

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

LOCKET IP LLC,

Plaintiff

v.

ZARA USA, INC.,

Defendant

Case No. 6:22-cv-00716

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Locket IP LLC (“Plaintiff”) files this Complaint for Patent Infringement against ZARA USA, Inc. (“Defendant”) 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. Plaintiff is a limited liability company organized and existing under the laws of the State of Texas with a principal place of business at 333 Preston Road, Suite 300 - #1039, Frisco, Texas 75034.

3. On information and belief, Defendant is a corporation organized and existing under the laws of the State of New York, and has a regular and established place of business at P-100, Esperanza Crossing #3409, Austin, TX 78758.

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. Upon information and belief, Defendant is subject to personal jurisdiction of this Court based upon it having regularly conducted business, including the acts complained of herein, within the State of Texas and/or deriving substantial revenue from goods and services provided to individuals in Texas and in this District.

6. Venue is proper in this District under 28 U.S.C. § 1400 because Defendant has committed acts of infringement and has regular and established places of business in this judicial district.

OVERVIEW OF THE ACCUSED WEBSITE

7. Defendant provides for its customers use the Zara Website <https://www.zara.com/us/en/> (“the Accused Website”).

8. On information and belief, Defendant provides the Accused Website, which provides the user the ability to search for a store in any desired location.

COUNT I (Infringement of U.S. Patent No. 9,990,112)

9. Plaintiff incorporates the above paragraphs as though fully set forth herein.

10. Plaintiff is the owner, by assignment, of U.S. Patent No. 9,990,112 (“the ’112 Patent”), entitled METHOD AND APPARATUS FOR LOCATING REGIONS OF INTEREST IN A USER INTERFACE, which issued on June 5, 2018. A copy of the ’112 Patent is attached as Exhibit PX-112.

11. The ’112 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

12. Defendant has been and is now infringing one or more claims of the '112 Patent under 35 U.S.C. § 271 by making and using the Accused Website in the United States without authority.

13. Claim 1 of the '112 Patent recites:

1. A method comprising:

generating a plurality of cards for display;

in response to a user command, determining regions of interest within each of the plurality of cards by searching information indicating previous user preferences; and

updating for display the plurality of cards to visibly show in a display area of a display device the at least one region of interest of multiple cards included in a first group of the plurality of cards, wherein said updating includes repositioning the plurality of cards to remove cards not included in the first group from the display area and to visibly display the at least one region of interest within all of the multiple cards included in the first group within the display area of the display device.

14. More particularly, Defendant infringes at least claim 1 of the '112 Patent.

15. Attached as Exhibit PX-112-C is a chart comparing claim 1 of the '112 Patent to the Accused Website. As set forth in this chart, the Accused Website practices the inventions of the '112 Patent. The Accused Website satisfies all elements of claim 1 of the '112 Patent, for example.

16. Plaintiff therefore incorporates by reference in its allegations herein the chart of Exhibit PX-112-C.

17. Plaintiff has been damaged by Defendant's infringing activities.

COUNT II (Infringement of U.S. Patent No. 10,514,832)

18. Plaintiff incorporates the above paragraphs as though fully set forth herein.

19. Plaintiff is the owner, by assignment, of U.S. Patent No. 10,514,832 ("the '832 Patent"), entitled METHOD FOR LOCATING REGIONS OF INTEREST IN A USER INTERFACE, which issued on December 24, 2019. A copy of the '832 Patent is attached as Exhibit PX-832.

20. The '832 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

21. Defendant has been and is now infringing one or more claims of the '832 Patent under 35 U.S.C. § 271 by making and using the Accused Website in the United States without authority.

22. Claim 1 of the '832 Patent recites:

1. A method comprising:

determining, in response to a user command, regions of interest within each of a plurality of cards by searching information indicating previous user preferences; and

updating for display the plurality of cards to visibly show in a display area of a display device the at least one region of interest of multiple cards included in a first group of the plurality of cards, wherein said updating includes repositioning the plurality of cards to remove cards not included in the first group from the display area and to visibly display the at least

one region of interest within all of the multiple cards included in the first group within the display area of the display device.

23. More particularly, Defendant infringes at least claim 1 of the '832 Patent.

24. Attached as Exhibit PX-832-C is a chart comparing claim 1 of the '832 Patent to the Accused Website. As set forth in this chart, the Accused Website practices the inventions of the '832 Patent. The Accused Website satisfies all elements of claim 1 of the '832 Patent, for example.

25. Plaintiff therefore incorporates by reference in its allegations herein the chart of Exhibit PX-832-C.

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

COUNT III (Infringement of U.S. Patent No. 10,102,568)

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

28. Plaintiff is the owner, by assignment, of U.S. Patent No. 10,102,568 ("the '568 Patent"), entitled SYSTEM AND METHODS FOR MATCHING IMAGES WITH VIEWING ENVIRONMENT, which issued on October 16, 2018. A copy of the '568 Patent is attached as Exhibit PX-568.

29. The '568 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 claims of the '568 Patent under 35 U.S.C. § 271 by making and using the Accused Website in the United States without authority.

31. Claim 1 of the '568 Patent recites:

1. A method, comprising:

accessing a shopping site using a user device;
determining a viewing environment of a display on the user device;
receiving an image depicting a product on the shopping site, the image selected from a plurality of different images of the product taken under a plurality of different viewing environments and matching the viewing environment of the display on the user device; and
showing the image to a user on the display of the user device, wherein the determining step comprises determining a characteristic of the viewing environment of the display of the user device using a camera in the user device, and
the image is matched to the viewing environment responsive to the characteristic.

32. More particularly, Defendant infringes at least claim 1 of the '568 Patent.

33. Attached as Exhibit PX-568-C is a chart comparing claim 1 of the '568 Patent to the Accused Website. As set forth in this chart, the Accused Website practices the inventions of the '568 Patent. The Accused Website satisfies all elements of claim 1 of the '568 Patent, for example.

34. Plaintiff therefore incorporates by reference in its allegations herein the chart of Exhibit PX-568-C.

35. Plaintiff has been damaged by Defendant's infringing activities.

PRAYER FOR RELIEF

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

1. Declaring that Defendant has infringed the '112 Patent;
2. Declaring that Defendant has infringed the '832 Patent;
3. Declaring that Defendant has infringed the '568 Patent;
4. Awarding Plaintiff its damages suffered as a result of Defendant's infringement of the '112 Patent;
5. Awarding Plaintiff its damages suffered as a result of Defendant's infringement of the '832 Patent;
6. Awarding Plaintiff its damages suffered as a result of Defendant's infringement of the '568 Patent;
7. Awarding Plaintiff its costs, attorney's fees, expenses, and interest; and
8. Granting Plaintiff such further relief as the Court finds appropriate.

JURY DEMAND

Plaintiff demands trial by jury, on all issues so triable, under Fed. R. Civ. P. 38.

Dated: June 30, 2022

Respectfully submitted,



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ATTORNEYS FOR PLAINTIFF