**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

DISTRIBUTED MEDIA SOLUTIONS, LLC,	
Plaintiff,	CIVIL ACTION NO. 2:23-cv-00048
v.	
FENIX INTERNATIONAL LIMITED,	**JURY TRIAL DEMANDED**
Defendant.	

PLAINTIFF'S COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Distributed Media Solutions, LLC ("DMS" or "Plaintiff") files this Complaint for patent infringement against Fenix International Limited ("Fenix" or "Defendant") and states as follows:

NATURE OF THE ACTION

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

2.   DMS is the owner of all right, title, and interest in U.S. Patent Nos. 6,697,811 ("the '811 Patent"), 7,739,714 ("the '714 Patent"), 8,046,672 ("the '672 Patent"), and 8,122,004 ("the '004 Patent") (collectively, "the Asserted Patents"), which have been attached as Exhibits A-D and incorporated herein by reference.

3.   Defendant Fenix has infringed and continues to infringe one or more claims of the Asserted Patents by making, using, offering to sell, and selling within the United States, including in this District, certain products and services, including through its OnlyFans product and service. DMS seeks to recover monetary damages, attorneys' fees, and costs.

THE PARTIES

4.   DMS is a Georgia limited liability company with a principal place of business at 4725 Peachtree Corners Circle, Suite 230, Peachtree Corners, GA 30092.

5.   On information and belief, Defendant Fenix International Limited is a company registered in England and Wales, with company registration number 10354575, with its principal place of business at Fourth Floor, Imperial House, 8 Kean Street, London, WC2B 4AS. On information and belief, Defendant Fenix offers its products and/or services, including those accused herein of infringement, to customers and potential customers located in Texas and in this District.

JURISDICTION AND VENUE

6.   The Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

7.   This Court has personal jurisdiction over Fenix in accordance with due process because, among other things, Fenix does business in this State. For example, Fenix has engaged, and continues to engage, in continuous, systematic, and substantial activities with this State, including the substantial marketing, use, and sale of products and services with this State and this District. This Court has personal jurisdiction over Fenix because it has committed acts giving rise to DMS's claims for patent infringement within and directed to this District and has derived substantial revenue from its goods and services provided to individuals in this State and this District.

8.   Defendant has committed and continues to commit acts of infringement in violation of 35 U.S.C. § 271 within the Eastern District of Texas. Defendant has in the past made, used, marketed, distributed, offered for sale, sold, and/or imported infringing products, and performed infringing methods, in the State of Texas and in this District. Defendant continues to make, use,

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market, distribute, offer for sale, sell, and/or import infringing products, and perform infringing methods, in the State of Texas and in this District. Accordingly, Defendant has in the past engaged, and continues to engage, in infringing conduct within and directed at or from this District. Additionally, Defendant has purposefully and voluntarily placed its infringing products into the stream of commerce with the expectation that its infringing products will be used in this District. The infringing products have been and continue to be distributed to and used in this District. Defendant's acts have caused, and continue to cause, injury to Plaintiff, including within this District.

9.   Venue is proper in this District under the provisions of 28 U.S.C. §§ 1391(b), (c), (d) and/or 1400(b) at least because Fenix is a foreign corporation organized under the laws of England.

U.S. PATENT NO. 6,697,811

10.   On February 24, 2004, the United States Patent and Trademark Office duly and legally issued the '811 Patent, entitled "Method and System for Information Management and Distribution" after a full and fair examination.

11.   Exhibit A is a true and correct copy of the '811 Patent.

12.   The '811 Patent is valid and enforceable under United States patent laws.

13.   Plaintiff is the owner of the '811 Patent, having received all right, title and interest in and to the '811 Patent from the previous assignee of record.

14.   Plaintiff possesses all rights of recovery under the '811 Patent, including the exclusive right to recover for past infringement.

U.S. PATENT NO. 7,739,714

15.   On June 15, 2010, the United States Patent and Trademark Office duly and legally issued the '714 Patent, entitled "System for Transmitting Digital Data Over a Limited Bandwidth Link in Plural Blocks" after a full and fair examination.

16.   Exhibit B is a true and correct copy of the '714 Patent.

17.   The '714 Patent is valid and enforceable under United States patent laws.

18.   Plaintiff is the owner of the '714 Patent, having received all right, title and interest in and to the '714 Patent from the previous assignee of record.

19.   Plaintiff possesses all rights of recovery under the '714 Patent, including the exclusive right to recover for past infringement.

U.S. PATENT NO. 8,046,672

20.   On October 25, 2011, the United States Patent and Trademark Office duly and legally issued the '672 Patent, entitled "Method and System for Delivering Technology Agnostic Rich Media Content with an Email, Banner Ad, and Web Page" after a full and fair examination.

21.   Exhibit C is a true and correct copy of the '672 Patent.

22.   The '672 Patent is valid and enforceable under United States patent laws.

23.   Plaintiff is the owner of the '672 Patent, having received all right, title and interest in and to the '672 Patent from the previous assignee of record.

24.   Plaintiff possesses all rights of recovery under the '672 Patent, including the exclusive right to recover for past infringement.

U.S. PATENT NO. 8,122,004

25.   On February 21, 2012, the United States Patent and Trademark Office duly and legally issued the '004 Patent, entitled "Generating and Providing Rich Media Presentations Optimized for a Device Over a Network" after a full and fair examination.

26.   Exhibit D is a true and correct copy of the '004 Patent.

27.   The '004 Patent is valid and enforceable under United States patent laws.

28.   Plaintiff is the owner of the '004 Patent, having received all right, title and interest in and to the '004 Patent from the previous assignee of record.

29.   Plaintiff possesses all rights of recovery under the '004 Patent, including the exclusive right to recover for past infringement.

THE ASSERTED PATENTS

30.   The claims of the Asserted Patents are directed to patent-eligible, non-abstract subject matter under 35 U.S.C. § 101. They are not directed to abstract ideas, and the claimed technology consists of ordered combinations of features and functions that, at the time of the invention, were not, alone or in combination, well-understood, routine, or conventional. Instead, one of skill in the art would recognize that the Asserted Patents are directed to technical and unconventional solution s to shortcomings of the prior art.

31.   One of skill in the art would recognize the specifications of the Asserted Patents disclose shortcomings in the prior art and further explain, in detail, the technical and unconventional way the claimed inventions resolve or overcome these shortcomings.

32.   For example, the '811 Patent explains that "private or special purpose networks may be located globally and may be developed and operated by different organizations." '811 Patent at 1:16-18. As part of the solution to this problem, the '811 Patent discloses an invention

including a "multi-access manager (MAM)" that is coupled to remote source servers and endpoints that provides a "centralized management but decentralized execution of information distribution." *Id*. at 3:11-21.

33.   The '714 Patent notes that "[i]n view of the multitude of bandwidths present in complex client/server systems today and the large amounts of data necessary to produce compelling audio, video and imaging presentations, there is a pressing demand for scalable data representation of multimedia data, so that it can be delivered for on-line interactive playback in such a form that the transmission rate can accommodate the client bandwidth." '714 Patent at 2:30-37. The patent seeks to solve this problem, in party, by providing "a scalable representation, so that the data can be asynchronously transmitted to clients having different bandwidth connections, played on-line almost immediately after the transmission begins, interactively controlled, and also progressively upgraded as it is replayed." *Id.* at 18:57-62.

34.   The '004 and '672 Patents explain that one problem with existing systems was that the number of different systems and media files available resulted in users being "constantly bombarded with different requirements" to receive and play those files. '004 Patent at 1:20-52. This problem was solved, in part, through the use of an "attribute inquiry system" that determines certain configuration information prior to providing the requested content. *Id.* at 13:28-63.

FENIX'S INFRINGING PRODUCTS AND ACTIVITIES

35.   Fenix provides OnlyFans, an on-demand video-streaming platform ("the Accused Product") that enables its users to stream video content from multiple sources.
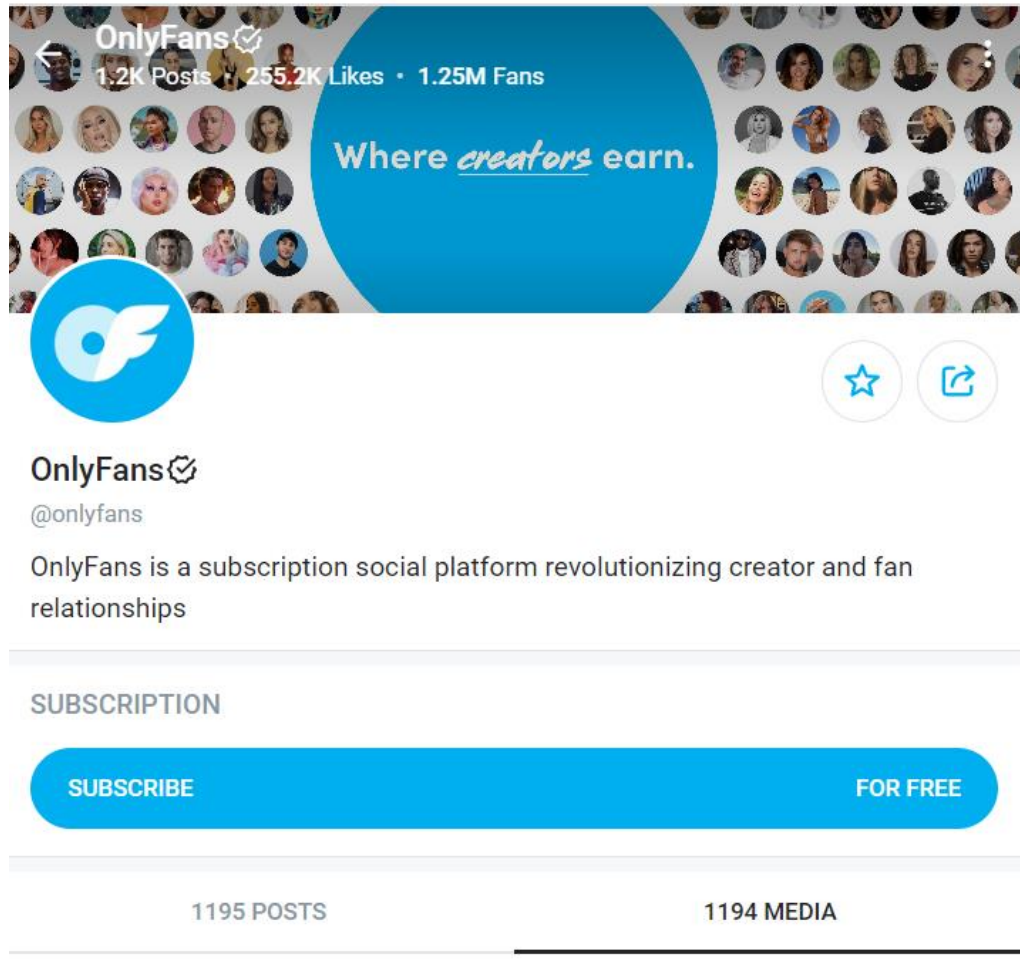
36.   The Accused Product allows for the streaming of video content through the browser of a computing device, *e.g.*, a mobile device.

Do you have an app for iOS or Android?
There is no OnlyFans app. The Onlyfans.com website works well on desktops and mobile. This allows us to update OnlyFans without asking you to constantly update your app. Our technology is always changing and we hope to deliver the best product to you. Any existing mobile applications for OnlyFans are not recommended. They should be considered suspicious and should be reported to us. An easy way to access OnlyFans.com is by going to OnlyFans.com in a browser and adding it to your home screen. This will create a tile on your homescreen which will allow you access OnlyFans like an app.

37.   The Accused Product ascertains certain browser and/or system information to make determinations regarding the content provided to the browser.

38.   The Accused Product implements HTTP Live Streaming Architecture ("HLS") to stream video content.

COUNT I: INFRINGEMENT OF U.S. PATENT NO. 6,697,811

39.   Plaintiff incorporates by reference and re-alleges the foregoing paragraphs of this Complaint as if fully set forth herein.

40.   Defendant has directly infringed at least claim 1 of the '811 Patent in violation of 35 U.S.C. § 271 *et seq.*, by making, using, offering for sale, or selling in the United States, and/or importing into the United States without authority or license the Accused Product. Further, upon information and belief, Defendant directly infringes at least claim 1 of the '811 Patent through hardware and software systems, such as content delivery systems, that it owns, controls, or licenses.

41.   Defendant has directly infringed at least claim 1 of the '811 Patent by performing all the limitations of that claim. For example, claim 1 of the '811 Patent recites:

A method for managing and distributing information with a system, comprising:

receiving from a user at a multi-access manager a request for access to the system;

determining whether the request for access to the system comprises an approved access at the multi-access manager;

displaying in response to an approved access a catalogue of at least one source server, wherein each source server couples to a respective information source, and wherein each source server has authorized the user to access data stored at the coupled respective information source;

receiving a source server selection from the user, wherein the source server selection comprises a source server selected from the catalogue of at least one source server;

providing access for the user to the selected source server;

receiving a request from the user for data at the selected source server, wherein the request for data requests data accumulated in a first format at the information source coupled to the selected source server; and

transmitting the data from the selected source server to the user.

42.   As in claim 1 of the '811 Patent, the Accused Product practices a method for managing and distributing information (*e.g.*, video content) with a system.

What is OFTV

OFTV (OnlyFans TV) is a free on-demand video streaming platform and app by OnlyFans. Using OFTV, OnlyFans creators can share videos for their fans to watch from the convenience of their phone, tablets, and smart TVs. OFTV is available globally on most major app stores.

https://of.tv/video/62bf26144e7f9b00016194f0/.   For example, Fenix distributes video content through its OnlyFans platform, *e.g.*, through the OFTV service.

43.   As in claim 1 of the '811 Patent, the Accused Product receives from a user at a multi-access manager (*e.g.*, the login screen of the OnlyFans OFTV website or application) a request for access to the system.
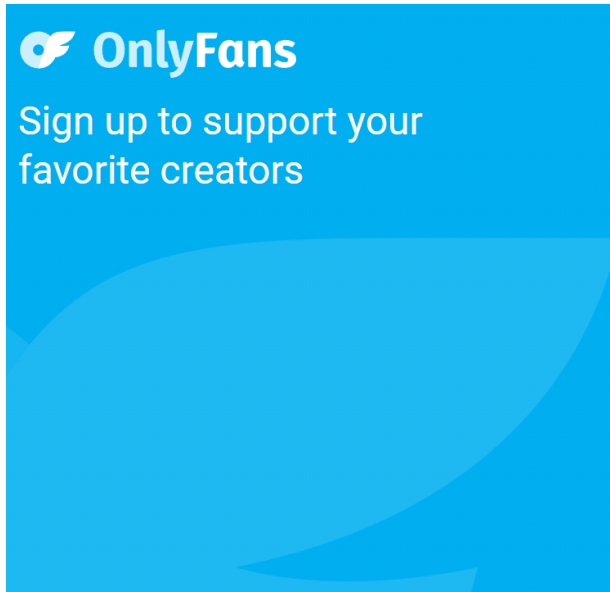
https://onlyfans.com/. For example, as shown, OnlyFans has a login screen that allows a user to access the OnlyFans platform that includes access to multiple video source libraries.

44.   As in claim 1 of the '811 Patent, the Accused Product determines whether the request for access to the system comprises an approved access at the multi-access manager. For example, the Accused Product determines whether a user has access to the system.
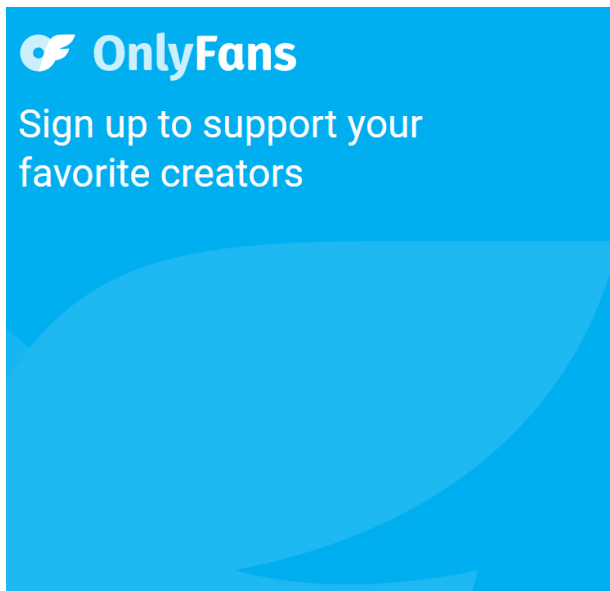
https://onlyfans.com/. As shown, access to the OnlyFans system requires a valid login that is required for approved access to the video source libraries.

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45.   As in claim 1 of the '811 Patent, the Accused Product displays in response to an approved access a catalogue of at least one source server, wherein each source server couples to a respective information source, and wherein each source server has authorized the user to access data stored at the coupled respective information source. For example, the Accused Product includes collections of video content, such as OFTV.
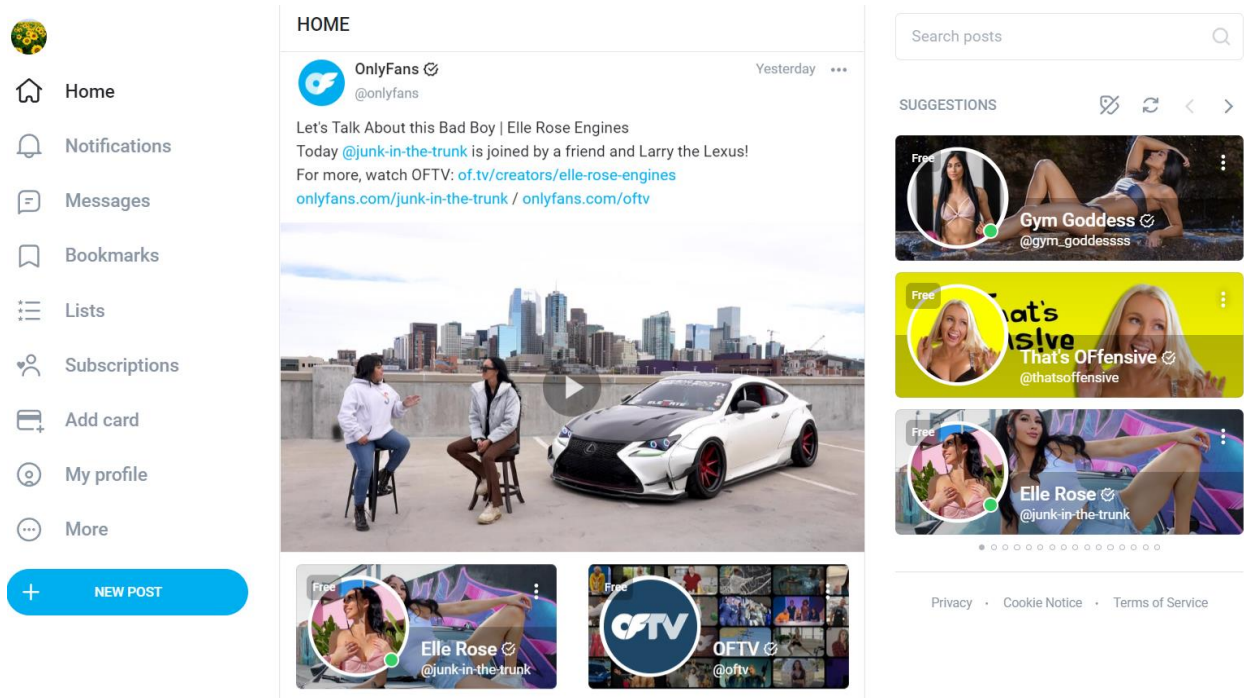
https://onlyfans.com/.   As shown, the access to video content is grouped such that a user can subscribe to bundles of video libraries, which the user can access after logging in. In addition, a user cannot access content to which the user is not subscribed.
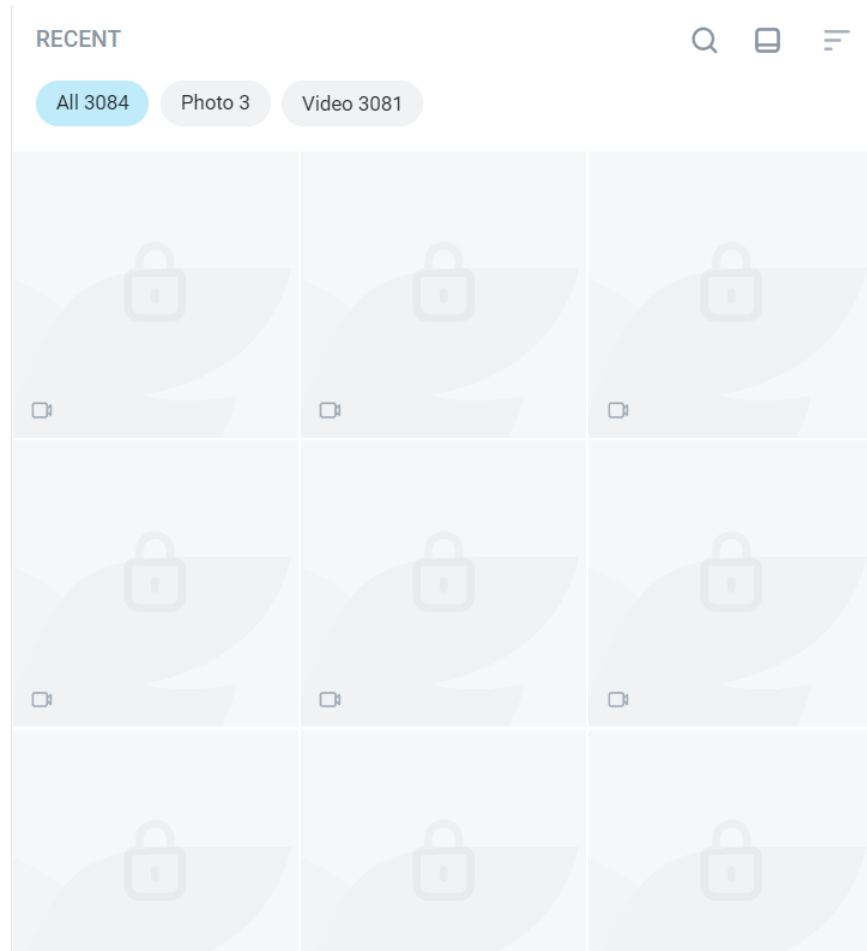
For example, as shown, a user cannot access OnlyFans video content if they don't have a specific subscription to the library of content.

46.   As in claim 1 of the '811 Patent, the Accused Product receives a source server selection from the user (*e.g.*, selection of a specific video collection), wherein the source server selection comprises a source server selected from the catalogue of at least one source server.
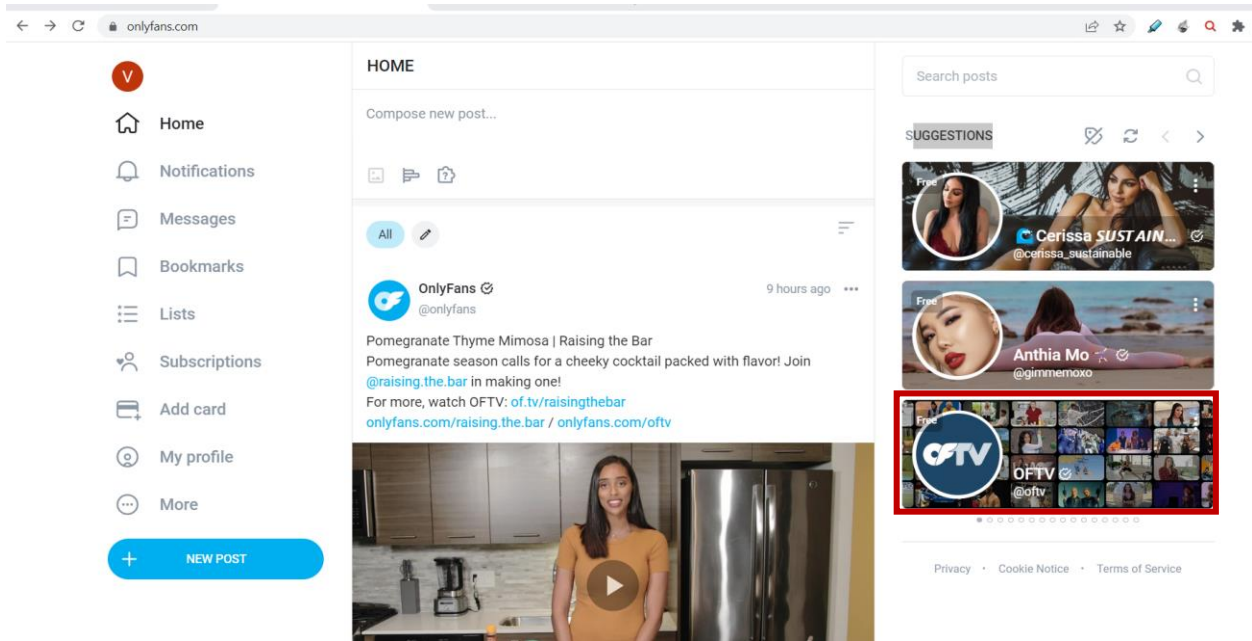
As shown, the OnlyFans platform groups content by source library, *e.g.* OFTV.

47.   As in claim 1 of the '811 Patent, the Accused Product provides access for the user to the selected source server.
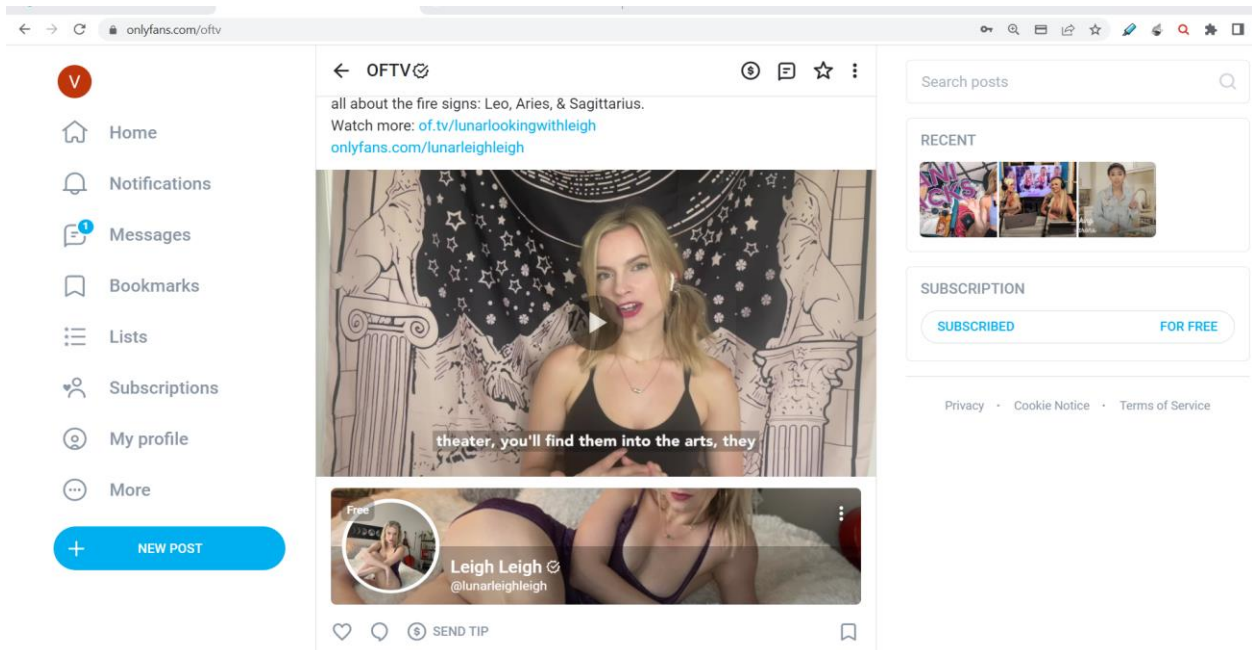
https://onlyfans.com/oftv/.   For example, the OnlyFans platform allows a user to access content from subscribed source libraries, *e.g.*, OFTV.

48.   As in claim 1 of the '811 Patent, the Accused Product receives a request from the user for data (*e.g.*, video content) at the selected source server, wherein the request for data requests data accumulated in a first format (*e.g.*, a video format) at the information source coupled to the selected source server.
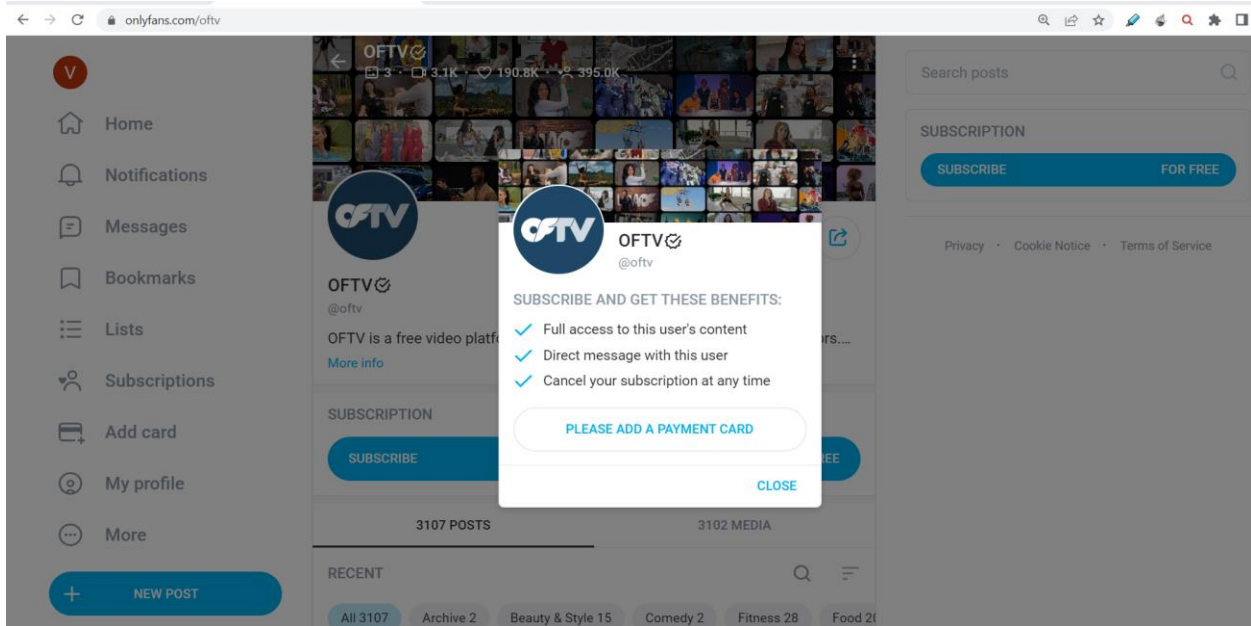
As shown, the OnlyFans platform, upon receiving a request for OFTV video content, streams the requested content to a user from a source server.

49.   As in claim 1 of the '811 Patent, the Accused Product transmits the data from the selected source server to the user.
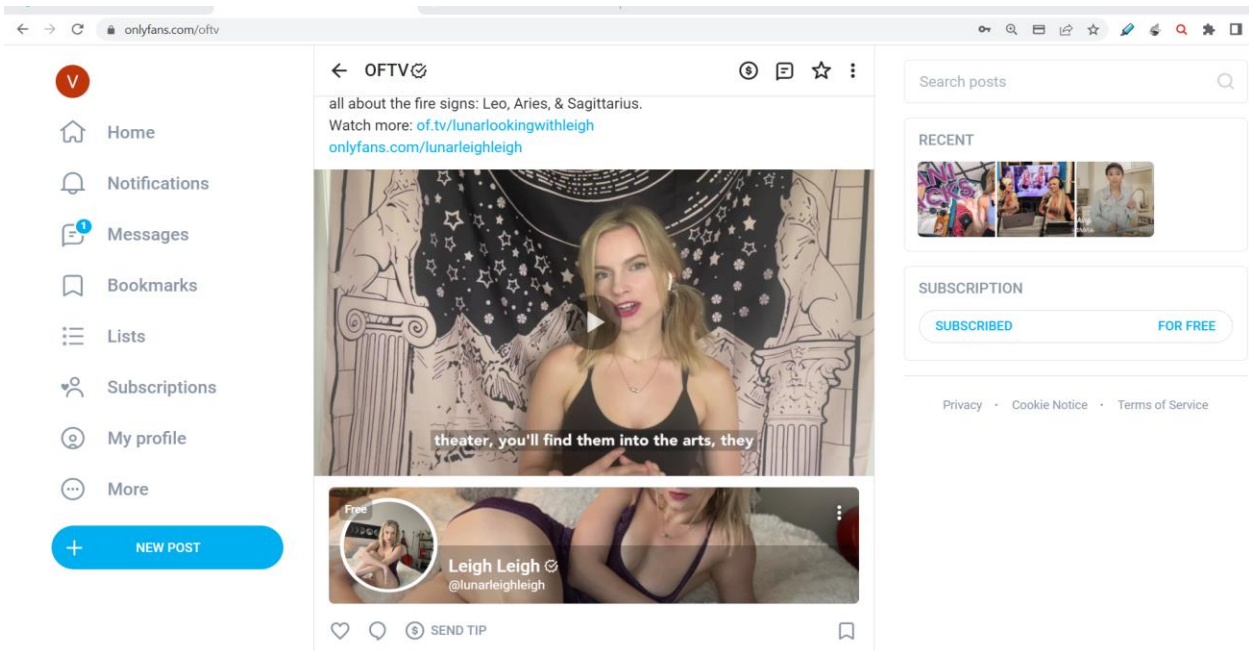
https://onlyfans.com/oftv/.   Upon information and belief, the OnlyFans platform streams the selected video content from the source library to the user.

50.   Defendant makes, uses, sells, and/or offers to sell the Accused Product which practices at least claim 1 of the '811 Patent.

51.   In violation of 35 U.S.C. § 271, Defendant has been directly infringing the '811 Patent, including through its own use, testing, and sale of the Accused Products.

52.   Defendant has had knowledge of infringement of the '811 Patent at least as of the service of the present Complaint.

53.   Defendant has directly infringed at least one claim of the '811 Patent by making, using, offering for sale, and selling the Accused Product without authority in the United States. As a direct and proximate result of Defendant's direct infringement of the '811 Patent, DMS has been damaged.

54.   By engaging in the conduct described herein, Defendant has injured DMS and is thus liable for infringement of the '811 Patent, pursuant to 35 U.S.C. § 271.

55.   Defendant has committed these acts of infringement without license or authorization.

56.   As a result of Defendant's infringement of the '811 Patent, Plaintiff has suffered monetary damages and is entitled to a monetary judgment in an amount adequate to compensate for Defendant's past infringement, together with interests and costs.

57.   Plaintiff reserves the right to modify its infringement theories as discovery progresses in this case; it shall not be estopped for infringement contention or claim construction purposes by the claim chart that it provides with this Complaint.

COUNT II: INFRINGEMENT OF U.S. PATENT NO. 7,739,714

58.   Plaintiff incorporates by reference and re-alleges the foregoing paragraphs of this

Complaint as if fully set forth herein.

59.   Defendant has directly infringed at least claim 9 of the '714 Patent in violation of

35 U.S.C. § 271 *et seq.*, by making, using, offering for sale, or selling in the United States, and/or

importing into the United States without authority or license the Accused Product. Further, upon

information and belief, Defendant directly infringes at least claim 9 of the '714 Patent through

hardware and software systems, such as content delivery systems, that it owns, controls, or

licenses.

60.   Defendant has directly infringed at least claim 9 of the '714 Patent by implementing

a system that includes all the limitations of that claim. For example, claim 9 of the '714 Patent

recites:

> An object movie processing system for encoding a digital object movie, storing it on a server computer and delivering it to client computers on-line upon request, the system comprising:
>
> a processor and memory;
>
> an encoder for compressing a digital object movie into a series of encoded data blocks stored in a database, each block comprising a sequence of encoded frames;
>
> a storage device that stores the database on a server computer;
>
> a processing unit for accepting a request by a client computer for on-line delivery of the object movie and for determining one or more data blocks to transmit based on a bandwidth associated with the client computer;
>
> a transmitter for delivering the determined data blocks to the client computer;
>
> a decoder for decompressing the data blocks back into object movie data at the client computer;
>
> an accumulator for ordering the data blocks at the client computer to reconstruct the original digital object movie; and
>
> a player on the client computer for playing the reconstructed digital object movie.

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61.   As in claim 9 of the '714 Patent, the Accused Product is a system for encoding a digital object movie, storing it on a server computer and delivering it to client computers on-line upon request.

What is OFTV

OFTV (OnlyFans TV) is a free on-demand video streaming platform and app by OnlyFans. Using OFTV, OnlyFans creators can share videos for their fans to watch from the convenience of their phone, tablets, and smart TVs. OFTV is available globally on most major app stores.

https://of.tv/video/62bf26144e7f9b00016194f0/.   As shown, upon information and belief, the OnlyFans platform is a system that encodes and stores video content on a server computer for delivery to client computers on-line when requested.

62.   As in claim 9 of the '714 Patent, the Accused Product, on information and belief, includes a processor and memory.

For example, as shown, the OnlyFans platform streams video content from server computers, which include a processor and memory.

63.   As in claim 9 of the '714 Patent, the Accused Product, on information and belief, includes an encoder for compressing a digital object movie into a series of encoded data blocks stored in a database, each block comprising a sequence of encoded frames. For example, the Accused Product implements HLS, which can break encoded MPEG-4 content into smaller segments.

Overview

Conceptually, HTTP Live Streaming consists of three parts: the server component, the distribution component, and the client software.

In a typical configuration, a hardware encoder takes audio-video input, encodes it as HEVC video and AC-3 audio, and outputs a fragmented MPEG-4 file or an MPEG-2 transport stream. A software stream segmenter then breaks the stream into a series of short media files, which are placed on a web server. The segmenter also creates and maintains an index file containing a list of the media files. The URL of the index file is published on the web server. Client software reads the index, then requests the listed media files in order and displays them without any pauses or gaps between segments.

https://developer.apple.com/documentation/http_live_streaming/understanding_the_http_live_streaming_architecture.

Figure 1-1 A basic configuration
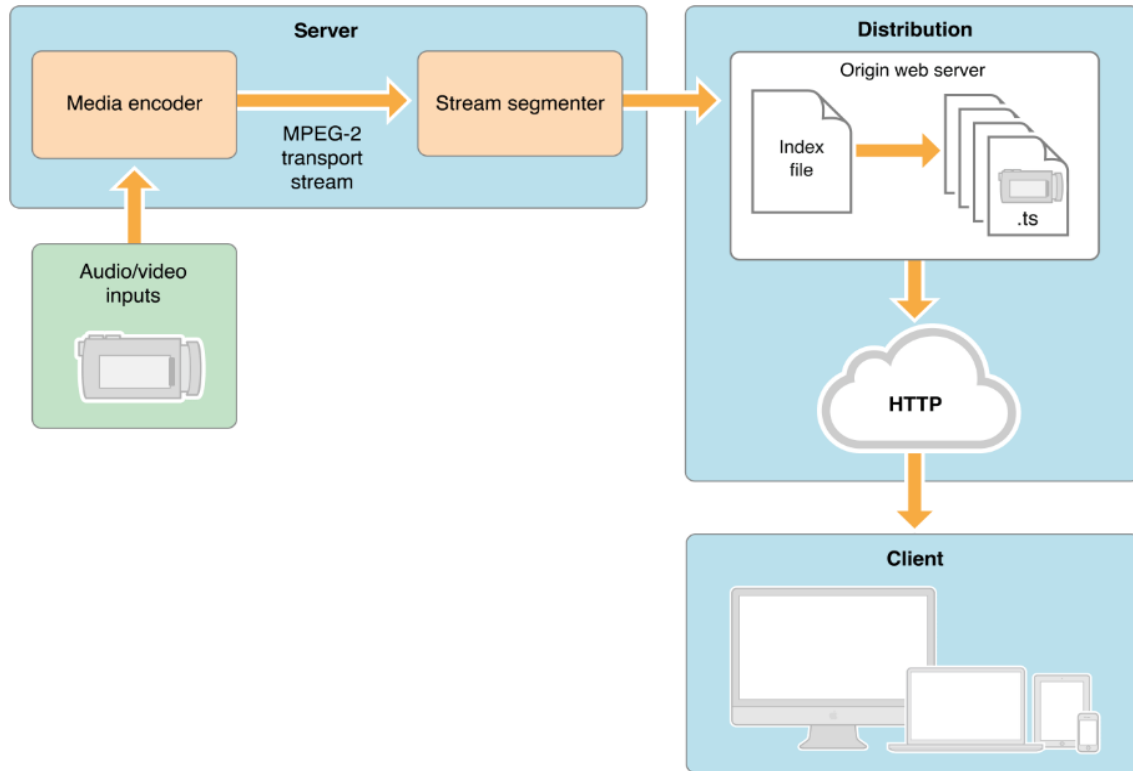
Input can be live or from a prerecorded source. It is typically encoded as MPEG-4 (H.264 video and AAC audio) and packaged in an MPEG-2 Transport Stream by off-the-shelf hardware. The MPEG-2 transport stream is then broken into segments and saved as a series of one or more `.ts` media files. This is typically accomplished using a software tool such as the Apple stream segmenter.

Audio-only streams can be a series of MPEG elementary audio files formatted as AAC with ADTS headers, as MP3, or as AC-3.

The segmenter also creates an index file. The index file contains a list of media files. The index file also contains metadata. The index file is an `.M3U8` playlist. The URL of the index file is accessed by clients, which then request the indexed files in sequence.

Media Segment Files

The media segment files are normally produced by the stream segmenter, based on input from the encoder, and consist of a series of `.ts` files containing segments of an MPEG-2 Transport Stream carrying H.264 video and AAC, MP3, or AC-3 audio. For an audio-only broadcast, the segmenter can produce MPEG elementary audio streams containing either AAC audio with ADTS headers, MP3 audio, or AC-3 audio.

Client Component

The client software begins by fetching the index file, based on a URL identifying the stream. The index file in turn specifies the location of the available media files, decryption keys, and any alternate streams available. For the selected stream, the client downloads each available media file in sequence. Each file contains a consecutive segment of the stream. Once it has a sufficient amount of data downloaded, the client begins presenting the reassembled stream to the user.

The client is responsible for fetching any decryption keys, authenticating or presenting a user interface to allow authentication, and decrypting media files as needed.

This process continues until the client encounters the `#EXT-X-ENDLIST` tag in the index file. If no `#EXT-X-ENDLIST` tag is present, the index file is part of an ongoing broadcast. During ongoing broadcasts, the client loads a new version of the index file periodically. The client looks for new media files and encryption keys in the updated index and adds these URLs to its queue.

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https://developer.apple.com/library/archive/documentation/NetworkingInternet/Conceptual/Strea

mingMediaGuide/HTTPStreamingArchitecture/HTTPStreamingArchitecture.html.   As   shown,

OnlyFans sends a sequence of encoded frames to a client application.
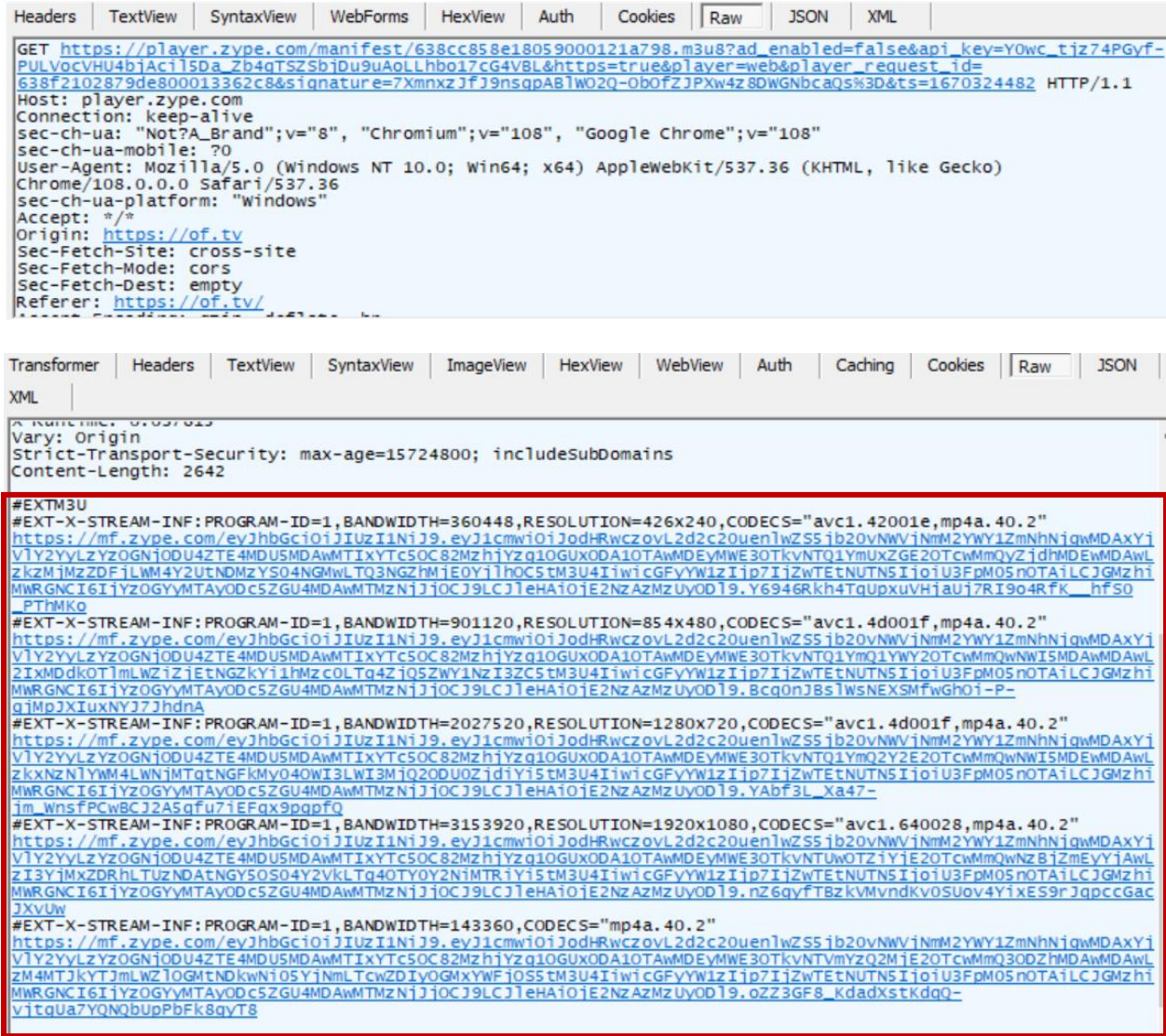
Upon information and belief, the OnlyFans platform uses **HLS** and implements an encoder for

compressing video content into a series of encoded data blocks stored in a database or equivalent

storage system, where each block includes a sequence of encoded frames

64.   As in claim 9 of the '714 Patent, the Accused Product, on information and belief,

includes a storage device that stores the database on a server computer.

Overview

Conceptually, HTTP Live Streaming consists of three parts: the server component, the distribution component, and the client software.

In a typical configuration, a hardware encoder takes audio-video input, encodes it as HEVC video and AC-3 audio, and outputs a fragmented MPEG-4 file or an MPEG-2 transport stream. A software stream segmenter then breaks the stream into a series of short media files, which are placed on a web server. The segmenter also creates and maintains an index file containing a list of the media files. The URL of the index file is published on the web server. Client software reads the index, then requests the listed media files in order and displays them without any pauses or gaps between segments.

https://developer.apple.com/documentation/http_live_streaming/understanding_the_http_live_streaming_architecture. As shown, the use of HLS has a central repository of files that are retrieved for delivery, for example, via HTTP. Upon information and belief, the OnlyFans platform includes a storage device that stores the database or equivalent storage system on a server computer.

65.   As in claim 9 of the '714 Patent, the Accused Product, on information and belief, includes a processing unit for accepting a request by a client computer for on-line delivery of the object movie and for determining one or more data blocks to transmit based on a bandwidth associated with the client computer.

Overview

The Multivariant Playlist describes all of the available variants for your content. Each variant is a version of the stream at a particular bit rate and is contained in a separate playlist. The client switches to the most appropriate variant based on the measured network bit rate. The client's player is tuned to minimize stalling of playback, to give the user the best possible streaming experience.

https://developer.apple.com/documentation/http_live_streaming/example_playlists_for_http_live_streaming/creating_a_multivariant_playlist. Upon information and belief, the OnlyFans platform has an implementation of HLS which includes a server-side architecture that accepts a request by a user's computer for on-line delivery of video content and determines one or more data blocks or segments to transmit based on a bandwidth associated with the user's computer.

66.   As in claim 9 of the '714 Patent, the Accused Product, on information and belief, includes a transmitter for delivering the determined data blocks to the client computer.

Overview

Conceptually, HTTP Live Streaming consists of three parts: the server component, the distribution component, and the client software.

In a typical configuration, a hardware encoder takes audio-video input, encodes it as HEVC video and AC-3 audio, and outputs a fragmented MPEG-4 file or an MPEG-2 transport stream. A software stream segmenter then breaks the stream into a series of short media files, which are placed on a web server. The segmenter also creates and maintains an index file containing a list of the media files. The URL of the index file is published on the web server. Client software reads the index, then requests the listed media files in order and displays them without any pauses or gaps between segments.

https://developer.apple.com/documentation/http_live_streaming/understanding_the_http_live_streaming_architecture. As shown, OnlyFans sends blocks of data to the client application. Upon information and belief, the OnlyFans platform includes a transmitter, *e.g.*, distribution via HTTP, for sending the data blocks to the client computer.

67.   As in claim 9 of the '714 Patent, the Accused Product, on information and belief, includes a decoder for decompressing the data blocks back into object movie data at the client computer.

What is OFTV

OFTV (OnlyFans TV) is a free on-demand video streaming platform and app by OnlyFans. Using OFTV, OnlyFans creators can share videos for their fans to watch from the convenience of their phone, tablets, and smart TVs. OFTV is available globally on most major app stores.

https://of.tv/video/62bf26144e7f9b00016194f0/.

Headers	TextView	SyntaxView	WebForms	HexView	Auth	Cookies	Raw	JSON	XML

```
GET https://player.zype.com/manifest/638cc858e18059000121a798.m3u8?ad_enabled=false&api_key=YOwc_tjz74PGyf-
PULVocVHU4bjAcil5Da_Zb4gTSZSbjDu9uAoLLhbo17cG4VBL&https=true&player=web&player_request_id=
638f2102879de800013362c8&signature=7XmnxzJfJ9nsqpAB1WO2Q-ObOfZJPXw4z8DWGNbcaQs%3D&ts=1670324482 HTTP/1.1
Host: player.zype.com
Connection: keep-alive
sec-ch-ua: "Not?A_Brand";v="8", "Chromium";v="108", "Google Chrome";v="108"
sec-ch-ua-mobile: ?0
User-Agent: Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko)
Chrome/108.0.0.0 Safari/537.36
sec-ch-ua-platform: "Windows"
Accept: */*
Origin: https://of.tv
Sec-Fetch-Site: cross-site
Sec-Fetch-Mode: cors
Sec-Fetch-Dest: empty
Referer: https://of.tv/
```

Upon information and belief, the OnlyFans platform implements a decoder for decompressing the data blocks back into video content at the client computer.

68.   As in claim 9 of the '714 Patent, the Accused Product, on information and belief, includes an accumulator for ordering the data blocks at the client computer to reconstruct the original digital object movie.

Overview

Conceptually, HTTP Live Streaming consists of three parts: the server component, the distribution component, and the client software.

In a typical configuration, a hardware encoder takes audio-video input, encodes it as HEVC video and AC-3 audio, and outputs a fragmented MPEG-4 file or an MPEG-2 transport stream. A software stream segmenter then breaks the stream into a series of short media files, which are placed on a web server. The segmenter also creates and maintains an index file containing a list of the media files. The URL of the index file is published on the web server. Client software reads the index, then requests the listed media files in order and displays them without any pauses or gaps between segments.
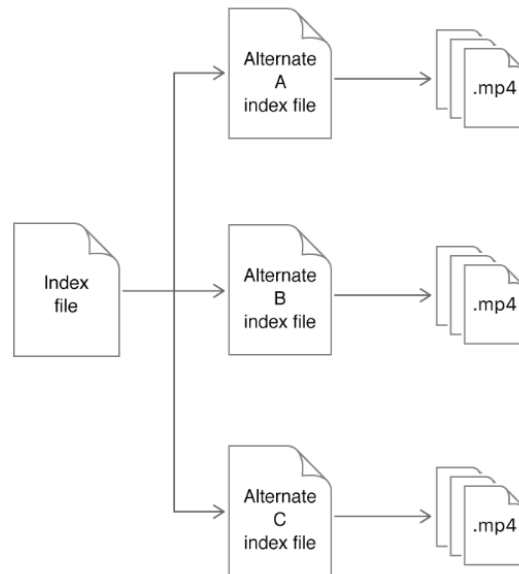

https://developer.apple.com/documentation/http_live_streaming/understanding_the_http_live_streaming_architecture.

Client Component

The client software begins by fetching the index file, based on a URL identifying the stream. The index file in turn specifies the location of the available media files, decryption keys, and any alternate streams available. For the selected stream, the client downloads each available media file in sequence. Each file contains a consecutive segment of the stream. Once it has a sufficient amount of data downloaded, the client begins presenting the reassembled stream to the user.

The client is responsible for fetching any decryption keys, authenticating or presenting a user interface to allow authentication, and decrypting media files as needed.

This process continues until the client encounters the `#EXT-X-ENDLIST` tag in the index file. If no `#EXT-X-ENDLIST` tag is present, the index file is part of an ongoing broadcast. During ongoing broadcasts, the client loads a new version of the index file periodically. The client looks for new media files and encryption keys in the updated index and adds these URLs to its queue.

https://developer.apple.com/library/archive/documentation/NetworkingInternet/Conceptual/StreamingMediaGuide/HTTPStreamingArchitecture/HTTPStreamingArchitecture.html. As shown, OnlyFans sends data blocks of video data to the computer to be reconstructed into the selected video content. Upon information and belief, the OnlyFans platform includes an accumulator for ordering the data blocks at the client computer to reconstruct the original video content.

69.   As in claim 9 of the '714 Patent, the Accused Product includes a player on the client computer for playing the reconstructed digital object movie.

https://of.tv/video/638cc858e18059000121a798/.   Upon information and belief, the OnlyFans
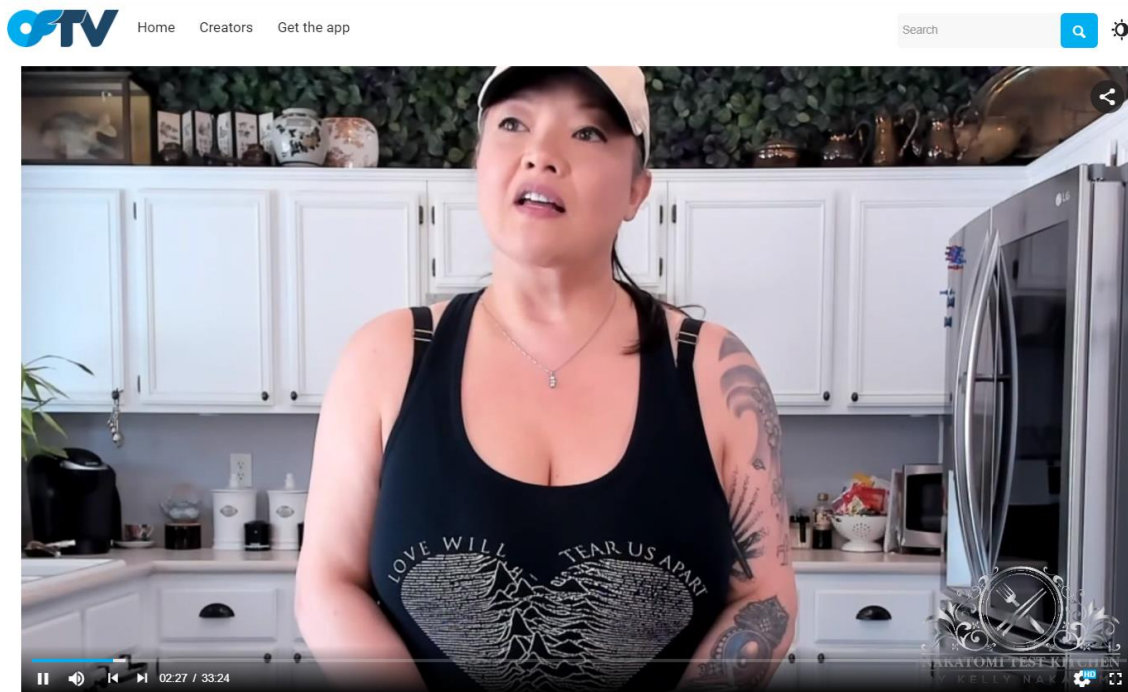
platform includes a video playback implementation on the client computer for playing the

reconstructed video content.

70.   Defendant makes, uses, sells, and/or offers to sell the Accused Product which

practices at least claim 9 of the '714 Patent.

71.   In violation of 35 U.S.C. § 271, Defendant has been directly infringing the '714

Patent, including through its own use, testing, and sale of the Accused Products.

72.   Defendant has had knowledge of infringement of the '714 Patent at least as of the

service of the present Complaint.

73.   Defendant has directly infringed at least one claim of the '714 Patent by making,

using, offering for sale, and selling the Accused Product without authority in the United States.

As a direct and proximate result of Defendant's direct infringement of the '714 Patent, DMS has

been damaged.

74.   By engaging in the conduct described herein, Defendant has injured DMS and is

thus liable for infringement of the '714 Patent, pursuant to 35 U.S.C. § 271.

75.   Defendant has committed these acts of infringement without license or

authorization.

76.   As a result of Defendant's infringement of the '714 Patent, Plaintiff has suffered

monetary damages and is entitled to a monetary judgment in an amount adequate to compensate

for Defendant's past infringement, together with interests and costs.

77.   Plaintiff reserves the right to modify its infringement theories as discovery

progresses in this case; it shall not be estopped for infringement contention or claim construction

purposes by the claim chart that it provides with this Complaint.

COUNT III: INFRINGEMENT OF U.S. PATENT NO. 8,122,004

78.   Plaintiff incorporates by reference and re-alleges the foregoing paragraphs of this

Complaint as if fully set forth herein.

79.   Defendant has directly infringed at least claim 1 of the '004 Patent in violation of

35 U.S.C. § 271 *et seq.*, by making, using, offering for sale, or selling in the United States, and/or

importing into the United States without authority or license the Accused Product. Further, upon

information and belief, Defendant directly infringes at least claim 1 of the '004 Patent through

hardware and software systems, such as content delivery systems, that it owns, controls, or

licenses.

80.   The Accused Product meets all the limitations of at least claim 1 of the '004 Patent.

For example, claim 1 of the '004 Patent recites:

> A computer-implemented method implemented by at least one device of a content delivery system, the method comprising:
>
> processing requests for media content from network devices to determine whether the network devices are supported by the content delivery system; and for at least one network device that is supported:
>
> configuring a content package for media content that is requested by the network device to include code specific to a browser of the network device identified based upon one or more attributes of the network device;
>
> causing communication of the content package to the network device; and
>
> wherein the one or more attributes include one or more of basic operating characteristics of the at least one network device, a language attribute, a bandwidth attribute, a firewall attribute, or a permissions attribute.

81.   As in claim 1 of the '004 Patent, the Accused Product provides a content (*e.g.*, video

content) delivery system.

What is OFTV

OFTV (OnlyFans TV) is a free on-demand video streaming platform and app by OnlyFans. Using OFTV, OnlyFans creators can share videos for their fans to watch from the convenience of their phone, tablets, and smart TVs. OFTV is available globally on most major app stores.

https://of.tv/video/62bf26144e7f9b00016194f0/

82.   As in claim 1 of the '004 Patent, the Accused Product processes requests for media content from network devices (*e.g.*, computers) to determine whether the network devices are supported by the content delivery system (*e.g.*, OnlyFans). For example, the Accused Product provides functionality to allow the streaming of media content to the browser of certain computer operating systems.

Video and Livestream Troubleshooting
In order to use Live Streams:

- OnlyFans requires you to have at least 5 recent posts, 5 active subscribers and activity on your Feed.
- Give browser permissions to use your camera and microphone.
- Browser recommendations:
  - On iOS - Safari
  - On Android - Google Chrome
  - On Desktop - All major browsers
    - Free accounts are able to set a price to live streams

https://onlyfans.com/help/3/24/98. As shown, upon information and belief, the OnlyFans platform provides functionality to allow the streaming of video content to the browser of certain computer operating systems, *e.g.*, iOS and Android.

83.   As in claim 1 of the '004 Patent, the Accused Product configures a content package for media content (*e.g.*, video content) that is requested by the network device (*e.g.*, a computer) to include code specific to a browser of the network device identified based upon one or more

29

attributes of the network device. For example, the Accused Product provides the media content to

the browser based on certain specific attributes, such as language and browser type.

For example, as shown, the OnlyFans platform takes into account the browser type, operating

system, and language in providing content to a user. Upon information and belief, the OnlyFans

platform configures video content that is requested by the user to include code specific to a browser

of the user computer identified based upon one or more attributes of the user computer.

      84.   As in claim 1 of the '004 Patent, the Accused Product causes communication of the

content package (*e.g.*, video content) to the network device (*e.g.*, a computer). For example,

OnlyFans streams video content to the browser of a computer.

Japanese Beef Stew

https://of.tv/video/638cc858e18059000121a798/. For example, as show, OnlyFans streams video

content to a browser.

85.   As in claim 1 of the '004 Patent, in the Accused Product, the one or more attributes

include one or more of basic operating characteristics of the at least one network device, a language

attribute, a bandwidth attribute, a firewall attribute, or a permissions attribute.

For example, the OnlyFans platform takes into account operating system, language, and bandwidth in providing video content to a user. Upon information and belief, the OnlyFans platform sends video content based on the one or more attributes including at least operating system, language, and bandwidth.

86.   Defendant makes, uses, sells, and/or offers to sell the Accused Products which practices at least claim 1 of the '004 Patent.

87.   In violation of 35 U.S.C. § 271, Defendant has been directly infringing the '004 Patent, including through its own use, testing, and sell of the Accused Products.

88.   Defendant has had knowledge of infringement of the '004 Patent at least as of the service of the present Complaint.

89.   Defendant has directly infringed at least one claim of the '004 Patent by making, using, offering for sale, and selling the Accused Product without authority in the United States. As a direct and proximate result of Defendant's direct infringement of the '004 Patent, DMS has been damaged.

90.   By engaging in the conduct described herein, Defendant has injured DMS and is thus liable for infringement of the '004 Patent, pursuant to 35 U.S.C. § 271.

91.   Defendant has committed these acts of infringement without license or authorization.

92.   As a result of Defendant's infringement of the '004 Patent, Plaintiff has suffered monetary damages and is entitled to a monetary judgment in an amount adequate to compensate for Defendant's past infringement, together with interests and costs.

93.   Plaintiff reserves the right to modify its infringement theories as discovery progresses in this case; it shall not be estopped for infringement contention or claim construction purposes by the claim chart that it provides with this Complaint.

COUNT IV: INFRINGEMENT OF U.S. PATENT NO. 8,046,672

94.   Plaintiff incorporates by reference and re-alleges the foregoing paragraphs of this Complaint as if fully set forth herein.

95.   Defendant has directly infringed at least claim 1 of the '672 Patent in violation of 35 U.S.C. § 271 *et seq.*, by making, using, offering for sale, or selling in the United States, and/or

importing into the United States without authority or license the Accused Product. Further, upon

information and belief, Defendant directly infringes at least claim 1 of the '672 Patent through

hardware and software systems, such as content delivery systems, that it owns, controls, or

licenses.

96.   Defendant has directly infringed at least claim 1 of the '672 Patent by performing

all the limitation of that claim. For example, claim 1 of the '672 Patent recites:

> A method comprising:
>
> receiving an indication over a network, in response to a request for access to a rich media presentation by an internet browser on a network device, that the internet browser on the network device has requested access to the rich media presentation;
>
> in response to the receiving an indication, detecting one or more attributes of one or both of rich media capabilities associated with the internet browser or rich media capabilities associated with the network device; and
>
> selecting a rich media presentation to be sent to the internet browser from among a plurality of rich media presentations based on the one or more attributes that are detected, wherein a selected rich media presentation includes a media package selected based on the one or more attributes that are detected and a virtual player configured to play the media package on the network device.

97.   As in claim 1 of the '672 Patent, the Accused Product receives an indication over a

network, in response to a request for access to a rich media presentation (*e.g*., a video) by an

internet browser on a network device (*e.g.*, a computer), that the internet browser on the network

device has requested access to the rich media presentation.
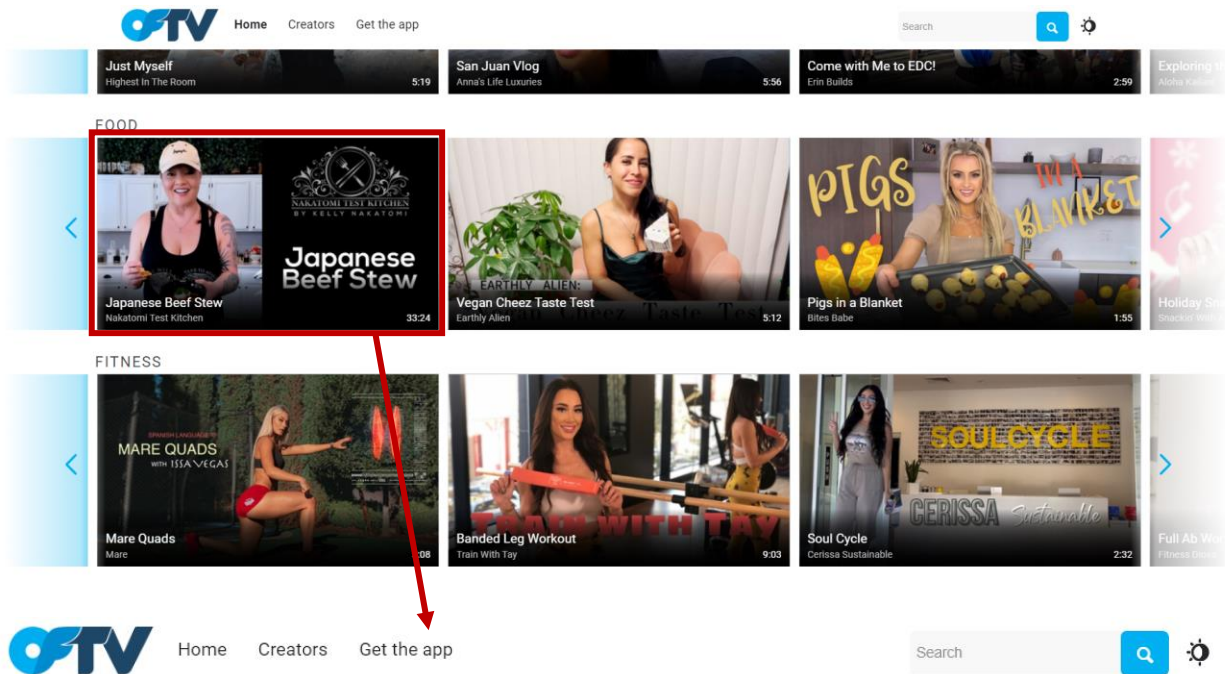
https://of.tv/. For example, as shown, the OnlyFans platform allows its users to use an internet browser to select and stream video content. Upon information and belief, the OnlyFans platform receives a request for access to video content from an internet browser on a user's computer.

98.   As in claim 1 of the '672 Patent, in response to the receiving an indication, the Accused Product, on information and belief, detects one or more attributes of one or both of rich media capabilities associated with the internet browser or rich media capabilities associated with the network device. For example, the Accused Product detects attributes of the computer, *e.g.*, operating system, browser type, language, and bandwidth.

```
Transformer | Headers | TextView | SyntaxView | ImageView | HexView | WebView | Auth | Caching | Cookies | Raw | JSON
XML

X Runtime: 0.037613
Vary: Origin
Strict-Transport-Security: max-age=15724800; includeSubDomains
Content-Length: 2642

#EXTM3U
#EXT-X-STREAM-INF:PROGRAM-ID=1,BANDWIDTH=360448,RESOLUTION=426x240,CODECS="avc1.42001e,mp4a.40.2"
https://mf.zype.com/eyJhbGciOiJIUzI1NiJ9.eyJ1cmwiOiJodHRwczovL2d2c20uenlwZS5jb20vNWVjNmM2YWY1ZmNhNjgwMDAxYj
VlY2YyLzYzOGNjODU4ZTE4MDU5MDAwMTIxYTc5OC82MzhjYzg1OGUxODA1OTAwMDEyMWE3OTkvNTQ1YmUxZGE2OTcwMmQyZjdhMDEwMDAwL
zkzMjMzZDFjLWM4Y2UtNDMzYS04NGMwLTQ3NGZhMjE0YjlhOC5tM3U4IiwicGFyYW1zIjp7IiZwTEtNUTN5IjoiU3FpMO5nOTAiLCJGMzhi
MWRGNCI6IjYzOGYyMTAyODc5ZGU4MDAwMTMzNjJjOCJ9LCJleHAiOjE2NzAzMzUyOD19.Y6946Rkh4TqUpxuVHjaUj7RI9o4RfK__hfSO
_PThMKo
#EXT-X-STREAM-INF:PROGRAM-ID=1,BANDWIDTH=901120,RESOLUTION=854x480,CODECS="avc1.4d001f,mp4a.40.2"
https://mf.zype.com/eyJhbGciOiJIUzI1NiJ9.eyJ1cmwiOiJodHRwczovL2d2c20uenlwZS5jb20vNWVjNmM2YWY1ZmNhNjgwMDAxYj
VlY2YyLzYzOGNjODU4ZTE4MDU5MDAwMTIxYTc5OC82MzhjYzg1OGUxODA1OTAwMDEyMWE3OTkvNTQ1YmQ1YWY2OTcwMmQwNWI5MDAwMDAwL
2IxMDdkOT1mLWZiZjEtNGZkYi1hMzcOLTq4ZjQ5ZWY1NzI3ZC5tM3U4IiwicGFyYW1zIjp7IiZwTEtNUTN5IjoiU3FpMO5nOTAiLCJGMzhi
MWRGNCI6IjYzOGYyMTAyODc5ZGU4MDAwMTMzNjJjOCJ9LCJleHAiOjE2NzAzMzUyOD19.BcqOnJBslWsNEXSMfwGhOi-P-
qjMpJXIuxNYJ7JhdnA
#EXT-X-STREAM-INF:PROGRAM-ID=1,BANDWIDTH=2027520,RESOLUTION=1280x720,CODECS="avc1.4d001f,mp4a.40.2"
https://mf.zype.com/eyJhbGciOiJIUzI1NiJ9.eyJ1cmwiOiJodHRwczovL2d2c20uenlwZS5jb20vNWVjNmM2YWY1ZmNhNjgwMDAxYj
VlY2YyLzYzOGNjODU4ZTE4MDU5MDAwMTIxYTc5OC82MzhjYzg1OGUxODA1OTAwMDEyMWE3OTkvNTUwOTZiYjE2OTcwMmQwNz8jZmEyYjAwL
zkxNzN1YWM4LWNjMTQtNGFkMyO4OWI3LWI3MjQ2ODU0ZjdiYi5tM3U4IiwicGFyYW1zIjp7IiZwTEtNUTN5IjoiU3FpMO5nOTAiLCJGMzhi
MWRGNCI6IjYzOGYyMTAyODc5ZGU4MDAwMTMzNjJjOCJ9LCJleHAiOjE2NzAzMzUyOD19.YAbf3L_Xa47-
jm_WnsfPCwBCJ2A5gfu7iEFqx9pqpfQ
#EXT-X-STREAM-INF:PROGRAM-ID=1,BANDWIDTH=3153920,RESOLUTION=1920x1080,CODECS="avc1.640028,mp4a.40.2"
https://mf.zype.com/eyJhbGciOiJIUzI1NiJ9.eyJ1cmwiOiJodHRwczovL2d2c20uenlwZS5jb20vNWVjNmM2YWY1ZmNhNjgwMDAxYj
VlY2YyLzYzOGNjODU4ZTE4MDU5MDAwMTIxYTc5OC82MzhjYzg1OGUxODA1OTAwMDEyMWE3OTkvTUwOTZiYjE2OTcwMmQwNz8jZmEyYjAwL
zI3YjMxZDRhLTUzNDAtNGY5OS04Y2VkLTq4OTY0Y2NiMTRiYi5tM3U4IiwicGFyYW1zIjp7IiZwTEtNUTN5IjoiU3FpMO5nOTAiLCJGMzhi
MWRGNCI6IjYzOGYyMTAyODc5ZGU4MDAwMTMzNjJjOCJ9LCJleHAiOjE2NzAzMzUyOD19.nZ6gyfTBzkVMvndKvOSUov4YixES9rJqpccGac
JXvUw
#EXT-X-STREAM-INF:PROGRAM-ID=1,BANDWIDTH=143360,CODECS="mp4a.40.2"
https://mf.zype.com/eyJhbGciOiJIUzI1NiJ9.eyJ1cmwiOiJodHRwczovL2d2c20uenlwZS5jb20vNWVjNmM2YWY1ZmNhNjgwMDAxYj
VlY2YyLzYzOGNjODU4ZTE4MDU5MDAwMTIxYTc5OC82MzhjYzg1OGUxODA1OTAwMDEyMWE3OTkvNTVmYzQ2MjE2OTcwMmQ3ODZhMDAwMDAwL
zM4MTJkYTJmLWZ1OGMtNDkwNi05YjNmLTcwZDIyOGMxYWFjOS5tM3U4IiwicGFyYW1zIjp7IiZwTEtNUTN5IjoiU3FpMO5nOTAiLCJGMzhi
MWRGNCI6IjYzOGYyMTAyODc5ZGU4MDAwMTMzNjJjOCJ9LCJleHAiOjE2NzAzMzUyOD19.oZZ3GF8_KdadXstKdqQ-
vjtqUa7YQNQbUpPbFk8qyT8
```

For example, the OnlyFans platform takes into account operating system, browser type, language, and bandwidth in providing video content to a user. Upon information and belief, the OnlyFans platform, in response to the receiving a request for video content, detects one or more attributes of video capabilities associated with the internet browser or the user's computer, such as operating system, browser type, language, and bandwidth.

99.   As in claim 1 of the '672 Patent, the Accused Product, on information and belief, selects a rich media presentation to be sent to the internet browser from among a plurality of rich media presentations based on the one or more attributes that are detected, wherein a selected rich media presentation includes a media package selected based on the one or more attributes that are detected and a virtual player configured to play the media package on the network device. For example, the Accused Product sends video to the browser that is selected based on detected attributes.

| Headers | TextView | SyntaxView | WebForms | HexView | Auth | Cookies | Raw | JSON | XML |

```
GET https://of.tv/video/638cc858e18059000121a798/ HTTP/1.1
Host: of.tv
Connection: keep-alive
Upgrade-Insecure-Requests: 1
User-Agent: Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko)
Chrome/108.0.0.0 Safari/537.36
Accept: text/html,application/xhtml+xml,application/xml;q=0.9,image/avif,image/webp,image/apng,*/*;q=
0.8,application/signed-exchange;v=b3;q=0.9
Sec-Fetch-Site: same-origin
Sec-Fetch-Mode: navigate
Sec-Fetch-Dest: document
sec-ch-ua: "Not?A_Brand";v="8", "Chromium";v="108", "Google Chrome";v="108"
sec-ch-ua-mobile: ?0
sec-ch-ua-platform: "Windows"
Referer: https://of.tv/
Accept-Encoding: gzip, deflate, br
Accept-Language: en-US,en;q=0.9,zh-TW;q=0.8,zh;q=0.7
Cookie: HTML_BitRateBucketCsv=; HTML_VisitValueCookie=NaN; PHPSESSID=783e388bb561e651ea447dbd32c5faa0
```

| Headers | TextView | SyntaxView | WebForms | HexView | Auth | Cookies | Raw | JSON | XML |

```
GET https://player.zype.com/manifest/638cc858e18059000121a798.m3u8?ad_enabled=false&api_key=Y0wc_tjz74PGyf-
PULVocVHU4bjAcil5Da_Zb4gTSZSbjDu9uAoLLhbo17cG4VBL&https=true&player=web&player_request_id=
638f2102879de800013362c8&signature=7XmnxzJfJ9nsqpABlW02Q-Ob0fZJPXw4z8DWGNbcaQs%3D&ts=1670324482 HTTP/1.1
Host: player.zype.com
Connection: keep-alive
sec-ch-ua: "Not?A_Brand";v="8", "Chromium";v="108", "Google Chrome";v="108"
sec-ch-ua-mobile: ?0
User-Agent: Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko)
Chrome/108.0.0.0 Safari/537.36
sec-ch-ua-platform: "Windows"
Accept: */*
Origin: https://of.tv
Sec-Fetch-Site: cross-site
Sec-Fetch-Mode: cors
Sec-Fetch-Dest: empty
Referer: https://of.tv/
```

| Transformer | Headers | TextView | SyntaxView | ImageView | HexView | WebView | Auth | Caching | Cookies | Raw | JSON |
| XML |

```
X Runtime: 0.037813
Vary: Origin
Strict-Transport-Security: max-age=15724800; includeSubDomains
Content-Length: 2642
```

```
#EXTM3U
#EXT-X-STREAM-INF:PROGRAM-ID=1,BANDWIDTH=360448,RESOLUTION=426x240,CODECS="avc1.42001e,mp4a.40.2"
https://mf.zype.com/eyJhbGciOiJIUzI1NiJ9.eyJ1cmwiOiJodHRwczovL2d2c20uenlwZS5jb20vNWVjNmM2YWY1ZmNhNjgwMDAxYj
VlY2YyLzYzOGNjODU4ZTE4MDU5MDAwMTIxYTc5OC82MzhjYzg1OGUxODA1OTAwMDEyMWE3OTkvNTQ1YmUxZGE2OTcwMmQyZjdhMDEwMDAwL
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#EXT-X-STREAM-INF:PROGRAM-ID=1,BANDWIDTH=901120,RESOLUTION=854x480,CODECS="avc1.4d001f,mp4a.40.2"
https://mf.zype.com/eyJhbGciOiJIUzI1NiJ9.eyJ1cmwiOiJodHRwczovL2d2c20uenlwZS5jb20vNWVjNmM2YWY1ZmNhNjgwMDAxYj
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2IxMDdkOTlmLWZiZjEtNGZkYi1hMzc0LTg4ZjQ5ZWY1NzI3ZC5tM3U4IiwicGFyYW1zIjp7IjZwTEtNUTN5IjoiU3FpM05nOTAiLCJGMzhi
MWRGNCI6IjYzOGYyMTAyODc5ZGU4MDAwMTMzNjJjOCJ9LCJleHAiOjE2NzAzMzUyOD19.8cqOnJBslWsNEXSMfwGhOi-P-
gjMpJXIuxNYJ7JhdnA
#EXT-X-STREAM-INF:PROGRAM-ID=1,BANDWIDTH=2027520,RESOLUTION=1280x720,CODECS="avc1.4d001f,mp4a.40.2"
https://mf.zype.com/eyJhbGciOiJIUzI1NiJ9.eyJ1cmwiOiJodHRwczovL2d2c20uenlwZS5jb20vNWVjNmM2YWY1ZmNhNjgwMDAxYj
VlY2YyLzYzOGNjODU4ZTE4MDU5MDAwMTIxYTc5OC82MzhjYzg1OGUxODA1OTAwMDEyMWE3OTkvNTQ1YmQ2Y2E2OTcwMmQwNWI5MDEwMDAwL
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jm_WnsfPCwBCJ2A5qfu7iEFqx9pqpfQ
#EXT-X-STREAM-INF:PROGRAM-ID=1,BANDWIDTH=3153920,RESOLUTION=1920x1080,CODECS="avc1.640028,mp4a.40.2"
https://mf.zype.com/eyJhbGciOiJIUzI1NiJ9.eyJ1cmwiOiJodHRwczovL2d2c20uenlwZS5jb20vNWVjNmM2YWY1ZmNhNjgwMDAxYj
VlY2YyLzYzOGNjODU4ZTE4MDU5MDAwMTIxYTc5OC82MzhjYzg1OGUxODA1OTAwMDEyMWE3OTkvNTUwOTZiYjE2OTcwMmQwNzBjZmEyYjAwL
zI3YjMxZDRhLTUzNDAtNGY5OS04Y2VkLTg4OTY0Y2NiMTRiYi5tM3U4IiwicGFyYW1zIjp7IjZwTEtNUTN5IjoiU3FpM05nOTAiLCJGMzhi
MWRGNCI6IjYzOGYyMTAyODc5ZGU4MDAwMTMzNjJjOCJ9LCJleHAiOjE2NzAzMzUyOD19.nZ6gyfTBzkVMvndKv0SUov4YixES9rJqpccGac
JXvUw
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For example, the OnlyFans platform takes into account operating system, browser type, language, and bandwidth in providing video content to a user. Upon information and belief, the OnlyFans platform selects video content to be sent to the internet browser based on the one or more attributes, such as language, browser, bandwidth, or operating system, that are detected and provides video content that is capable of being rendered in the OnlyFans application being run on the browser.

100.   Defendant makes, uses, sells, and/or offers to sell the Accused Products which practices at least claim 1 of the '672 Patent.

101.   In violation of 35 U.S.C. § 271, Defendant has been directly infringing the '672 Patent, including through its own use, testing, and sell of the Accused Products.

102.   Defendant has had knowledge of infringement of the '672 Patent at least as of the service of the present Complaint.

103.   Defendant has directly infringed and continues to infringe at least one claim of the '672 Patent by making, using, offering for sale, and selling the Accused Product without authority in the United States. As a direct and proximate result of Defendant's direct infringement of the '672 Patent, DMS has been damaged.

104.   By engaging in the conduct described herein, Defendant has injured DMS and is thus liable for infringement of the '672 Patent, pursuant to 35 U.S.C. § 271.

105.   Defendant has committed these acts of infringement without license or authorization.

106.   As a result of Defendant's infringement of the '672 Patent, Plaintiff has suffered monetary damages and is entitled to a monetary judgment in an amount adequate to compensate for Defendant's past infringement, together with interests and costs.

107.   Plaintiff reserves the right to modify its infringement theories as discovery progresses in this case; it shall not be estopped for infringement contention or claim construction purposes by the claim chart that it provides with this Complaint.

DEMAND FOR JURY TRIAL

108.   DMS demands a trial by jury of any and all causes of action.

PRAYER FOR RELIEF

WHEREFORE, DMS respectfully requests:

a.   That Judgment be entered that Defendant has infringed one or more claims of the '811 Patent;

b.   That Judgment be entered that Defendant has infringed one or more claims of the '714 Patent;

c.   That Judgment be entered that Defendant has infringed one or more claims of the '672 Patent;

d.   That Judgment be entered that Defendant has infringed one or more claims of the '004 Patent;

e.   An award of damages pursuant to 35 U.S.C. §284, sufficient to compensate Plaintiff for the Defendant's past infringement and any continuing or future infringement;

f.   An assessment of pre-judgment and post-judgment interest and costs against Defendant, together with an award of such interest and costs, in accordance with 35 U.S.C. §284;

g.   That Defendant be directed to pay enhanced damages, including Plaintiff's attorneys' fees incurred in connection with this lawsuit pursuant to 35 U.S.C. §285; and

h.   That Plaintiff be granted such other and further relief as this Court may deem just and proper.

Dated: February 9, 2023   Respectfully submitted,

                                            /s/ Stafford Davis w/permission Mark S. Raskin
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