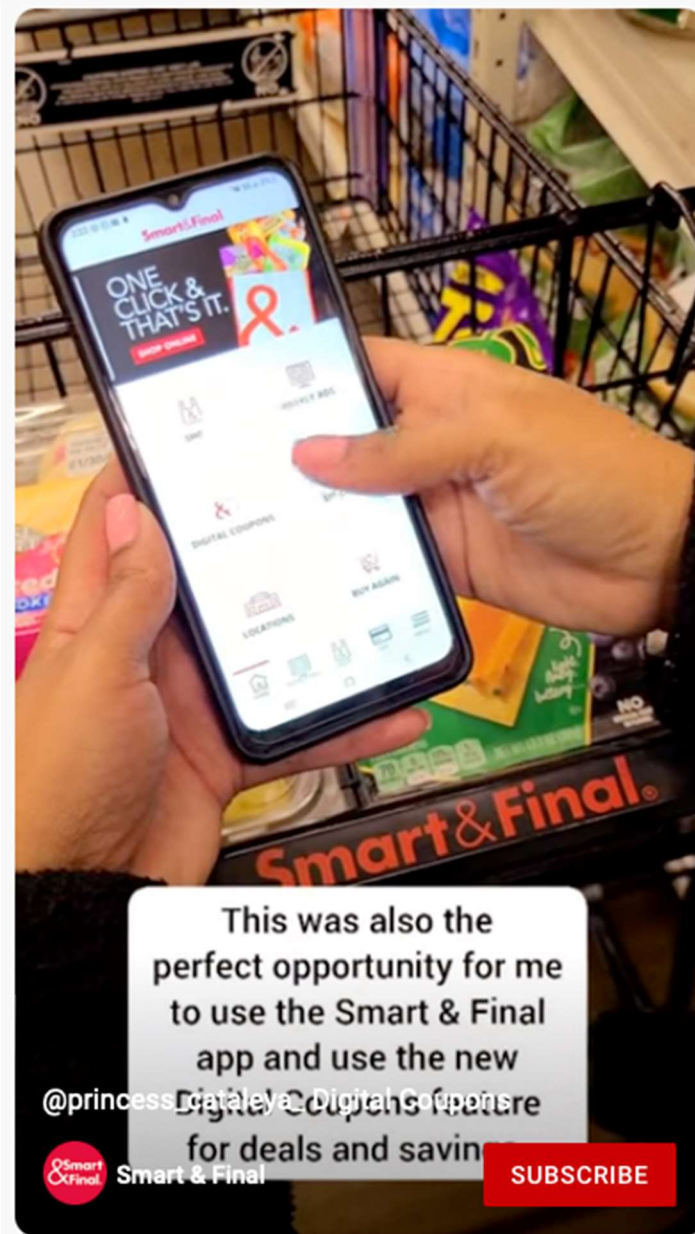
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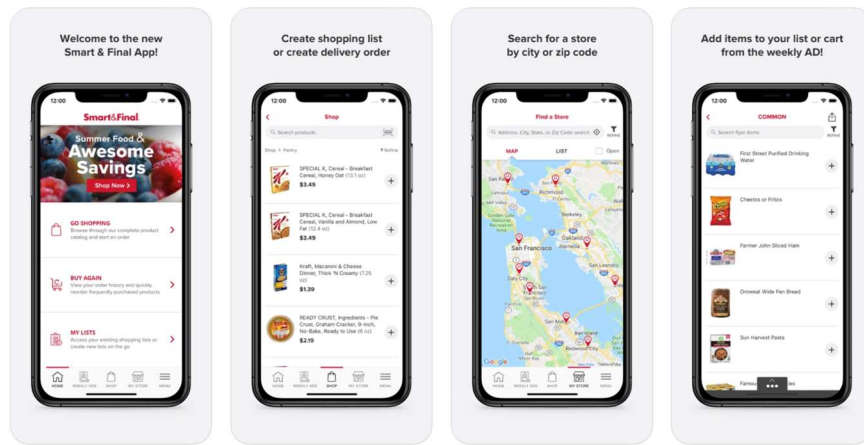
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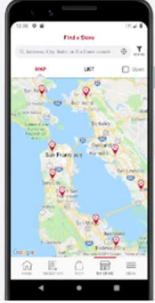
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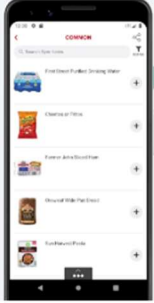
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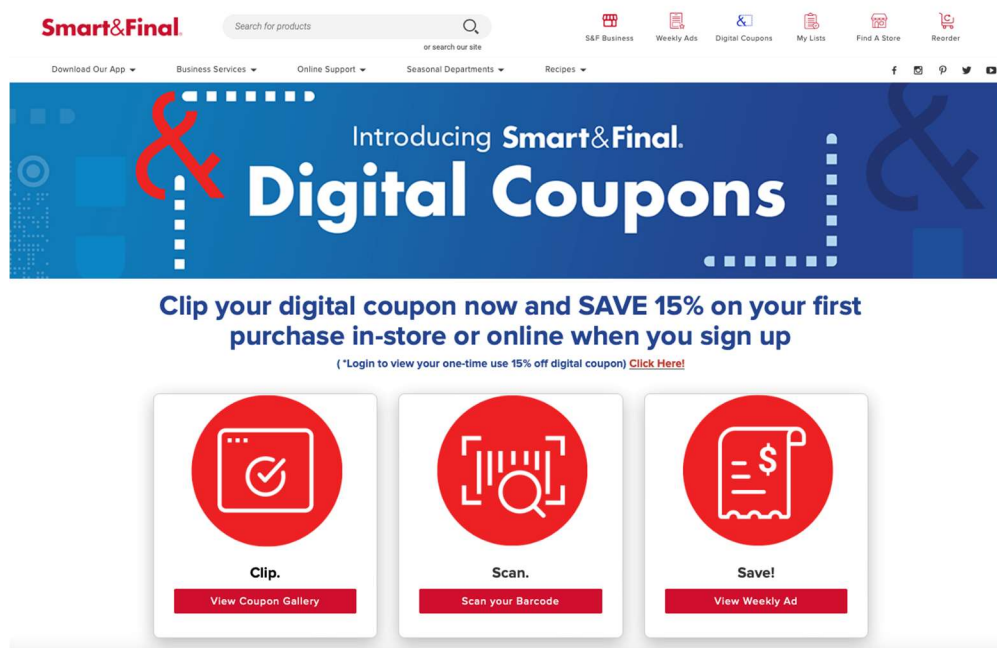
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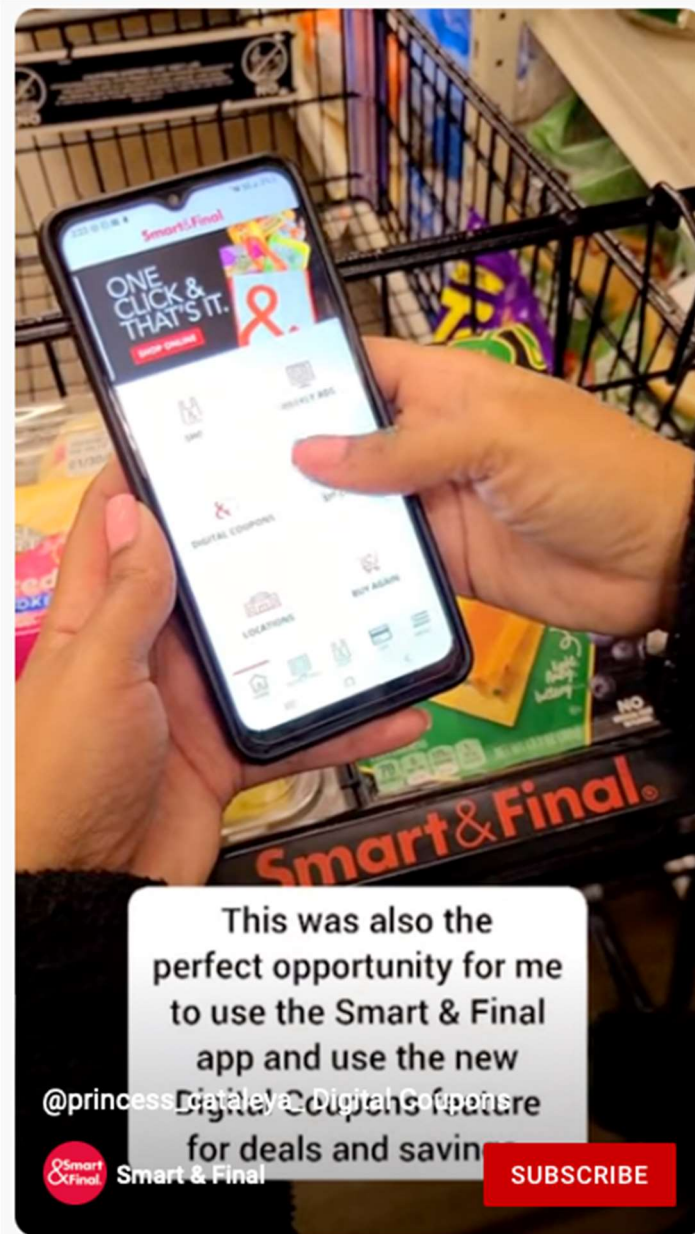
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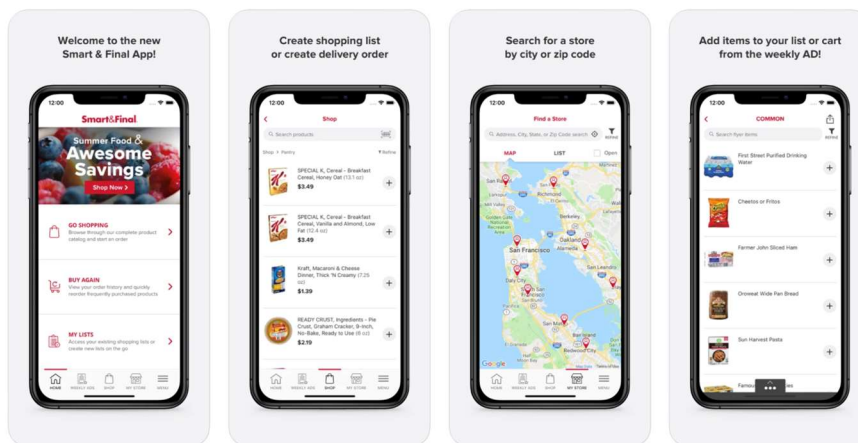
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A brand new Smart & Final experience awaits you! And so does the same great low pricing you'll find in our stores. With our new and improved mobile app, we've made it easier than ever for you to order everything you need for your household, business or organization while on-the-go, plus apply coupons, access promotions, create shopping lists & much more! Simply download the app, create an account and complete your registration to access all these great benefits:

- Place Orders Online... for all your necessities and have them delivered same-day.
- Access Weekly Ads... directly on the app and apply them with just one click.
- Receive Online Promotions... automatically applied during checkout.
- Create Shopping Lists... directly from our weekly ads and recipe sections to help with meal planning or the perfect dish.
- Add Personalized Preferences... for any dietary interests or requirements. As we get to know you, the level of personalization you experience on our app will increase.
- View Order History... through the app or at SmartandFinal.com.
- Rest Assured Your Information is Stored in a Protected Environment... if you choose to store your address and credit cards for easy checkout, this information is very secure and we are compliant with various security standards.
- Guest Shopping... If you prefer to remain a guest customer, you do not have to create an account on the app or on SmartandFinal.com.
- Find Your Nearest Store... with our new store locator.

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Smart & Final Stores LLC Shopping

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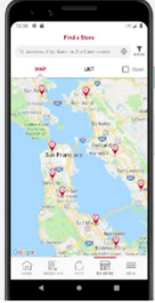
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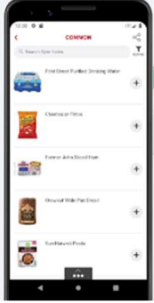
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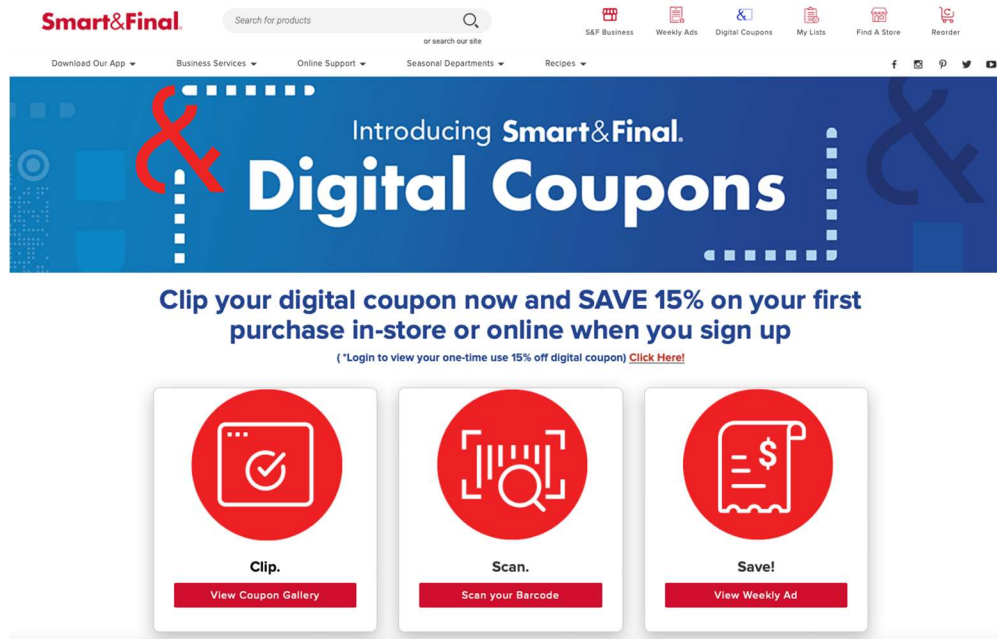
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https://play.google.com/store/apps/details?id=com.mercatustechnologies.smartfinal&hl=en_US&gl=US.

155. On information and belief, one or more components the Smart & Final Marketing System employ and provide a method comprising the step of in response to the detecting, the electronic, portable device transmitting, via the network connection, the information indicative of the particular item of negotiable economic credit and the authentication information to a point-of-sale (POS) device, (e.g., a point-of-sale device located in a Smart & Final retail store location) and instructing the POS device to apply the particular item of negotiable economic credit to the transaction, wherein the POS device is one of a plurality of POS devices located in different establishments.



or search our site

@Princess_Cataleya_ Digital Coupon How-to-Guide

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Digital Coupons

Frequently Asked Questions! [Click Here](#)

Smart & Final

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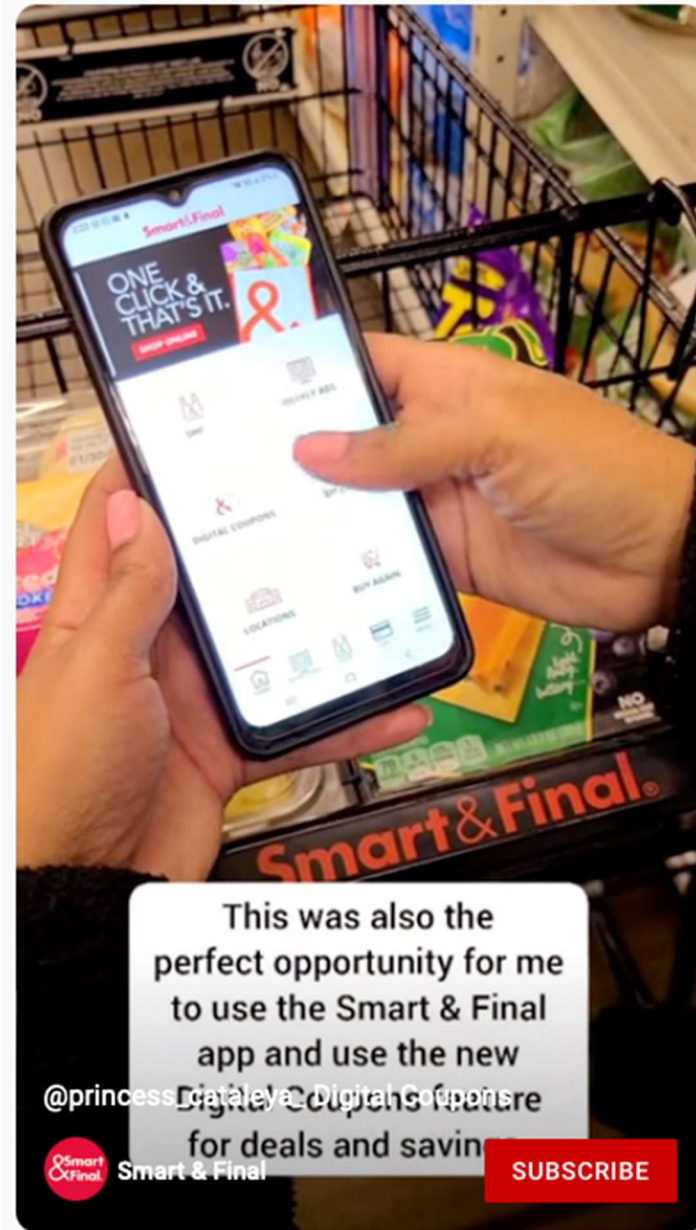
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Digital Coupons



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Get extra savings at Smart & Final using our new Digital Coupons, provided exclusively to all Smart Advantage members. They're loaded directly onto your Smart Advantage account and can be redeemed automatically when purchasing qualifying items. Simply have the associate at checkout scan your Smart Advantage barcode in your Smart & Final app! Then watch the savings pile up at the end.

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or search our site

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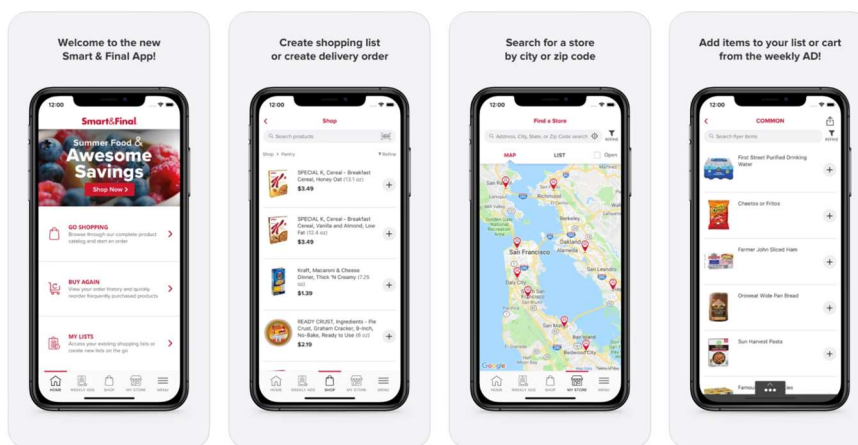
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- Search and clip [Digital Coupons](#).
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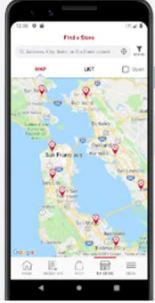
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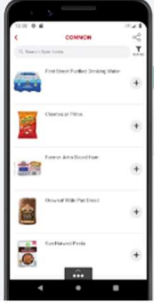
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156. On information and belief, one or more components the Smart & Final Marketing System employ and provide a method comprising the step of receiving, by the electronic, portable device, authentication information indicating that the particular item of negotiable economic credit has been authenticated by the POS device and applied to the transaction.

157. On information and belief, Smart & Final directly infringes at least claim 10 of the '608 patent and is in violation of 35 U.S.C. § 271(a) by making, using, selling, importing, and/or offering to sell the Smart & Final Marketing Products and Services; and making, using, selling, selling access to, importing, offering for sale, and/or offering to sell access to the Smart & Final Marketing System.

158. Smart & Final's direct infringement has damaged Advanced Transactions and caused it to suffer and continue to suffer irreparable harm and damages.

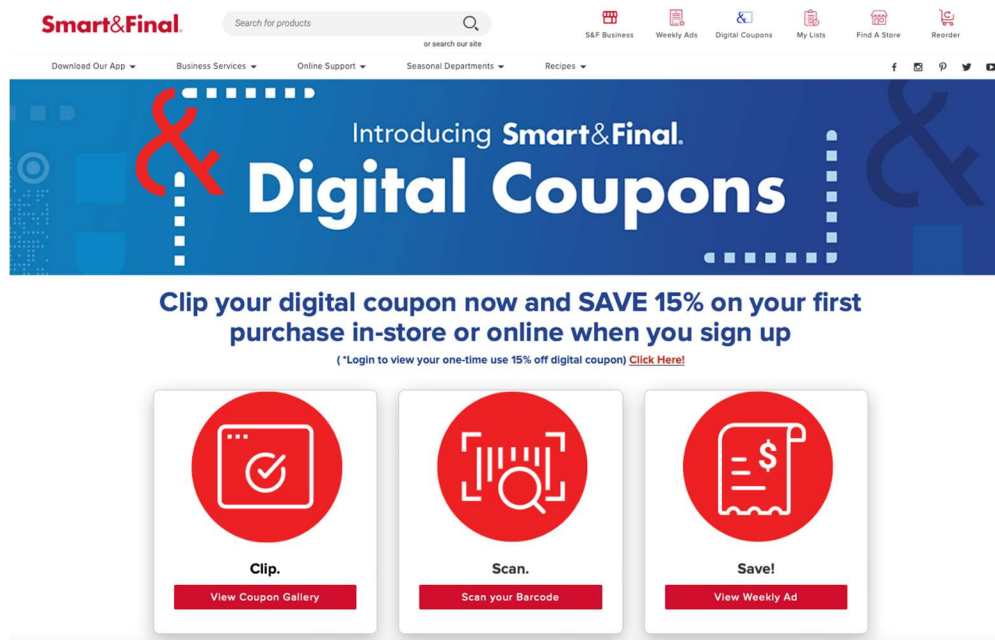
Count VIII
Infringement of United States Patent No. 10,783,529 by Smart & Final

159. Advanced Transactions repeats, realleges, and incorporates by reference, as if fully set forth here, the allegations of the preceding paragraphs above.

160. On information and belief, Smart & Final (or those acting on its behalf) makes, uses, sells, imports and/or offers to sell the Smart & Final Marketing Products and Services; and makes, uses, sells, sells access to, imports, offers to sell and/or offers


to sell access to the Smart & Final Marketing System in the United States that infringe (literally and/or under the doctrine of equivalents) at least claim 8 of the '529 patent.

161. On information and belief, one or more components the Smart & Final Marketing System employ and provide a method comprising the step of storing, by an electronic, portable device, (e.g., a smartphone with the Smart & Final App installed) a data structure, wherein the data structure encodes information indicative of a particular item of negotiable economic credit (e.g., Smart & Final Digital Coupons, Online Shopping, Smart & Final Charge Card, gift cards, etc.), and further includes authentication information usable to authenticate the particular item of negotiable economic credit.



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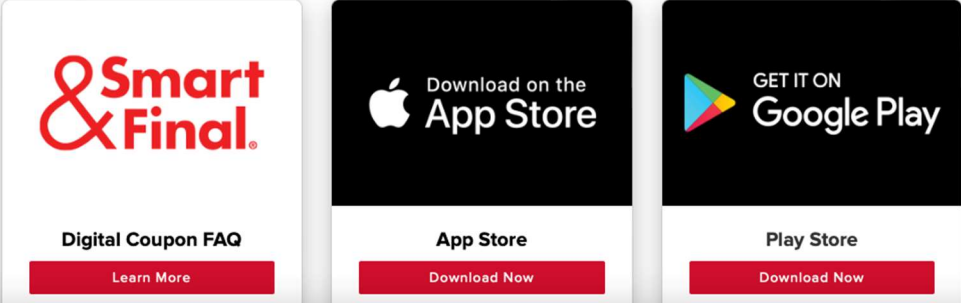
@Princess_Cataleya_ Digital Coupon How-to-Guide



The first thumbnail shows a woman and a child with Smart & Final coupons, with the text "Clip. Scan. Save!" and "FOOD CONTENT CREATOR @PRINCESS_CATALEYA_". The second thumbnail shows a hand holding a smartphone displaying a list of digital coupons, including "SAVE 15% Fresh Produce 15% OFF SALE" and "SAVE \$0.50 Expires 4/30/22 Save \$0.50 on Any ONE (1) Lipton® Drink". The third thumbnail features a woman and child in front of a Smart & Final store, with the text "WE'RE PARTNERING WITH SOME OF OUR FAVORITE CONTENT CREATORS TO SHOW YOU HOW DIGITAL COUPONS CAN HELP YOU SAVE EVEN MORE." and "@PRINCESS_CATALEYA_". Each thumbnail has a "View Video" button.

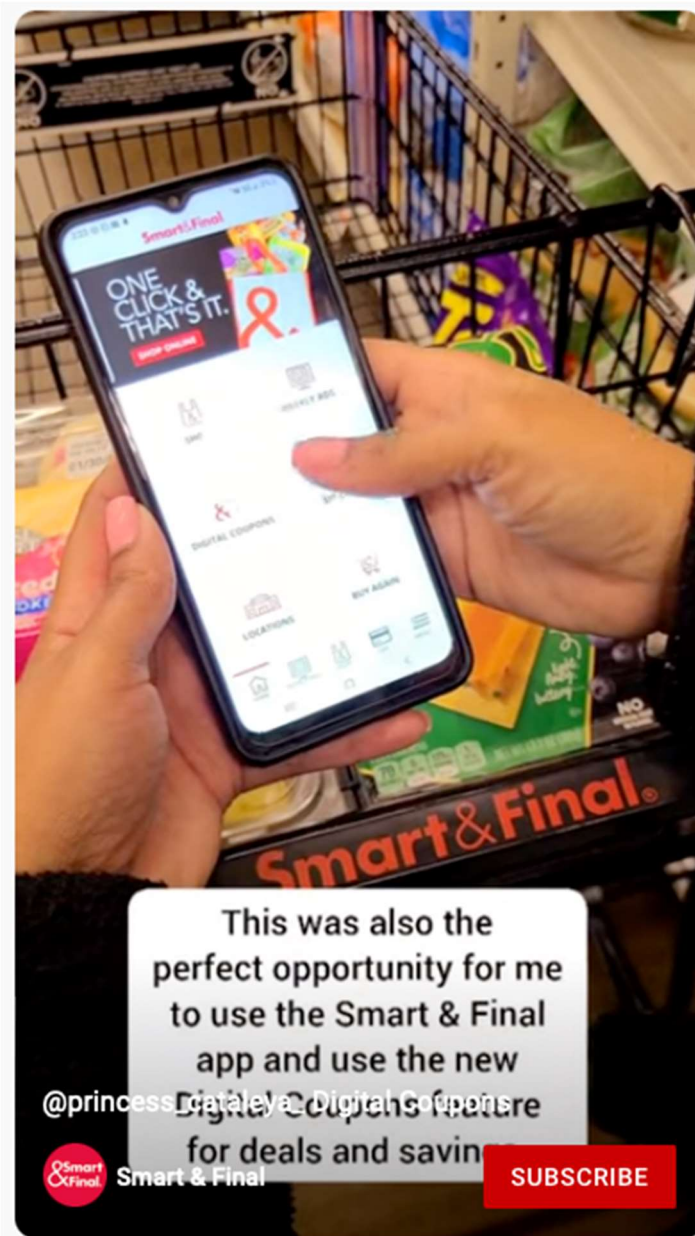
Digital Coupons

Frequently Asked Questions! [Click Here](#)



The first button features the Smart & Final logo and the text "Digital Coupon FAQ" with a "Learn More" button. The second button features the Apple logo and the text "Download on the App Store" with a "Download Now" button. The third button features the Google Play logo and the text "GET IT ON Google Play" with a "Download Now" button.

See e.g., https://www.smartandfinal.com/digital-coupons?utm_source=9columnblock&utm_medium=secondblock&utm_campaign=digitalcoupon.



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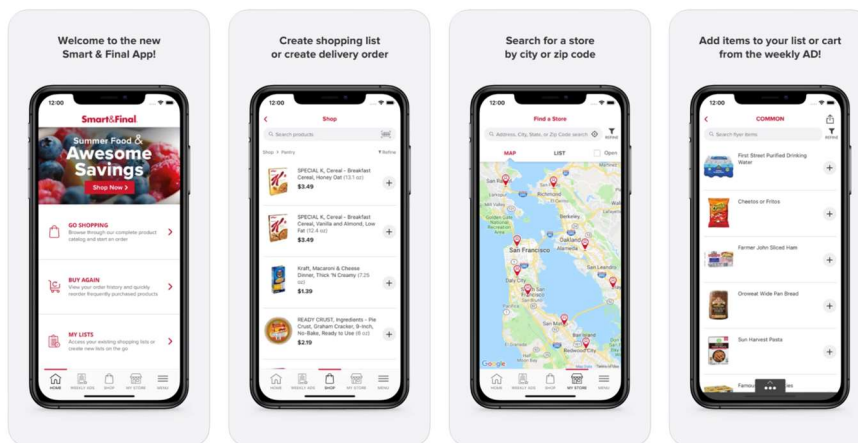
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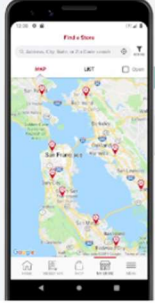
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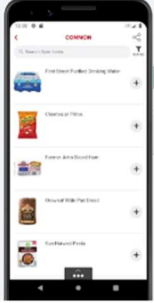
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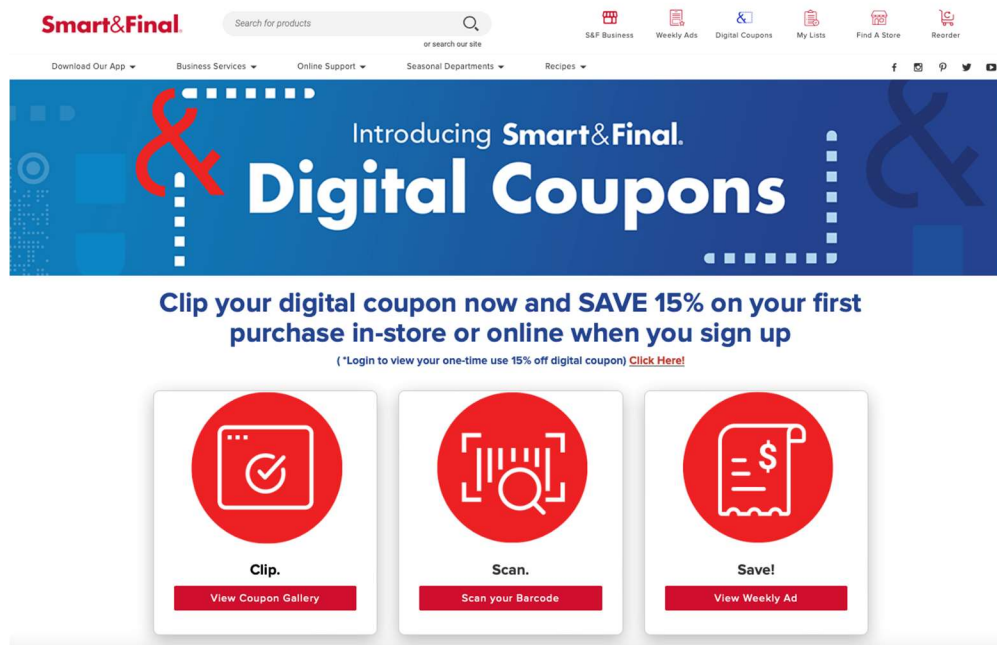
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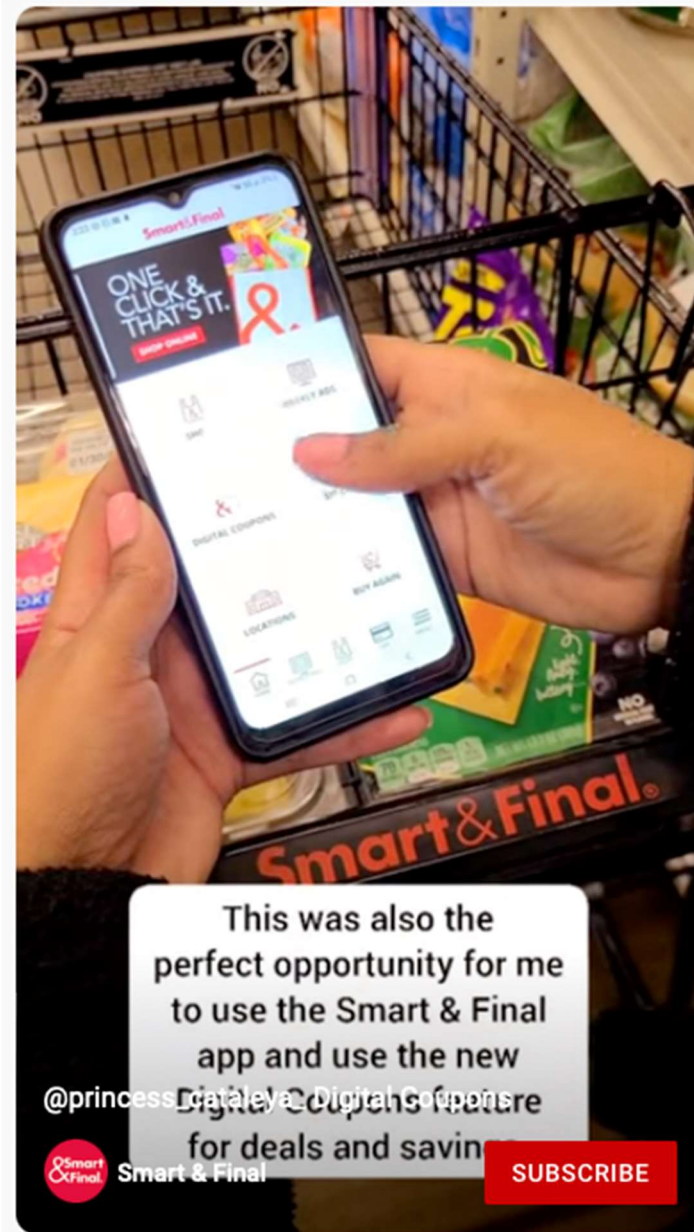
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Digital Coupons



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Where can I access Digital Coupons?

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How do I redeem Digital Coupons in-store and online?

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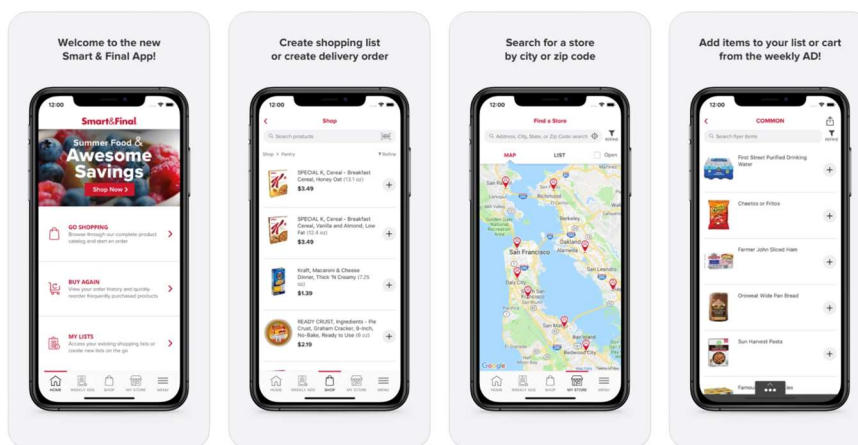
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Smart & Final

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Add to Wishlist

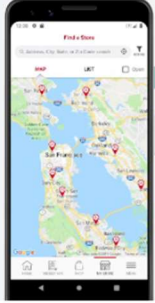
★★★★★ 301

Install

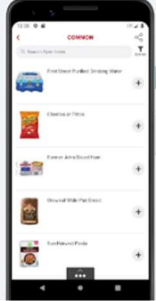
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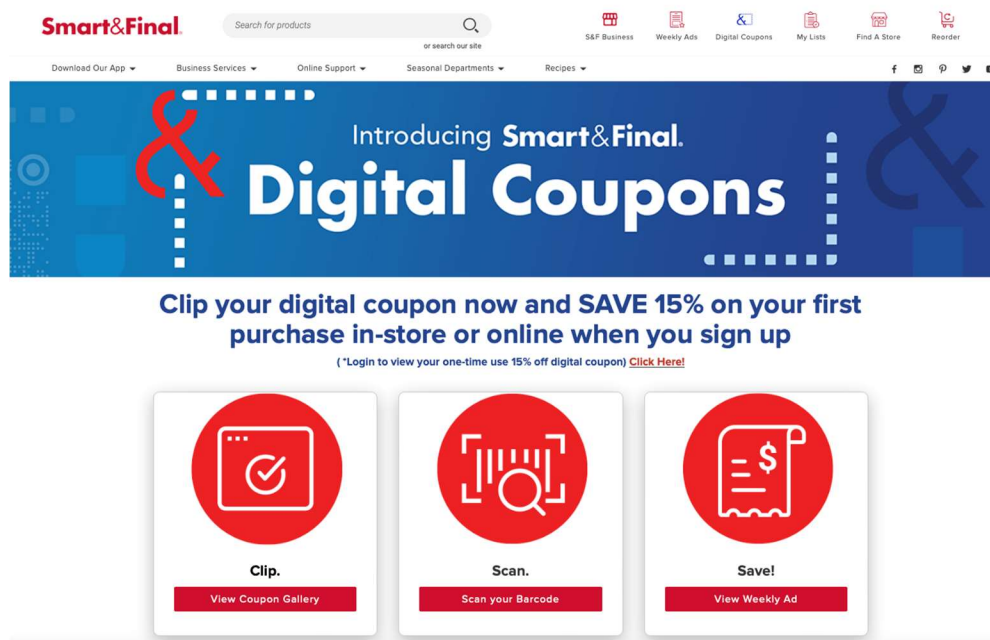
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https://play.google.com/store/apps/details?id=com.mercatustechnologies.smartfinal&hl=en_US&gl=US.

163. On information and belief, one or more components the Smart & Final Marketing System employ and provide a method comprising the step of in response to the detecting, the electronic, portable device transmitting the information indicative of the particular item of negotiable economic credit and the authentication information to a point-of-sale (POS) device, and instructing the POS device to apply the particular item of negotiable economic credit to the transaction such that a discount associated with the transaction is received by the user of the electronic, portable device.



or search our site

@Princess_Cataleya_ Digital Coupon How-to-Guide

View Video

View Video

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Digital Coupons

Frequently Asked Questions! [Click Here](#)

Smart & Final

Digital Coupon FAQ

Learn More

Download on the App Store

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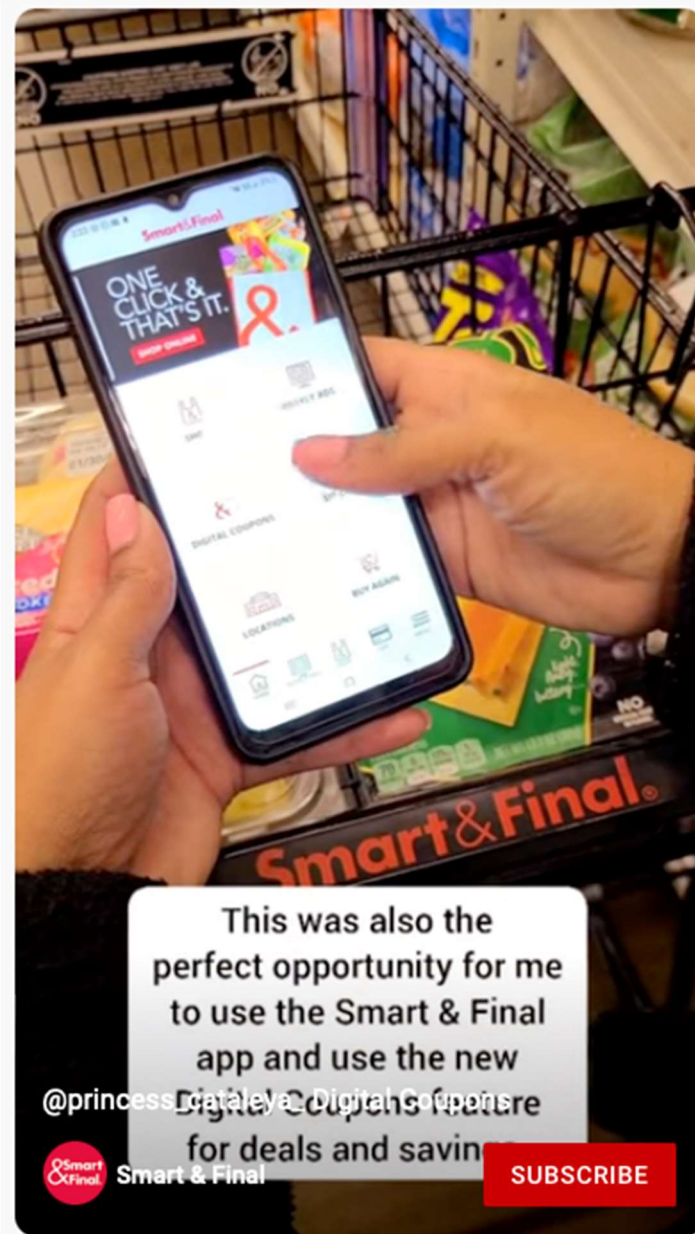
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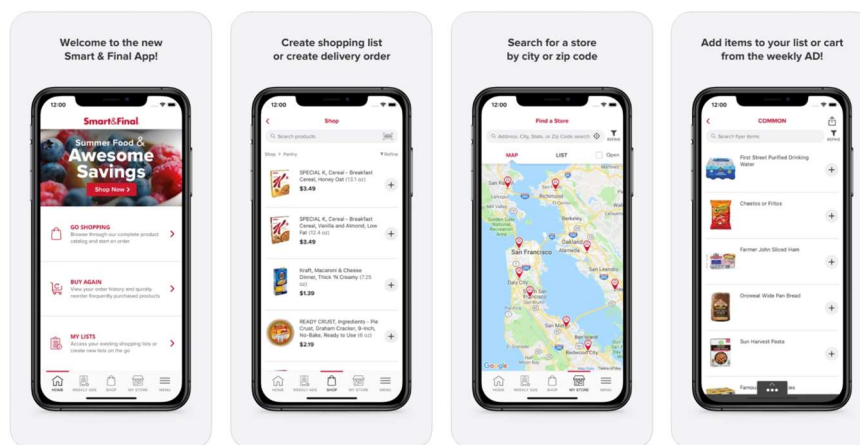
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164. On information and belief, one or more components the Smart & Final Marketing System employ and provide a method comprising the step of receiving, by the electronic, portable device, a message indicating that the particular item of negotiable economic credit has been authenticated by the POS device and applied to the transaction.

165. On information and belief, Smart & Final directly infringes at least claim 8 of the '529 patent and is in violation of 35 U.S.C. § 271(a) by making, using, selling, importing, and/or offering to sell Chedraui Defendants Marketing Products and Services; and making, using, selling, selling access to, importing, offering for sale, and/or offering to sell access to The Smart & Final Marketing System.

166. Smart & Final direct infringement has damaged Advanced Transactions and caused it to suffer and continue to suffer irreparable harm and damages.

JURY DEMANDED

167. Pursuant to Federal Rule of Civil Procedure 38(b), Advanced Transactions hereby requests a trial by jury on all issues so triable.

PRAYER FOR RELIEF

Advanced Transactions respectfully requests this Court to enter judgment in Advanced Transaction's favor and against Smart & Final as follows:

- a. finding that the Chedraui Defendants have infringed one or more claims of the '555 patent under 35 U.S.C. §§ 271(a);

- b. finding that the Chedraui Defendants have infringed one or more claims of the '594 patent under 35 U.S.C. §§ 271(a);
- c. finding that the Chedraui Defendants have infringed one or more claims of the '950 patent under 35 U.S.C. §§ 271(a);
- d. finding that the Chedraui Defendants have infringed one or more claims of the '736 patent under 35 U.S.C. §§ 271(a);
- e. finding that Smart & Final has infringed one or more claims of the '057 patent under 35 U.S.C. §§ 271(a);
- f. finding that Smart & Final has infringed one or more claims of the '519 patent under 35 U.S.C. §§ 271(a);
- g. finding that Smart & Final has infringed one or more claims of the '608 patent under 35 U.S.C. §§ 271(a);
- h. finding that Smart & Final has infringed one or more claims of the '529 patent under 35 U.S.C. §§ 271(a);
- i. awarding Advanced Transactions damages under 35 U.S.C. § 284, or otherwise permitted by law, including supplemental damages for any continued post-verdict infringement;
- j. awarding Advanced Transactions pre-judgment and post-judgment interest on the damages award and costs;
- k. awarding cost of this action (including all disbursements) and attorney fees pursuant to 35 U.S.C. § 285, or as otherwise permitted by the law; and

1. awarding such other costs and further relief that the Court determines to be just and equitable.

Dated: June 1, 2022

Respectfully submitted,

/s/ Zachary H. Ellis

Zachary H. Ellis*

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Chandran B. Iyer (*pro hac vice* to be filed)

Oded Burger (*pro hac vice* to be filed)*

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