

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

INNOBRILLIANCE, LLC,

*Plaintiff,*

v.

MLB ADVANCED MEDIA LP,

*Defendant.*

Case No. 1:22-cv-06068

**JURY TRIAL DEMANDED**

**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff InnoBrilliance, LLC (“InnoBrilliance”) files this Complaint for patent infringement against MLB Advanced Media LP (“MLB Media”), and alleges as follows:

**NATURE OF THE ACTION**

1. This is an action for patent infringement arising under 35 U.S.C. § 1 et seq.

**PARTIES**

2. InnoBrilliance is a limited liability company organized and existing under the laws of the State of Texas with its principal place of business in Waco, Texas.

3. Upon information and belief, MLB Media is incorporated in the state of Delaware with its principal place of business at 75 Ninth Avenue, New York, New York 10011.

**JURISDICTION AND VENUE**

4. This Court has original jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

5. This Court has personal jurisdiction over Defendant because, among other things, Defendant has committed, aided, abetted, contributed to and/or participated in the commission of

patent infringement in violation of 35 U.S.C. § 271 in this judicial district and elsewhere that led to harm and injury to Plaintiff.

6. Venue is proper in this district under 28 U.S.C. § 1391 because Defendant has committed acts of infringement, resides in, and has regular and established places of business in this district. In particular, MLB Media has its corporate headquarters at 75 Ninth Avenue in New York, New York. In addition, venue is proper in this judicial district under § 1391(b)(3) because Defendant is subject to this court’s personal jurisdiction with respect to this action.

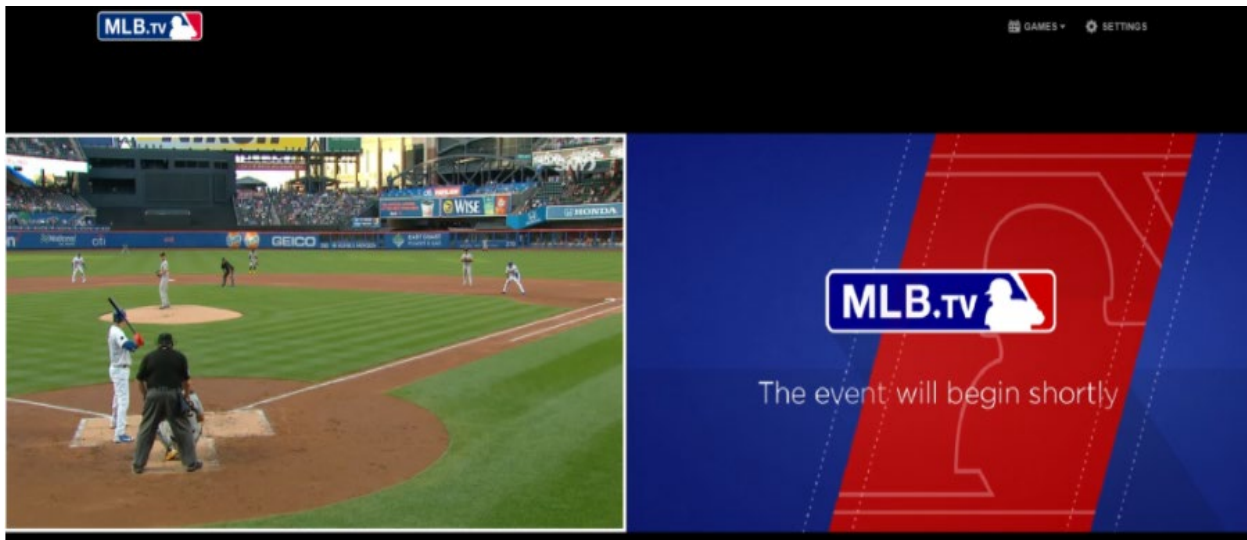
### **OVERVIEW OF THE ACCUSED PRODUCT**

7. Defendant has marketed, sold, used, distributed, and provided for its customers the MLB.TV Multi-view software system for use on various platforms, including Apple TV devices (the “Accused Product”).

8. The following illustrates usage, functions, and operation of the Accused Product:

While viewing a game, press the menu button to go back to the main menu or to launch multi-game viewing. In the MLB app for Apple TV 4, you can also view multiple games at the same time. To enable multi-game viewing, first launch a game and then press the Menu button on your remote.

(<https://www.mlb.com/live-stream-games/help-center/apple-tv-viewing-navigation>)



(<https://www.mlb.com/live-stream-games/help-center/subscription-access-how-to-use-multi-view#:~:text=To%20access%20Multi%2Dview%2C%20first,%2C%20Dual%2C%20Thumbnail%20and%20Quad>)



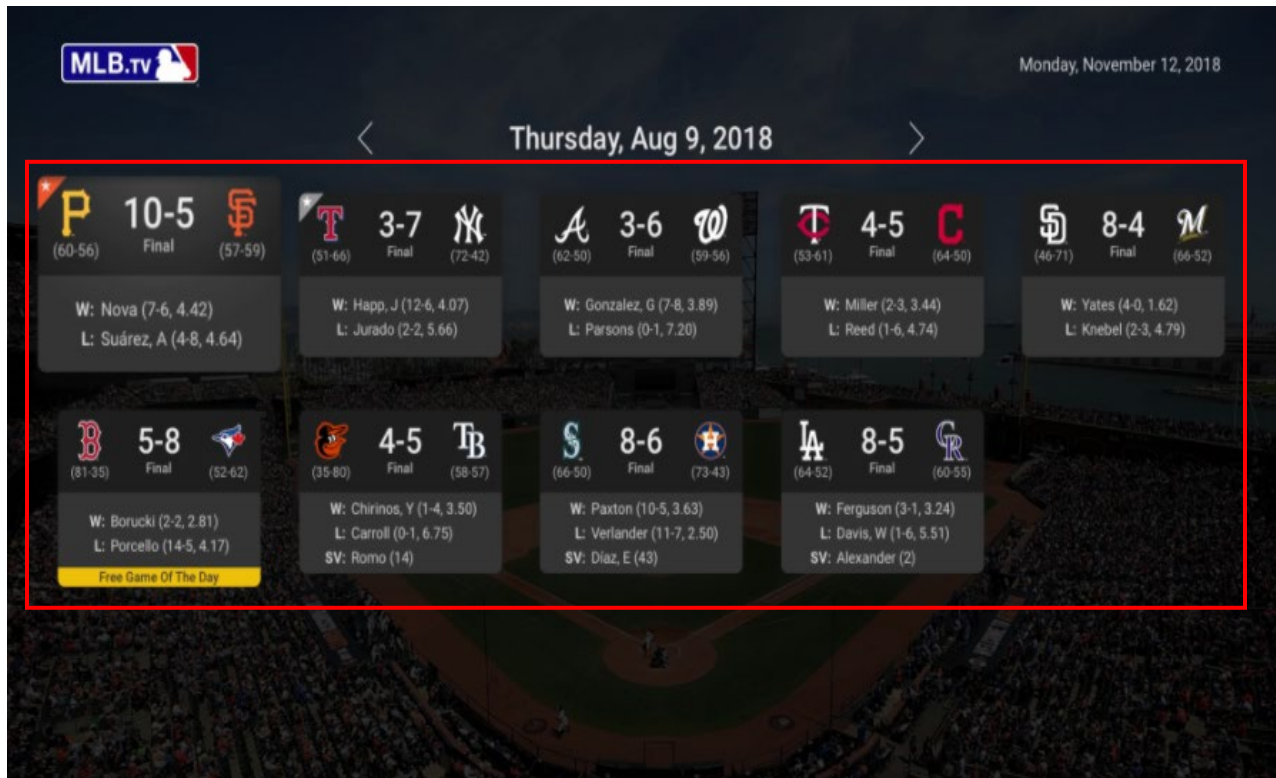
(<https://www.mlb.com/live-stream-games/help-center/subscription-access-how-to-use-multi-view#:~:text=To%20access%20Multi%2Dview%2C%20first,%2C%20Dual%2C%20Thumbnail%20and%20Quad>)



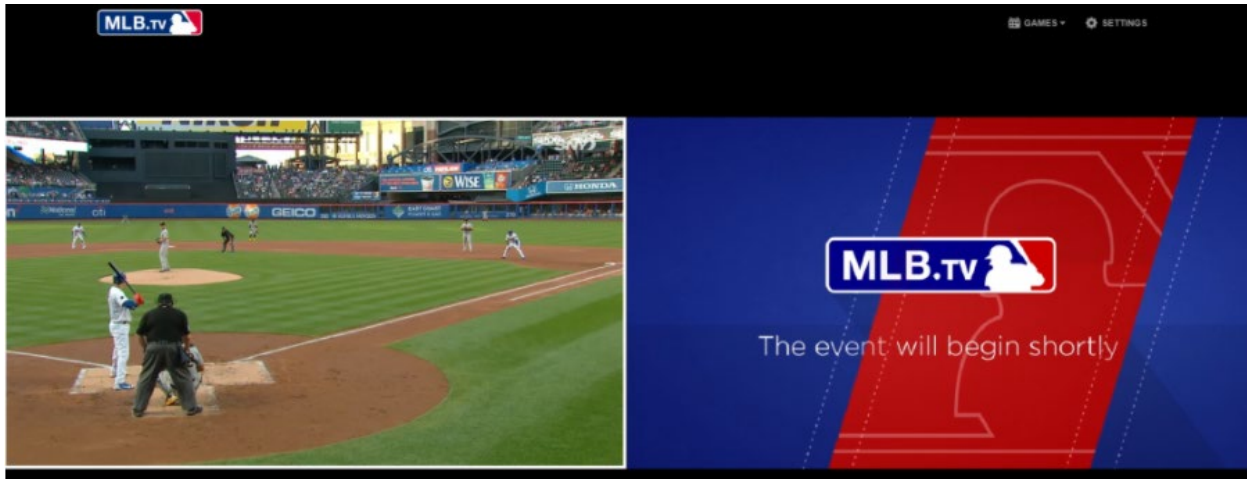
<https://www.mlb.com/live-stream-games/help-center/subscription-access-how-to-use-multi-view#:~:text=To%20access%20Multi%2Dview%2C%20first,%2C%20Dual%2C%20Thumbnail%20and%20Quad>

While viewing a game, press the menu button to go back to the main menu or to launch multi-game viewing. In the MLB app for Apple TV 4, you can also view multiple games at the same time. To enable multi-game viewing, first launch a game and then press the Menu button on your remote.

<https://www.mlb.com/live-stream-games/help-center/apple-tv-viewing-navigation>



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<https://www.mlb.com/live-stream-games/help-center/subscription-access-how-to-use-multi-view#:~:text=To%20access%20Multi%2Dview%2C%20first,%2C%20Dual%2C%20Thumbnail%20and%20Quad>

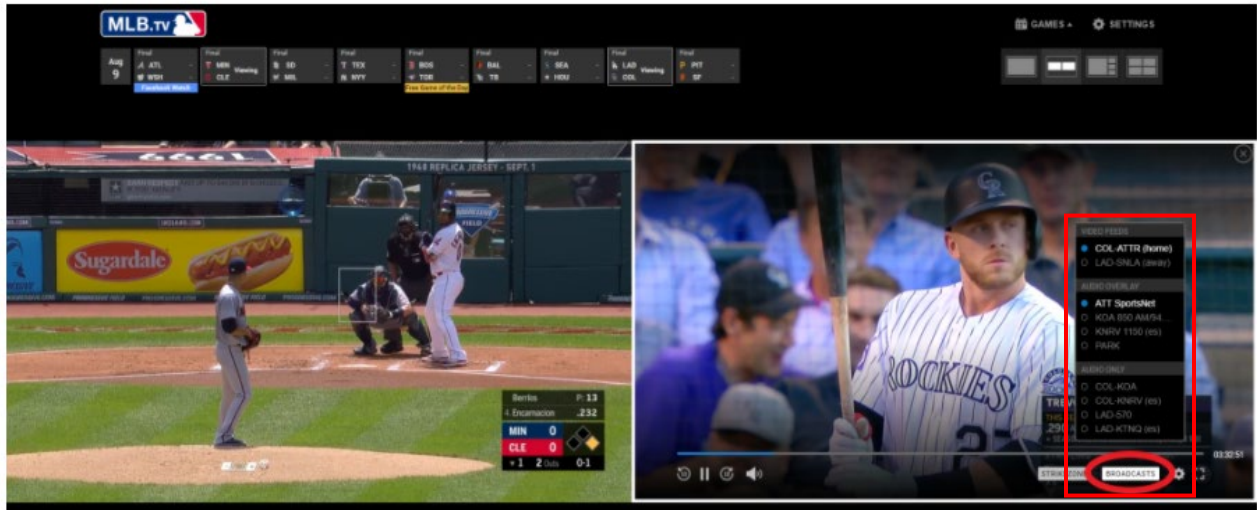
1. From the MLB.com **Media Center** menu select a game to view. Navigate to dates by clicking the date header and using the pop-up calendar.

### MLB.TV Media Center

2. After selecting a date from the calendar, scroll through the page to view all available games from the selected date.

<https://www.mlb.com/live-stream-games/help-center/subscription-access-how-to-view>

11. To change the broadcast of any game in Multi-view, select the game window, then click "Broadcasts."



<https://www.mlb.com/live-stream-games/help-center/subscription-access-how-to-use-multi-view#:~:text=To%20access%20Multi%2Dview%2C%20first,%2C%20Dual%2C%20Thumbnail%20and%20Quad>

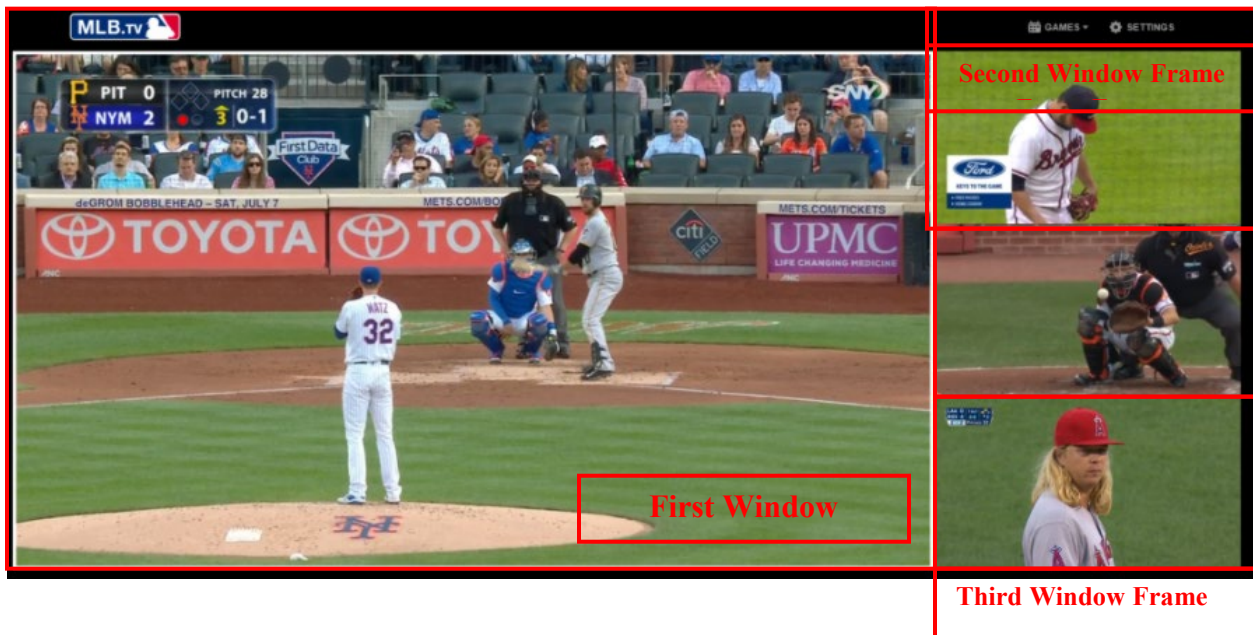
9. In all viewing options, you can click on a game to receive audio from that game. The white border indicates which game feed you are listening to. In Thumbnail view, clicking a different game will bring it to the larger view.

<https://www.mlb.com/live-stream-games/help-center/subscription-access-how-to-use-multi-view>

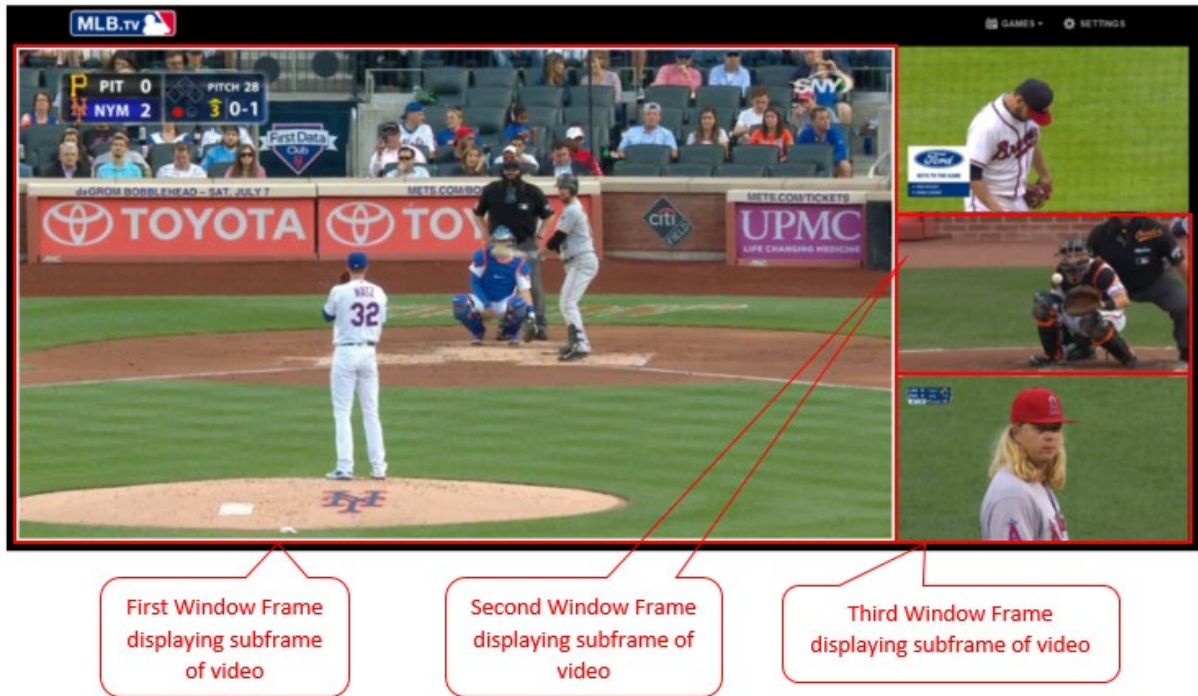
7. In Thumbnail view, there is a large video on the left, and three smaller videos on the right. Audio will play from the largest video, on the left side.



(<https://www.mlb.com/live-stream-games/help-center/subscription-access-how-to-use-multi-view>)



(<https://www.mlb.com/live-stream-games/help-center/subscription-access-how-to-use-multi-view>)



<https://www.mlb.com/live-stream-games/help-center/subscription-access-how-to-use-multi-view>

9. Whenever the Accused Product was used, including use by customers or other users of the system, the Defendant controlled the operation and use of the Accused Product.

### COUNT I

#### INFRINGEMENT OF UNITED STATES PATENT NO. 8,925,010

10. InnoBrilliance incorporates the above paragraphs as though fully set forth herein.

11. Plaintiff is the owner, by assignment, of U.S. Patent No. 8,925,010 (the “’010 Patent”), entitled METHOD AND SYSTEM FOR TELEVISION CHANNEL GROUP, which issued on December 30, 2014. A copy of the ’010 Patent is attached as Exhibit 1.

12. The ’010 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.



13. Defendant has been and is now infringing one or more method claims of the '010 Patent under 35 U.S.C. § 271 by using the Accused Product in the United States without authority.

14. Defendant has also infringed the '010 Patent by encouraging users of the Accused Product to use the Accused Product to practice at least one of the method claims of the '010 Patent. Defendant has notice of the '010 Patent at least as of the date of service of this complaint.

15. Claim 21 recites:

21. A method of displaying video from a plurality of video streams on a television display, the method comprising:

inputting video data from the plurality of video streams to a frame controller;

causing, by the frame controller, the video data from each of the plurality of video streams to be displayed in a separate frame on the television display, each frame occupying an area of the television display separate from an area occupied by any other frame, and at least two of the frames being of different sizes;

receiving, by the frame controller, a user selection of a channel group comprising a plurality of channels, each channel of the channel group comprising at least one serially-available video stream sharing at least one common attribute;

in response to the user selection, causing, by the frame controller, display of two or more channels of the channel group, each fully contained within one of the separate frames on the television display;

receiving, by the frame controller, a user instruction to change the display in a given frame on the television display to a given channel of the channel

group, wherein the given channel is not currently displayed on the television display; and

in response to the user instruction, causing, by the frame controller, the display of the given channel in the given frame.

16. Defendant infringes, and has infringed, at least claim 21 of the '010 Patent.

17. The Accused Product includes or operates in connection with a television system.

18. The Accused Product includes an application to access video content of different games which users view on their television display using a processor or frame controller.

19. The Accused Product is programmed with an application that allows a processor to multi-view different games on a television display.

20. The Accused Product supports three formats of window frames to watch video content – Dual, Thumbnail and Quad. The Thumbnail format causes a television display to create four window frames where each window frame plays different video content and does not overlap with another window frame. The Thumbnail format has one large window frame and the remaining window frames that are equal in size are small.

21. The Accused Product allows users to select a group of games or a channel group based on the date or common attribute from different sources. The user selects the games or channels to be viewed in Thumbnail multi-view from the selected group of games or channel group based on a date or common attribute.

22. The Accused Product displays four games, from the group of games or channel group, based on a date or common attribute in the non-overlapping window frames of the Thumbnail format in multi-view.

23. The Accused Product allows for the change of the game in the selected window frame when in multi-view mode. The user simply selects the window and clicks the broadcast option to add a new game from available games currently not being displayed to the selected window frame.

24. The Accused Product, in response to the user changing the game in the selected window frame, displays the user's selected game currently not being displayed in the selected window frame of the multi-view screen.

25. *See generally* Ex. 2 (claim chart that provides evidence of exemplary infringing products by Defendant).

26. InnoBrilliance has been damaged by Defendant's infringing activities.

## COUNT II

### INFRINGEMENT OF UNITED STATES PATENT NO. 9,247,299

27. InnoBrilliance incorporates the above paragraphs as though fully set forth herein.

28. Plaintiff is the owner, by assignment, of U.S. Patent No. 9,247,299 (the "'299 Patent"), entitled METHOD AND SYSTEM FOR TELEVISION CHANNEL GROUP, which issued on January 26, 2016. A copy of the '299 Patent is attached as Exhibit 3.

29. The '299 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

30. Defendant has been and is now infringing one or more method claims of the '299 Patent under 35 U.S.C. § 271 by using the Accused Product in the United States without authority.

31. Defendant has also infringed the '299 Patent by encouraging users of the Accused Product to use the Accused Product to practice one or more method claims of the '299 Patent. Defendant has notice of the '299 Patent at least as of the date of service of this complaint.

32. Claim 13 recites:

13. A method for displaying video data from a plurality of video streams on a

display, the method comprising:

receiving, by a frame controller of a television system, video data from the plurality of video streams; and

displaying, by the frame controller, the video data in a plurality of pictures on the display coupled to the television system, each picture occupying an area of the display separate from an area occupied by any other picture, the displaying comprising:

receiving a first user selection to display a video group related to an attribute, the video group comprising at least a first video stream and a second video stream of the plurality of video streams;

receiving the first and the second video streams of the video group;

displaying the first and the second video streams in a first picture and a second picture of the plurality of pictures;

receiving a second user selection to change the display in a given picture of the plurality of pictures to a given video stream of the video group, wherein the given video stream is not currently displayed on the display; and

displaying the given video stream in the given picture.

33. Defendant infringes, and has infringed, at least claim 13 of the '299 Patent.

34. The Accused Product includes or operates in connection with a television display.

35. The Accused Product causes a television to display multiple games at one display simultaneously.

36. The Accused Product includes an application to access video content of different games that users view on their television display using its processor or frame controller.

37. The Accused Product application is programmed to allow its processor to multi-view different games on a television display.

38. The Accused Product supports three formats of window frames to watch video content – Dual, Thumbnail and Quad. The Thumbnail format causes a television display to create four window frames where each window frame plays different video content and does not overlap with another window frame.

39. The Accused Product allows users to select a group of games or a video group based on a date or an attribute from different sources. The user selects the games or channels to be viewed in Thumbnail multi-view from the selected group of games or video group based on a date or attribute.

40. The Accused Product receives video content for the group of games or video group based on a date or attribute and displays four games from different sources in the non-overlapping window frames of the Thumbnail format in multi-view.

41. The Accused Product displays four games from the group of games or video group based on a date or attribute in the non-overlapping window frames of the Thumbnail format in multi-view.

42. The Accused Product allows for a change in the game in the selected window frame when in multi-view mode. The user simply selects the window and clicks the broadcast option to add a new game from the available games currently not being displayed to the selected window frame.

43. The Accused Product, in response to user changing the game in the selected window frame, displays the user-selected game currently not being displayed in the selected window frame of the multi-view screen.

44. *See generally* Ex. 4 (claim chart that provides evidence of exemplary infringing products by Defendant)

45. InnoBrilliance has been damaged by Defendant's infringing activities.

### **COUNT III**

#### **INFRINGEMENT OF UNITED STATES PATENT NO. 9,319,619**

46. InnoBrilliance incorporates the above paragraphs as though fully set forth herein.

47. Plaintiff is the owner, by assignment, of U.S. Patent No. 9,319,619 (the "'619 Patent"), entitled METHOD AND SYSTEM FOR PRESENTING MULTIPLE PICTURES ON A TELEVISION, which issued on April 19, 2016. A copy of the '619 Patent is attached as Exhibit 5.

48. The '619 Patent is valid, enforceable, and was duly issued in full compliance with title 35 of the United States Code.

49. Defendant has been and is now infringing one or more method claims of the '619 Patent under 35 U.S.C. § 271 by using the Accused Product in the United States without authority.

50. Defendant has also infringed at least one method claim of the '619 Patent by encouraging users of the Accused Product to use the Accused Product to practice at least one method claims of the '619 Patent. Defendant has notice of the '619 Patent at least as of the date of service of this complaint.

51. Claim 8 recites:

8. A method for displaying a plurality of video streams on a display, comprising:

receiving a plurality of video streams and transferring the plurality of video streams to a frame controller, wherein each of the plurality of video streams correspond to a different video channel;

receiving a command from a control device;

causing by the frame controller, each of the plurality of received video streams to be simultaneously displayed in corresponding separate, non-overlapping frames on a display, each frame occupying an area of the display separate from an area occupied by any other frame, wherein the non-overlapping frames comprise at least:

a first frame displaying a first video stream, wherein the displaying of the first video stream comprises displaying first video data and playing first audio data of the first video stream;

a second frame smaller in size than the first frame, the second frame displaying a second video stream different from the first video stream, wherein the displaying of the second video stream comprises displaying second video data of the second video stream and not playing second audio data of the second video stream; and

a third frame smaller in size than the first frame, the third frame displaying a third video stream different from the first and second video streams, wherein the displaying of the third video stream comprises displaying third video data of the third video stream and not playing third audio data of the third video stream; and

in response to receiving the command, causing, by the frame controller, the

display of the first and second video streams in the first and second frames to be modified, wherein the modified display of the first video stream comprises displaying the first video data of the first video stream in the second frame and not playing the first audio data of the first video stream, wherein the modified display of the second video stream comprises displaying the second video data in the first frame and playing the second audio data of the second video stream.

52. More particularly, Defendant infringes, and has infringed, at least claim 8 of the '619 Patent.

53. The Accused Product includes or operates in connection with a television system.

54. The Accused Product causes a television to display multiple games at one display simultaneously.

55. The Accused Product receives video content of a plurality of games or channels and allows the user to watch multiple games or channels simultaneously on one display of the television using its processor or frame controller.

56. The Accused Product supports three formats of window frames to watch video content – Dual, Thumbnail and Quad. The Thumbnail format has one large window frame and the remaining window frames equal in size are small.

57. The Accused Product allows the user to swap games among multiple window frames when watching multiple games or channels simultaneously in the Thumbnail format by giving a command from the remote controller or control device.

58. The Accused Product includes an application programmed to allow a processor to multi-view different games or channels on a television display. The Thumbnail format causes a



television display to create four window frames where each window frame plays different video content and does not overlap with another window frame.

59. The Accused Product allows the user, when watching four games in the Thumbnail format in multi-view, to get one large window frame – a first window frame – and three small window frames. The audio is played only in the large window frame and the other three small window frames are on mute. The large window frame displays the video stream for the game being displayed in it and plays the audio respective to that game.

60. When watching four games in the Thumbnail format in multi-view, the user views one large window frame and three small window frames – a second window frame or second frame, a third window frame and a fourth window frame. The audio is played with respect to the large window frame and therefore the second, third and fourth window frames are on mute. The game in the second window frame is different from the game in the first window frame.

61. When watching four games in the Thumbnail format in multi-view, the user gets one large window frame and three small window frames – a second window frame, a third window frame or third frame, and a fourth window frame. The audio is played only with respect to the large window frame and therefore the second, third and fourth window frames are on mute. The game in the third window frame or third frame is different from the game in the first window frame.

62. The Accused Product allows users to swap the games in the first and second window frames via a command from the remote controller. When the user gives the command to swap the games, then the video stream of the game in the first window frame is displayed in the second window frame and no audio is played anymore from this game. The video stream of the game previously displayed in the second window frame is then displayed in the first window frame and the audio of the video stream of this game is played.

63. *See generally* Ex. 6 (claim chart that provides evidence of exemplary infringing products by Defendant)

64. InnoBrilliance has been damaged by Defendant's infringing activities.

#### COUNT IV

#### INFRINGEMENT OF UNITED STATES PATENT NO. 10,148,902

65. InnoBrilliance incorporates the above paragraphs as though fully set forth herein.

66. Plaintiff is the owner, by assignment, of U.S. Patent No. 10,148,902 (the "'902 Patent"), entitled METHOD AND SYSTEM FOR PRESENTING MULTIPLE PICTURES ON A TELEVISION, which issued on December 4, 2018. A copy of the '902 Patent is attached as Exhibit 7.

67. The '902 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

68. Defendant has been and is now infringing one or more method claims of the '902 Patent under 35 U.S.C. § 271 by using the Accused Product in the United States without authority.

69. Defendant has also infringed the '902 Patent by encouraging users of the Accused Product to use the Accused Product to practice one or more method claims of the '902 Patent. Defendant has notice of the '902 Patent at least as of the date of service of this complaint.

70. Claim 12 recites:

12. A method comprising:

receiving a plurality of video streams from a plurality of video sources and  
transferring the plurality of video streams to a frame controller,  
wherein the plurality of video streams comprises a first video stream  
from a first video source of the plurality of video sources, a second

video stream from a second video source of the plurality of video sources, and a third video stream from a third video source of the plurality of video sources, wherein the first video stream, the second video stream, and the third video stream are communicated via a common path;

causing and the third video stream to be concurrently displayed in corresponding separate, non-overlapping frames on a display, each frame occupying an area of the display separate from an area occupied by any other frame, wherein the non-overlapping frames comprise at least a first frame displaying the first video stream, second frame different in size than the first frame and a third frame different in size than the first frame, the second frame displaying the second video stream, the third frame displaying the third video stream;

receiving a change command from a control device; and in response to receiving the change command:

selecting the second frame and a fourth video stream from a fourth video source of the plurality of video sources, wherein the fourth video stream is not displayed via the display at a time of receipt of the change command, and

causing the fourth video stream to be displayed in the second frame.

71. More particularly, Defendant infringes, and has infringed, at least claim 12 of the '902 Patent.

72. The Accused Product includes an application or common path that allows a processor or frame controller of a television system to multi-view video content causing multiple games or channels being displayed simultaneously on one display. The application or common path provides access to exclusive video content or a plurality of video streams from different games or channels as a plurality of video sources.

73. The Accused Product supports three formats of window frames to watch video content - Dual, Thumbnail and Quad. The window frames in the Thumbnail format comprise one large window frame – a first window frame or first frame and three small window frames – a second window frame or second frame, a third window frame or third frame and a fourth window frame. Therefore, size of the second and third window frames is different from the first window frame. Further, each window frame displaying one game from a different source does not overlap with another window frame.

74. The Accused Product allows the user to change the game in the selected window frame when in multi-view mode. The user simply selects the window and clicks the broadcast option to add a new game from the available games currently not being displayed to the selected window frame.

75. The Accused Product, in response to the user changing the game in the selected window frame, displays the new user-selected game currently not being displayed in the selected window frame of the multi-view screen.

76. *See generally* Ex. 8 (claim chart that provides evidence of exemplary infringing products by Defendant).

77. InnoBrilliance has been damaged by Defendant's infringing activities.

**COUNT V**

**INFRINGEMENT OF UNITED STATES PATENT NO. 10,623,681**

78. InnoBrilliance incorporates the above paragraphs as though fully set forth herein.

79. Plaintiff is the owner, by assignment, of U.S. Patent No. 10,623,681 (the “’681 Patent”), entitled METHOD AND SYSTEM FOR PRESENTING MULTIPLE PICTURES ON A TELEVISION, which issued on April 14, 2020. A copy of the ’681 Patent is attached as Exhibit 9.

80. The ’681 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

81. Defendant has been and is now infringing one or more method claims of the ’681 Patent under 35 U.S.C. § 271 by making and using the Accused Product in the United States without authority.

82. Defendant has also infringed the ’681 Patent by encouraging users of the Accused Product to use the Accused Product to practice one or more method claims of the ’681 Patent. Defendant has notice of the ’681 Patent at least as of the date of service of this complaint.

83. Claim 19 recites:

19. A method comprising:

receiving a plurality of video streams and to provide the plurality of video streams to a frame controller, wherein each video stream of the plurality of video streams corresponds to a video channel of a plurality of video channels;

generate a first frame signal including:

a first subframe signal corresponding to a first video stream of the plurality of

video streams;

a second subframe signal corresponding to a second video stream of the plurality of video streams; and

a third subframe signal corresponding to a third video stream of the plurality of video streams;

outputting the first frame signal to a display, wherein the first frame signal is configured to cause the display to simultaneously display first video corresponding to the first video stream in a first portion of the display, second video corresponding to the second video stream in a second portion of the display, and third video corresponding to the third video stream in a third portion of the display and to output first audio corresponding to the first video stream, wherein the first portion, the second portion, and the third portion of the display are non-overlapping, and wherein the first portion is larger than the second portion;

generating a second frame signal responsive to receiving a swap command, the second frame signal including:

a fourth subframe signal corresponding to the first video stream of the plurality of video streams;

a fifth subframe signal corresponding to the second video stream of the plurality of video streams; and

a sixth subframe signal corresponding to the third video stream of the plurality of video streams; and

outputting the second frame signal to the display, wherein the second frame

signal is configured to cause the display to simultaneously display video corresponding to the second video stream in the first portion of the display, video corresponding to the first video stream in the second portion of the display, and video corresponding to the third video stream in the third portion of the display and to output second audio corresponding to the second video stream.

84. Defendant infringes, and has infringed, at least claim 19 of the '681 Patent.

85. The Accused Product receives video content of a plurality of games or video channels and allows a user to watch multiple games simultaneously on one display of a television using its processor or frame controller.

86. The Accused Product supports three formats of window frames to watch video content – Dual, Thumbnail and Quad. The Thumbnail format allows the display of four games simultaneously each on a separate window frame on the television display. The first multi-view screen is generated comprising four window frames which display different subframes or subframe signal of the video content or video stream from four different games.

87. The Accused Product displays four games simultaneously each on a separate window frame on a television display. Each window frame displaying subframes of video content from a different game in multi-view does not overlap with another window frame. The four window frames comprise one large window frame – a first window frame or first portion and three small window frames – a second window frame or second portion, a third window frame or third portion and a fourth window frame. The audio is programmed to be played only from the first window frame or first portion.

88. The Accused Product provides a command or swap command to exchange video content of games in the first and second window frame and in response to a command provides a second multi-view screen where games in a first and a second window frame are exchanged. For each window, after the command from the user, a new subframe of video content from the respective game is displayed.

89. The Accused Product, in response to a command or swap command, outputs a second multi-view screen where video content of the games in a first and a second window frame are exchanged. Therefore, a new subframe of video content of the game earlier displayed in a second window frame is later displayed in a first window frame and the audio is played from this video content as only the first window frame is associated with the audio play. The video content of the game earlier displayed in the first window frame after the command from the user is shifted to a second window frame with a new subframe of video content being played without any audio. The same game is displayed after the command in the third and fourth window frame but with the new subframe of the video content of the respective game.

90. *See generally* Ex. 10 (claim chart that provides evidence of exemplary infringing products by Defendant).

91. InnoBrilliance has been damaged by Defendant's infringing activities.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully requests the Court enter judgment against Defendant:

- (a) declaring that the Defendant has infringed the '010, the '299, the '619, the '902, and the '681 Patents (the "Patents") ;
- (b) awarding Plaintiff its damages suffered as a result of Defendant's infringement of the '010, the '299, the '619, the '902, and the '681 Patents;



- (c) awarding Plaintiff its costs, attorneys' fees, expenses, and interest; and
- (d) granting Plaintiff such further relief as the Court finds appropriate.

**JURY DEMAND**

Plaintiff demands trial by jury, Under Fed. R. Civ. P. 38.

Dated: July 15, 2022

Respectfully submitted,

**BUETHER JOE & COUNSELORS, LLC**

By: /s/Christopher M. Joe

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