

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

VIRTUAL CREATIVE ARTISTS, LLC,

Plaintiff,

v.

NEXTDOOR, INC.,

Defendant.

C.A. No. 1:23-cv-0XXXX

JURY TRIAL DEMANDED

PATENT CASE

ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Virtual Creative Artists, LLC files this Original Complaint for Patent Infringement against Nextdoor, Inc. and would respectfully show the Court as follows:

I. THE PARTIES

1. Plaintiff Virtual Creative Artists, LLC (“VCA” or “Plaintiff”) is a Delaware limited liability company, having business address at 338 Gracious Way, Henderson, NV 89011.

2. On information and belief, Defendant Nextdoor, Inc. (“Nextdoor” or “Defendant”) is a corporation organized and existing under the laws of Delaware. Defendant has a registered agent at Paracorp Incorporated 2140 S Dupont Hwy, Camden, DE 19934

II. JURISDICTION AND VENUE

3. This action arises under the patent laws of the United States, Title 35 of the United States Code. This Court has subject matter jurisdiction of such action under 28 U.S.C. §§ 1331 and 1338(a).

4. On information and belief, Defendant is subject to this Court’s specific and general personal jurisdiction, pursuant to due process and the Delaware Long-Arm Statute, due at least to its business in this forum, including at least a portion of the infringements alleged herein in.

Furthermore, Defendant is subject to this Court's specific and general personal jurisdiction because Defendant is a Delaware corporation.

5. Without limitation, on information and belief, within this state, Defendant has used the patented inventions thereby committing, and continuing to commit, acts of patent infringement alleged herein. In addition, on information and belief, Defendant has derived revenues from its infringing acts occurring within Delaware. Further, on information and belief, Defendant is subject to the Court's general jurisdiction, including from regularly doing or soliciting business, engaging in other persistent courses of conduct, and deriving substantial revenue from goods and services provided to persons or entities in Delaware. Further, on information and belief, Defendant is subject to the Court's personal jurisdiction at least due to its sale of products and/or services within Delaware. Defendant has committed such purposeful acts and/or transactions in Delaware such that it reasonably should know and expect that it could be haled into this Court as a consequence of such activity.

6. Venue is proper in this district under 28 U.S.C. § 1400(b). On information and belief, Defendant is a corporation organized in Delaware and therefore resides only in Delaware. On information and belief, from and within this District Defendant has committed at least a portion of the infringements at issue in this case.

7. For these reasons, personal jurisdiction exists and venue is proper in this District under 28 U.S.C. § 1400(b).

III. COUNT I
(PATENT INFRINGEMENT OF UNITED STATES PATENT NO. 9,501,480)

8. Plaintiff incorporates the above paragraphs herein by reference.

9. On November 22, 2016, United States Patent No. 9,501,480 ("the '480 Patent") was duly and legally issued by the United States Patent and Trademark Office. The '480 Patent is

titled “Revenue-Generating Electronic Multi-Media Exchange and Process of Operating Same.” A true and correct copy of the ‘480 Patent is attached hereto as Exhibit A and incorporated herein by reference.

10. VCA is the assignee of all right, title, and interest in the ‘480 Patent, including all rights to enforce and prosecute actions for infringement and to collect damages for all relevant times against infringers of the ‘480 Patent. Accordingly, VCA possesses the exclusive right and standing to prosecute the present action for infringement of the ‘480 Patent by Defendant.

11. The invention relates to the field of creating and distributing media content, in particular, creating media content based upon submissions received on an electronic media exchange. At the time of the original invention in 1998, there was an Internet-centric problem that required a technical solution—how to develop a computer system that would allow remote contributors of electronic content to share and collaborate their content to develop new media content. The claimed invention, which predates modern crowdsourcing solutions, offers a unique, unconventional, and specially configured combination of “subsystems” in which to address the Internet-centric problem.

12. As set forth in the claims, the claimed invention has a collection of unconventional and particularly configured subsystems, including:

- “an electronic media submissions server subsystem,”
- “an electronic multimedia creator server subsystem,”
- “an electronic release subsystem,”
- “an electronic voting subsystem,” and
- their corresponding specialized databases.

13. Each of these subsystems are configured in a very specific (and not generic), unconventional and non-routine manner to offer the novel and non-obvious claimed invention.

For example, claim 1 requires an “electronic media submissions database,” which is a subsystem that receives media submissions from Internet users. This is not a generic database but rather a scalable database that must be able to receive, store, and manage multiple petabytes of multimedia data received from users all over the world. This is one of the many specialized databases required in the claim. In fact, the specification discloses the use of a sophisticated database management system known in the art at the time that was capable of handling data at this level, Oracle7. This type of database management system cannot operate on a generic computing system but rather requires specialized hardware and software.

14. As another example, the claim requires a specifically configured “electronic media submission server subsystem.” This subsystem is defined as specifically having:

- “one or more data processing apparatus,”
- “an electronic media submission database stored on a non-transitory medium,” and
- “a submissions electronic interface.”

The “submissions electronic interface” is further specifically “configured” [1] “to receive electronic media submissions from a plurality of submitters over a public network, and [2] store the electronic media submissions in the electronic media submission database.” Further, “the electronic media submissions database” in this subsystem is further required to “store[] [1] data identifying the submitter and [2] data indicating content for each electronic media submission.” Collectively, the level of detail included in this very particular, well-defined, and unconventional subsystem makes clear that the claims include substantially more than the alleged abstract idea or merely performing an alleged abstract idea on a computer.

15. Similarly, the claim also requires a separate specifically configured “an electronic multimedia creator server subsystem.” The claim specifically defines how this second subsystem

interacts with other components including being “operatively coupled to the electronic media submissions server subsystem.” The claim also specifically defines this subsystem as “having”:

- “one or more data processing apparatus” and
- “an electronic creator multimedia database stored on a non-transitory medium.”

16. This subsystem is also specifically “configured [1] to select and [2] retrieve a plurality of electronic media submissions from the electronic media submissions database using an electronic content filter located on the electronic multimedia creator server.” The “filter” also includes a very specific algorithm of “being based at least in part on at least one of the one or more user attributes to develop multimedia content to be electronically available for viewing on user devices.” Even more detail is provided by requiring “the identification of the submitter [be] maintained with each selected and retrieved submission within the multimedia content.” Here again, collectively, the level of detail included in this very particular and well-defined and unconventional subsystem makes clear that the claims include substantially more than an alleged abstract idea or merely performing an alleged abstract idea on a computer.

17. The claim also includes “an electronic release subsystem,” which is well defined and not conventional or routine. The claim defines how this subsystem is “operatively coupled to the electronic multimedia creator server subsystem.” The claim also defines the components of this subsystem as having “one or more data processing apparatus” and being particularly “configured to make the multimedia content electronically available for viewing on one of more user devices.” These details, collectively, also make this very particular and well-defined and unconventional subsystem substantially more than an abstract idea or performing an abstract idea on a computer.

18. The claim also requires “an electronic voting subsystem,” which is well-defined, specific, and unconventional. This claimed subsystem has “one or more data processing apparatus” and is specifically “configured to enable a user to electronic vote for or electronically rate an electronically available multimedia content or an electronic media submission within a respective electronically available multimedia content.”

19. Claim 1 is a specific and discrete implementation. For example, the claim requires an “electronic content filter” located at the server, remote from end users, and customizable based on user attributes. As another example, the “electronic voting subsystem” at the time of the invention was novel and inventive and added sufficient inventive contributions to avoid a risk of preempting creating and distributing media content. It is possible to create and distribute media content without ever having to include a “voting” subsystem on what components should be included in such media content. The detailed configuration “to enable a user to vote for or electronically rate an electronically available multimedia content or an electronic media submission within a respective electronically available multimedia content” has the level of particularity that avoids any risk of preemption.

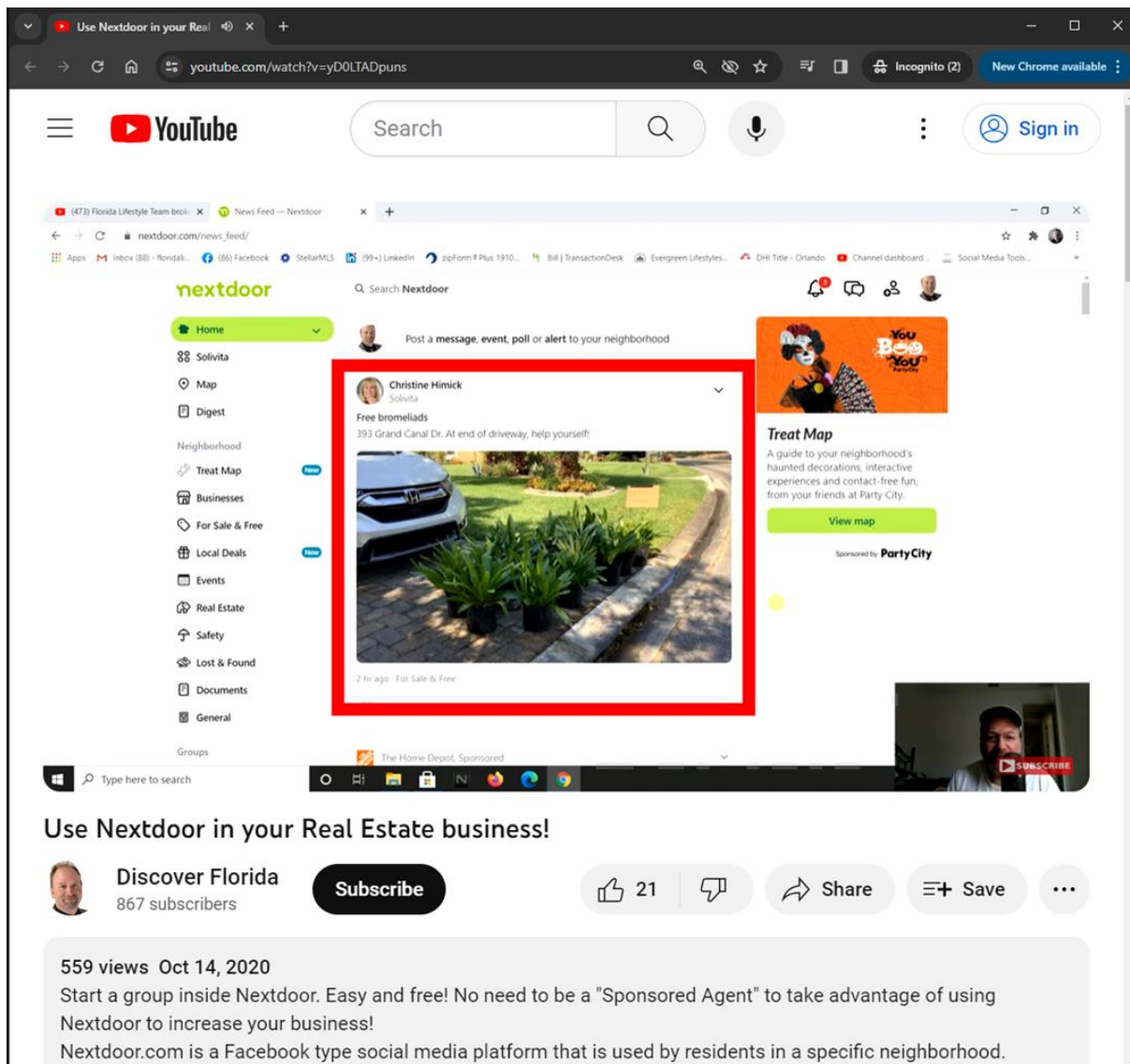
20. Furthermore, the very particular and specifically configured “electronic media creator subsystem” not only provides a detailed and unique physical structure and interrelationship with other claimed components, but also includes a very specific configuration that is not conventional or routine. The claims make clear the interrelationship of the “electronic multimedia creator server subsystem” with respect to “the electronic media submission server subsystem” which must be “operatively coupled” thereto. The claims also provide detail on how the “electronic media creator subsystem” is “configured” “to select and retrieve a plurality of electronic media submissions from the electronic media submission database using an electronic

filter.” They also provide detail on how the “electronic filter” is “based at least in part on at least one of the one or more user attributes” and specifies that “the identification of the submitter is maintained with each selected and retrieved submission within the multimedia content.”

21. These arguments overcame a patent eligibility rejection under 35 U.S.C. §101 of the claim at issue during the prosecution of the ‘480 patent before the United States Patents and Trademark Office.

22. **Direct Infringement.** Upon information and belief, Defendant has been directly infringing claim 1 of the ‘480 Patent in Delaware, and elsewhere in the United States, by employing a computer-based system using <https://nextdoor.com/> (“Accused Instrumentality”) (e.g., <https://nextdoor.com/>). Nextdoor uses a computer-based system for its Accused Instrumentality to enable user-submitters to create personalized user profiles and browse the profiles of other users based, *inter alia*, on the user-submitter’s location and neighborhood. User-submitters may create an account and user profile, and link the profile to online neighborhood groups. User-submitters may create multimedia content as a public post which may appear on a live feed of other users within the user-submitter’s “neighborhood” corresponding to the user-submitter’s location, and other users in the neighborhood or group may interact with the public post. The profiles include multimedia content including image and textual content (e.g., a submitter’s profile picture and an About Me section) which may be shown to other users based on, *inter alia*, user-selected preferences and attributes, and by the user-submitter’s location and neighborhood. Users may also submit multimedia content such as job listings, business listings, and real estate listings as a public post which may appear on a live feed of other users. User-submitters may also create business profiles and promote business services as posts containing multimedia content on neighborhood groups. Nextdoor, during the relevant time period, took

advantage of multiple cloud server providers for Accused Instrumentality, as discussed above, as well as scalability within its cloud server providers, employing separate server subsystems for all its meaningfully different functions. Nextdoor uses and has used during the relevant time period numerous different networks and providers for, *inter alia*, content management systems, web servers, web hosting, data centers, proxy certificates, SSL certificates, traffic analysis, advertising, and tagging, thereby using separate server subsystems for all its meaningfully different functions, such as those indicated below.



(E.g., <https://www.youtube.com/watch?v=yDOLTADpuns> (Published October 14, 2020)).

The screenshot shows a YouTube video player with a browser address bar displaying 'youtube.com/watch?v=RXwEH0EgCJ4'. The video content features a title card that reads 'Nextdoor for businesses' and 'Start connecting with neighbors who are actively looking for business like yours.' Below this, a text overlay says 'Build an effective business page with these handy tips:'. The main visual is a Nextdoor business profile for 'Sunset Market', a farmer's market in San Francisco, CA. The profile is highlighted with a red border. To the left of the profile, text provides tips: 'Photo: Choose a high res, 512x512 pixel photo'; 'Greeting message: Add a greeting message that is both personable and approachable while including your professional qualifications.'; and 'Recommendations: Ask past and present clients to give you recommendations to build your reputation.' To the right, text provides instructions: 'Address: Include your company's address'; 'Office hours: Enter in your hours of availability'; and 'Contact information: Provide your phone number and website. Be sure to fill out each field as every customer has their own preferred method of communication.' The video player includes a 'Subscribe' button for 'Surefire Local' (1.83K subscribers) and shows '1,244 views Nov 6, 2019'.

(E.g., <https://www.youtube.com/watch?v=RXwEH0EgCJ4> (Published November 6, 2019)).

The screenshot shows a Nextdoor post on a mobile device. The browser address bar at the top displays "Nextdoor - YouTube" and the URL "youtube.com/watch?v=TTNeOfSoSVU". The post is from Angela Salerno, located in Allied Gardens South. The title of the post is "BLACKTOP TOO HOT FOR DOG PAWS". The main text reads: "Hi Neighbors, I have noticed several people walking their dogs through parking lots or talking in the street with their dogs next to them on leash, while it is warm outside and the blacktop is piping hot. The blacktop is extremely hot when the weather is warm and it burns dog pads, as it would the bottom of our feet. Please do not walk See more...". The post is dated "5 May" and is categorized under "Dogs". It has received 130 reactions (represented by a smiley face, a heart, and a thumbs up icon) and 32 comments. Below the main post, there is a section for "See 21 previous comments". One comment is visible from Jables Benavides, located in San Carlos-Mission Gorge, who wrote "Good reminder. Thank you." and posted it "1 day ago". The comment has 2 reactions (smiley face and heart). At the bottom of the screenshot, the Nextdoor profile for Hank Drayton is visible, with 1.03K subscribers and a "Subscribe" button. The video player shows "31 views" and "May 14, 2020".

(E.g., <https://www.youtube.com/watch?v=TTNeOfSoSVU> (Published May 14, 2020)).

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867 subscribers

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21

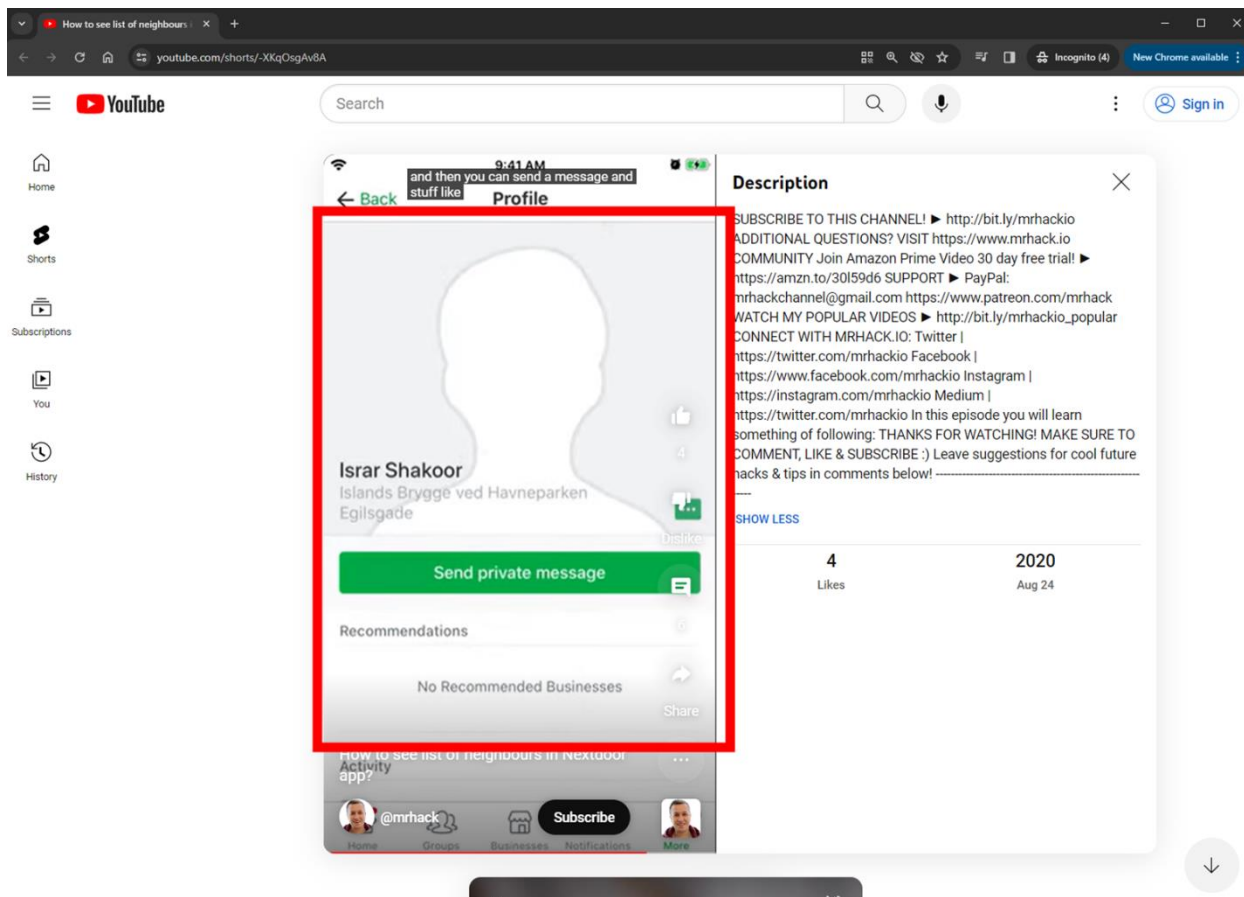
Share

Save

559 views Oct 14, 2020

Start a group inside Nextdoor. Easy and free! No need to be a "Sponsored Agent" to take advantage of using Nextdoor to increase your business!
Nextdoor.com is a Facebook type social media platform that is used by residents in a specific neighborhood.

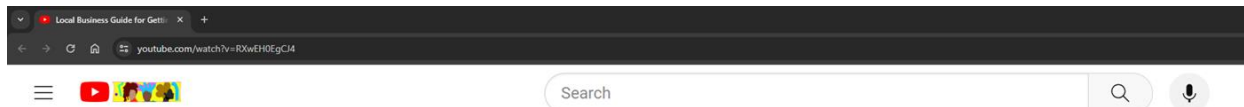
(E.g., <https://www.youtube.com/watch?v=yDOLTADpuns> (Published October 14, 2020)).



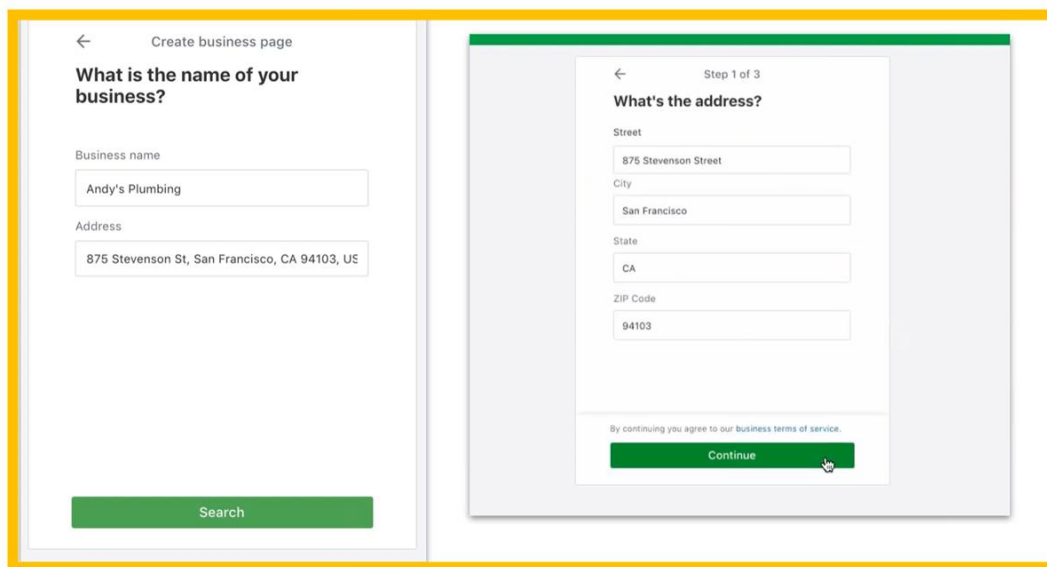
(E.g., <https://www.youtube.com/shorts/-XKqOsgAv8A> (Published August 24, 2020)).

23. The Accused Instrumentality includes an electronic media submissions server subsystem having one or more data processing apparatus and an electronic media submissions database stored on a non-transitory medium in order to process and store received submissions from a plurality of user-submitters, for example content pertaining to their respective user profiles on Accused Instrumentality, as well as multimedia content to be displayed on one or both of the user's profile, the live feed, and online neighborhood groups as discussed and shown in connection with the above discussion. The submissions pertaining to building a user profile, a business profile and to posting on neighborhood groups may include, *e.g.*, photo, hyperlinks and/or textual content. The submissions are provided to Accused Instrumentality via a submissions electronic interface, *e.g.*, a web-based content portal, accessible for example by logging in and selecting options to

upload such content or import content, configured to receive such electronic media, from a plurality of user-submitters over a public network (e.g., the Internet) and stored, via an uploading process, in said electronic media submissions database for use in distribution to other users of Accused Instrumentality.



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Surefire Local
1.83K subscribers

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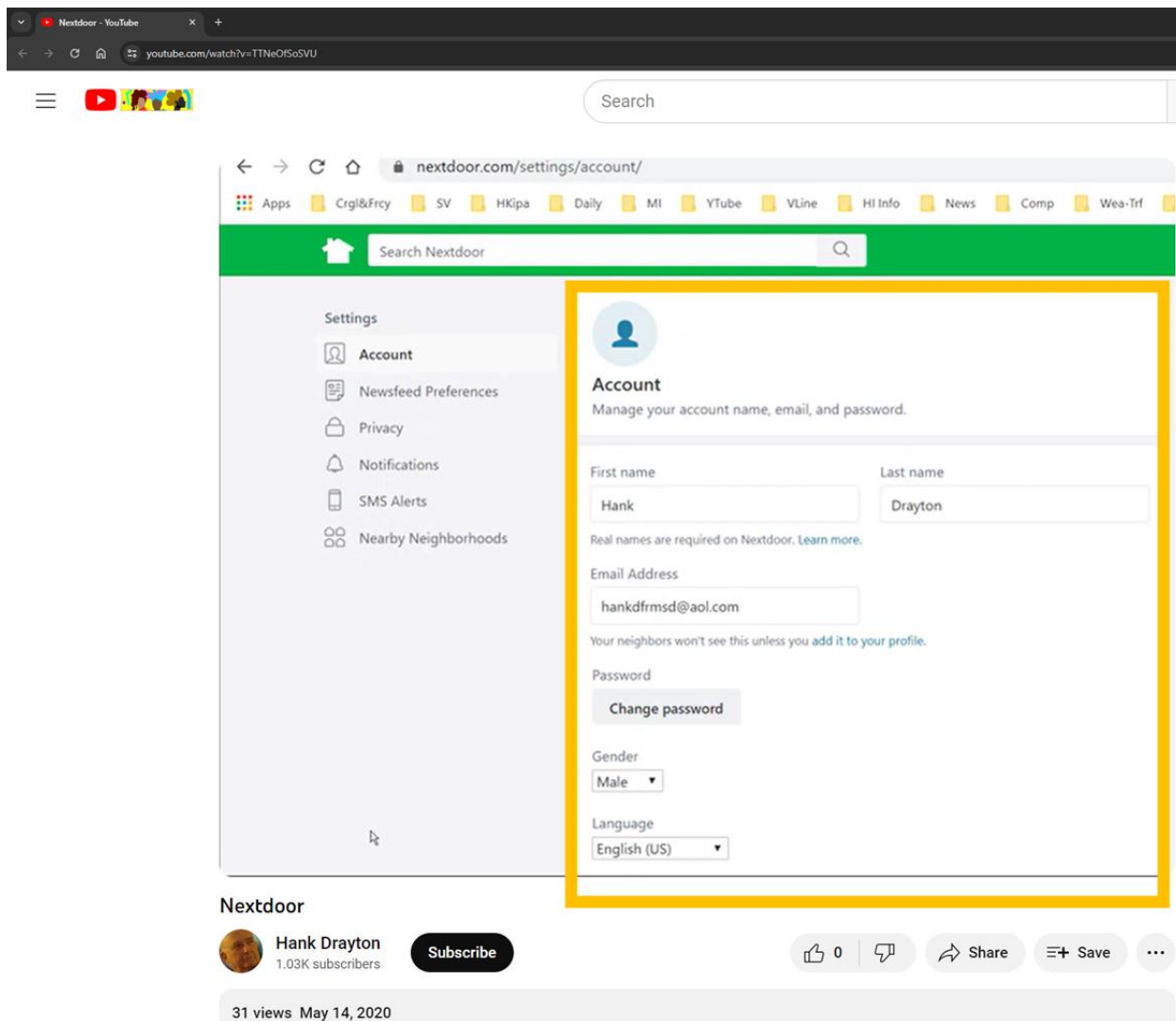
Share

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1,244 views Nov 6, 2019

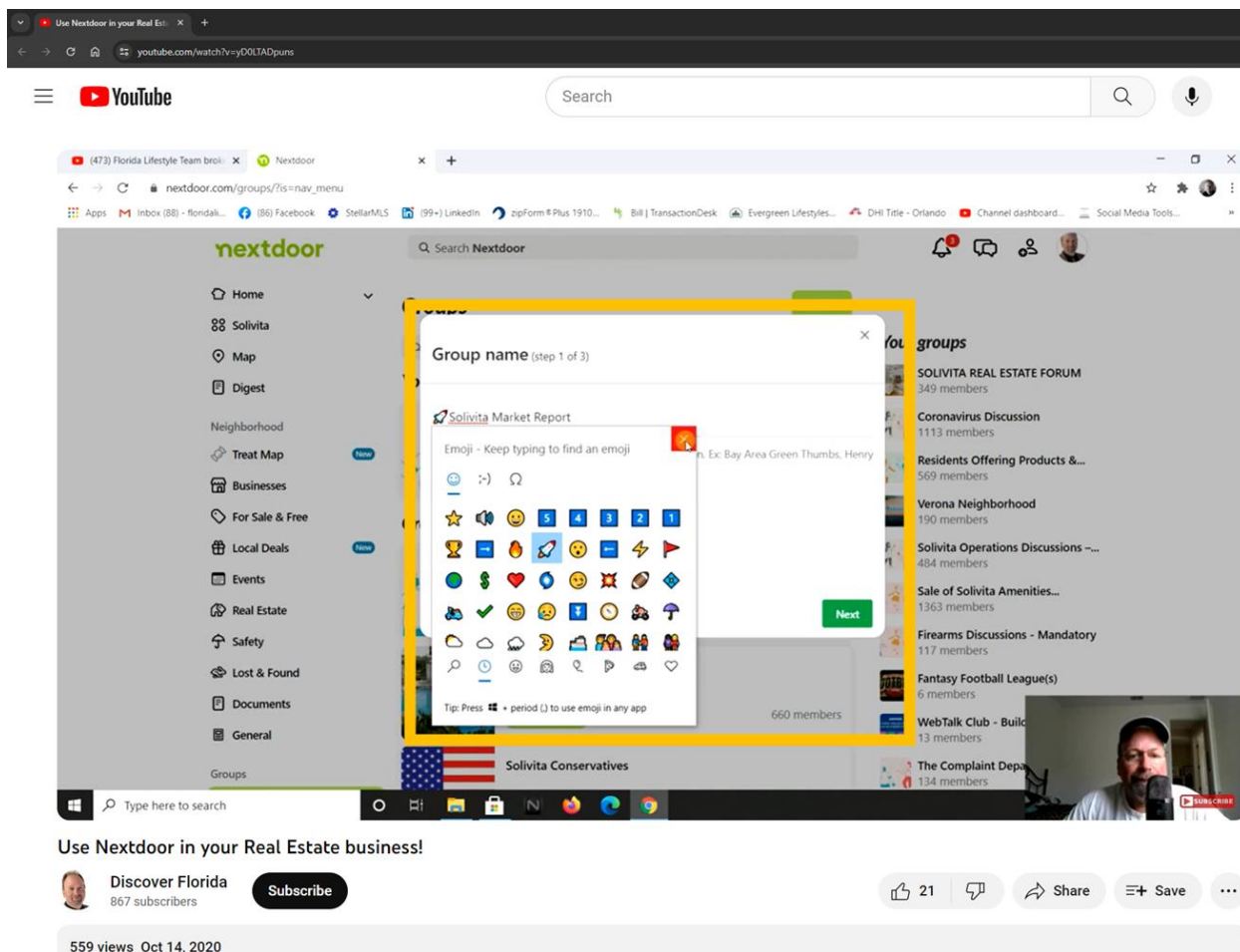
(E.g., <https://www.youtube.com/watch?v=RXwEH0EgCJ4> (Published November 6, 2019)).



(E.g., <https://www.youtube.com/watch?v=TTNeOfSoSVU> (Published May 14, 2020)).

The screenshot displays a YouTube video player. The video title is "Use Nextdoor in your Real Estate business!". The video content shows a Nextdoor neighborhood feed. A yellow box highlights a post that says "Post a message, event, poll or alert to your neighborhood". Below this, a post by Christine Himick, Solivita, is visible, titled "Free bromeliads" with a photo of several potted plants. To the right, there is a "Treat Map" sponsored by Party City, described as a guide to neighborhood haunted decorations. The video player interface includes a search bar, a "Sign in" button, and engagement icons for likes (21), comments, share, and save. The video description states: "559 views Oct 14, 2020 Start a group inside Nextdoor. Easy and free! No need to be a 'Sponsored Agent' to take advantage of using Nextdoor to increase your business! Nextdoor.com is a Facebook type social media platform that is used by residents in a specific neighborhood."

(E.g., <https://www.youtube.com/watch?v=yDOLTADpuns> (Published October 14, 2020)).



(E.g., <https://www.youtube.com/watch?v=yDOLTADpuns> (Published October 14, 2020)).

The more recommendations you have, the more people you reach

Only Businesses that have received at least one recommendation will appear in the Recommendations section

Members can only see recommendations from their residential neighbors and nearby neighbors

Having more recommendations will help your business appear higher in search results

Search

Recommendations section

Business Page

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(E.g., <https://www.youtube.com/watch?v=RXwEH0EgCJ4> (Published November 6, 2019)).

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Share

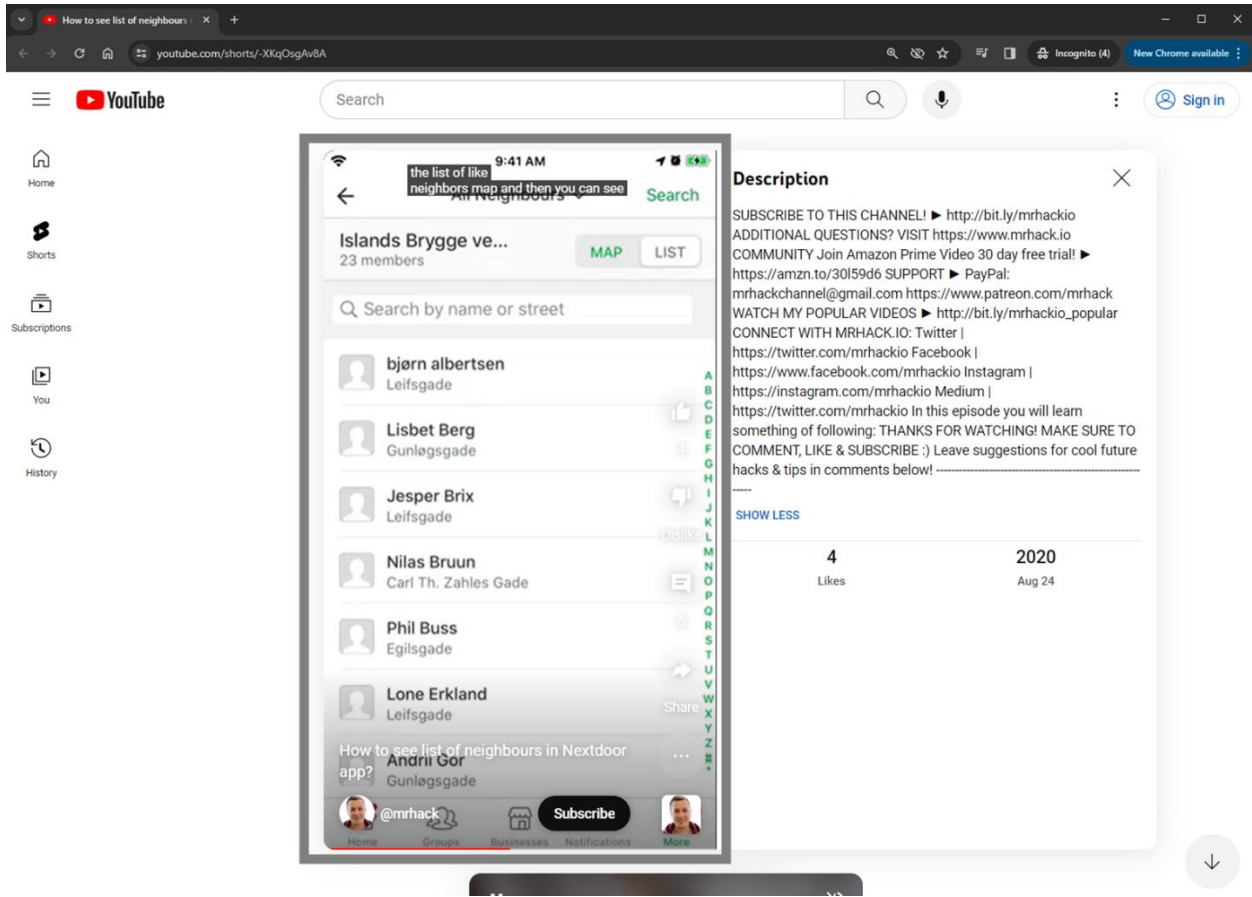
Save

559 views Oct 14, 2020

Start a group inside Nextdoor. Easy and free! No need to be a "Sponsored Agent" to take advantage of using Nextdoor to increase your business!

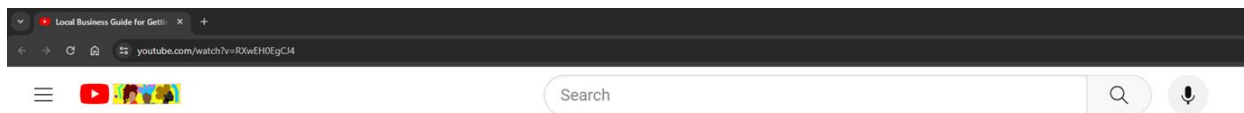
Nextdoor.com is a Facebook type social media platform that is used by residents in a specific neighborhood.

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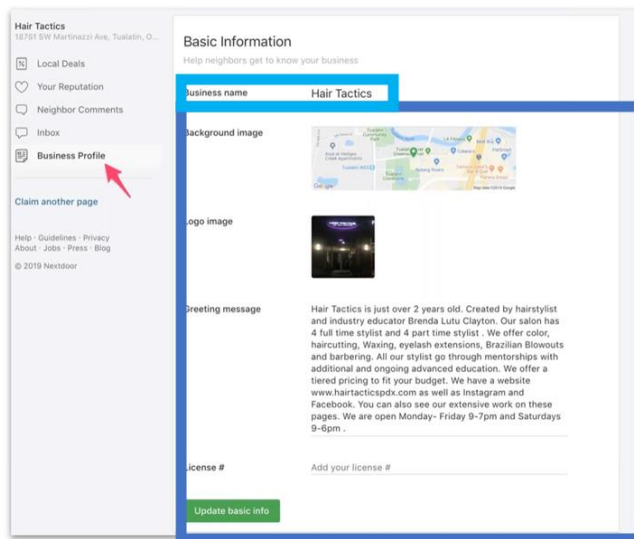


(E.g., <https://www.youtube.com/shorts/-XKqOsgAv8A> (Published August 24, 2020)).

24. The electronic media submissions database of Accused Instrumentality used by Nextdoor which stores the submissions further stores data identifying the submitter and data indicating content for each electronic media submission. As shown below, data identifying the user-submitter includes, e.g., a name and/or a logo or profile picture displayed as a thumbnail. Data indicating content for each electronic media submission includes a photo, textual, and/or “tag” or other metadata content.



- Complete Your Profile -



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1,244 views Nov 6, 2019

(E.g., <https://www.youtube.com/watch?v=RXwEH0EgCJ4> (Published November 6, 2019)).

Nextdoor for businesses
Start connecting with neighbors who are actively looking for business like yours.

Build an effective business page with these handy tips:

- Photo**
Choose a high res, 512x512 pixel photo
- Greeting message**
Add a greeting message that is both personable and approachable while including your professional qualifications.
- Recommendations**
Ask past and present clients to give you recommendations to build your reputation.
- Address**
Include your company's address
- Office hours**
Enter in your hours of availability
- Contact information**
Provide your phone number and website. Be sure to fill out each field as every customer has their own preferred method of communication

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(E.g., <https://www.youtube.com/watch?v=RXwEH0EgCJ4> (Published November 6, 2019)).

Nextdoor - YouTube

youtube.com/watch?v=TTNeOfSoSVU

Post a message, event, poll or urgent alert

A Angela Salerno, Allied Gardens South

BLACKTOP TOO HOT FOR DOG PAWS

Hi Neighbors, I have noticed several people walking their dogs through parking lots or talking in the street with their dogs next to them on leash, while it is warm outside and the blacktop is piping hot. The blacktop is extremely hot when the weather is warm and it burns dog pads, as it would the bottom of our feet. Please do not walk See more...

5 May · Dogs

Thank Comment 130 32

See 21 previous comments

J Jables Benavides, San Carlos-Mission Gorge

Good reminder. Thank you.

1 day ago Thank Reply 2

Nextdoor

Hank Drayton
1.03K subscribers

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31 views May 14, 2020

(E.g., <https://www.youtube.com/watch?v=TTNeOfSoSVU> (Published May 14, 2020)).

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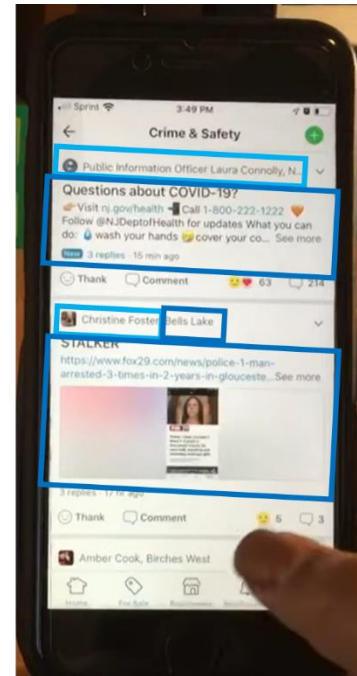
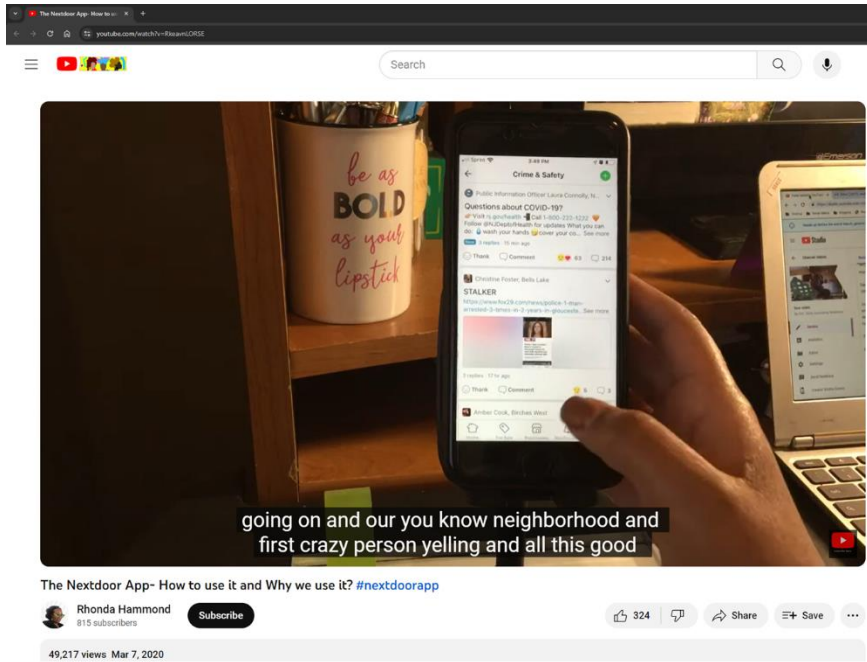
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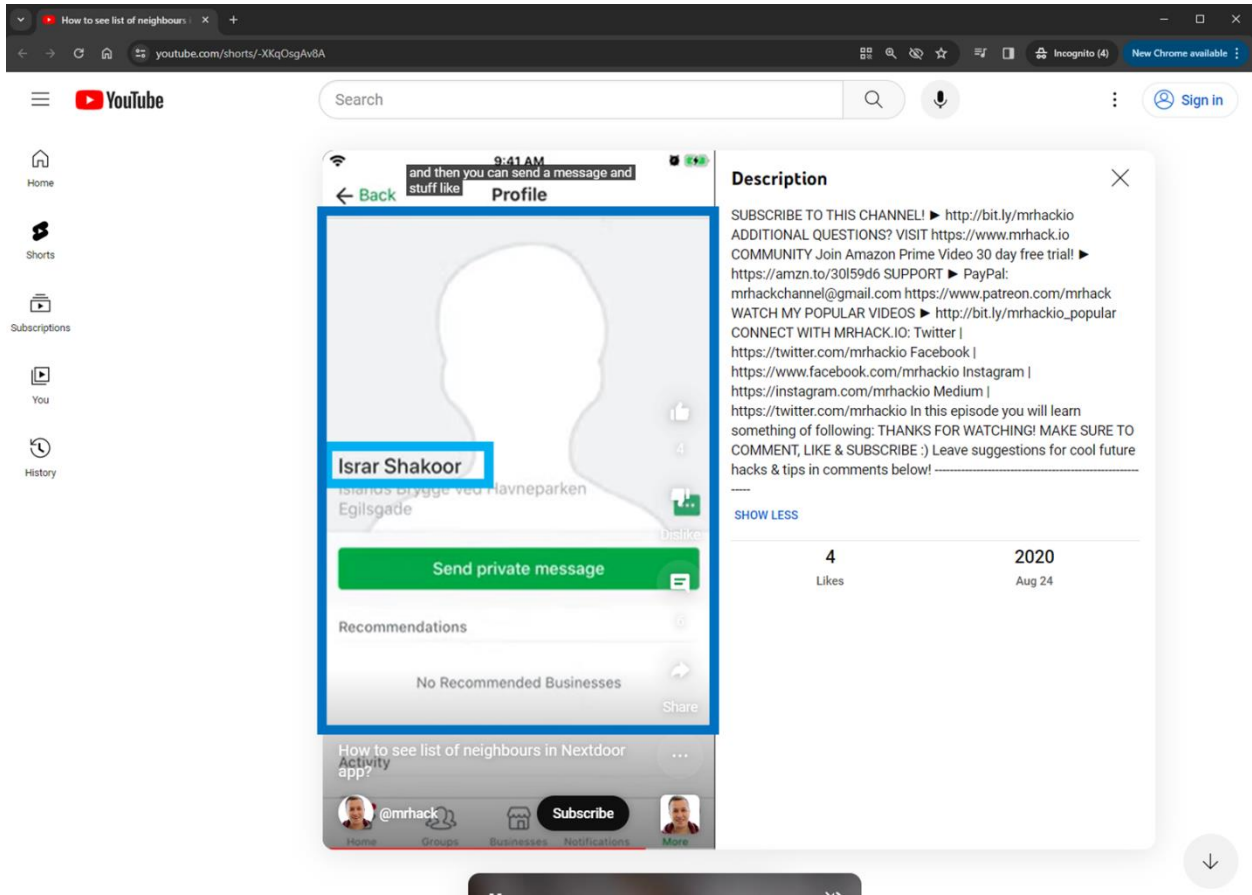
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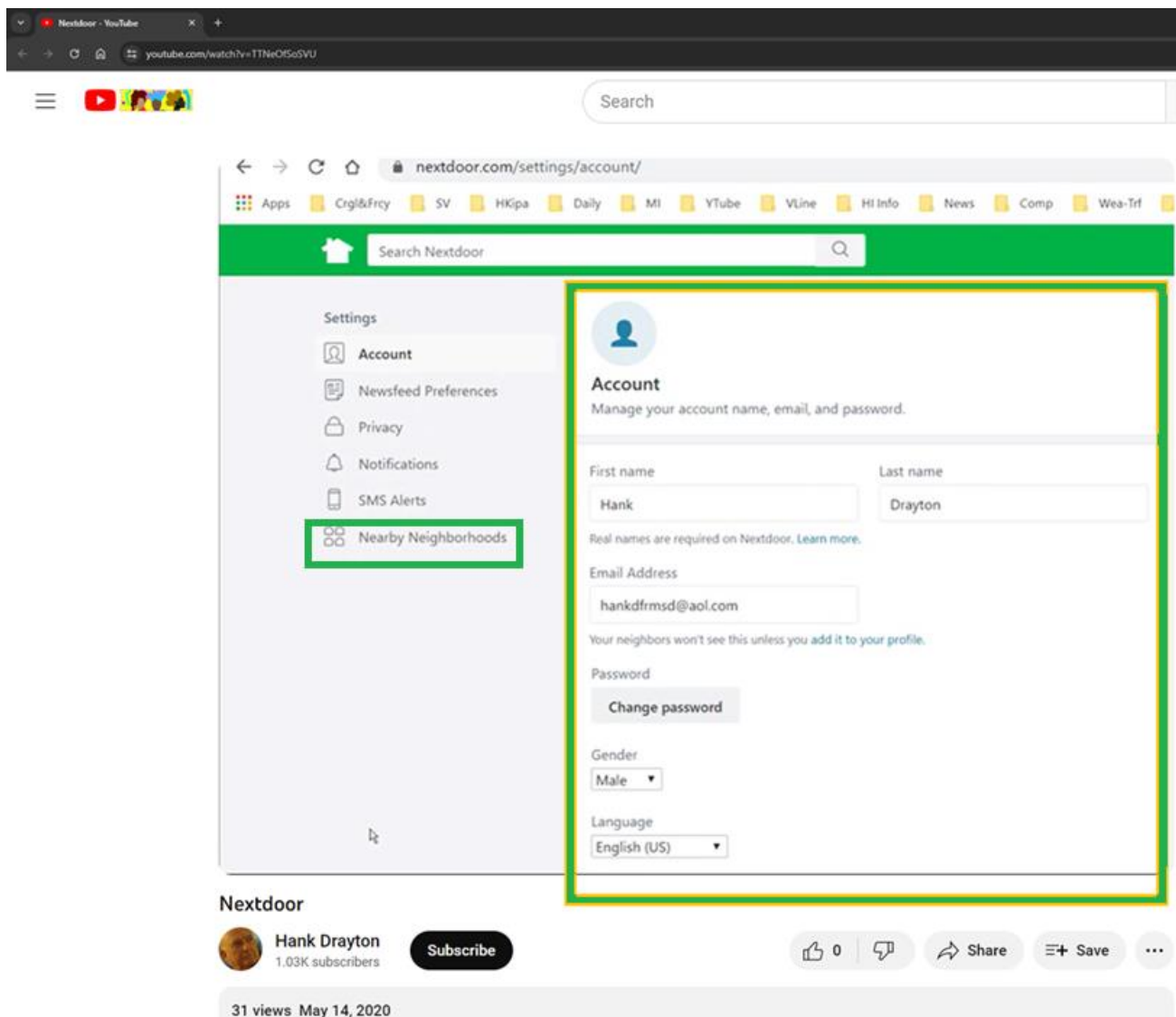


(E.g., <https://www.youtube.com/watch?v=RkeavnLORSE> (Published March 7, 2020)).

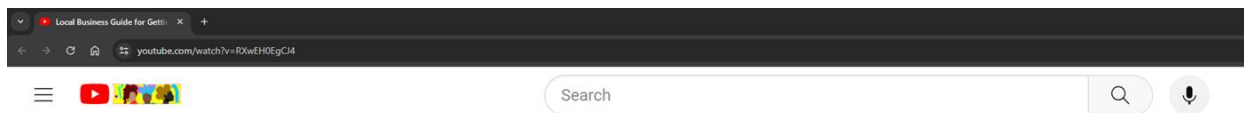


(E.g., <https://www.youtube.com/shorts/-XKqOsgAv8A> (Published August 24, 2020)).

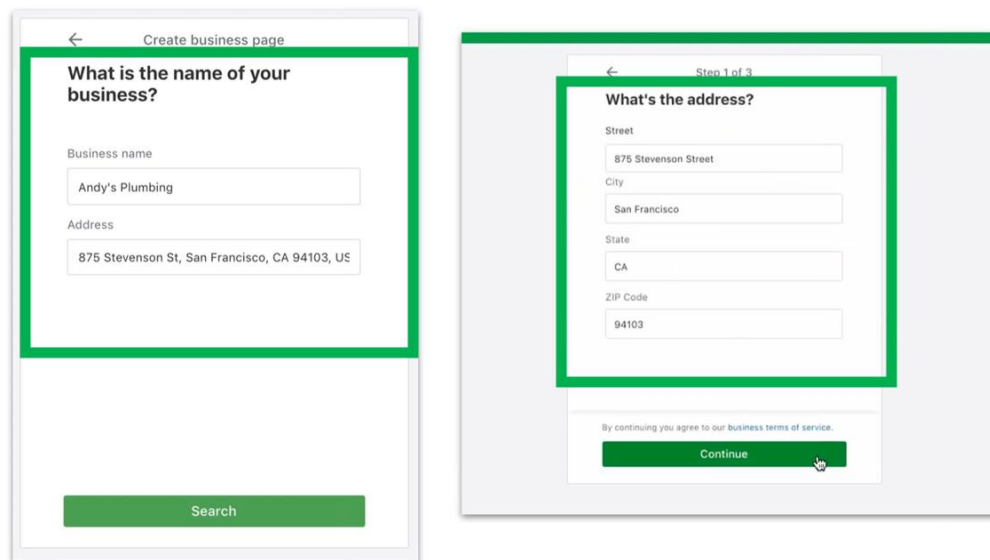
25. Individual users can sign up and create an account (user profile) and/or a business account (business profile) on the Accused Instrumentality, which is stored on a user database. Such user database is stored in memory available through Accused Instrumentality, for example as discussed above. The user attributes of users who create a user profile may include, e.g., a name, age, gender, interests, address and/or a neighborhood selection, and more generally a geographical region, and the like. User attributes for a business profile may also include a business category (e.g., a plumber, dentist auto mechanic and the like, for example as shown below).



(E.g., <https://www.youtube.com/watch?v=TTNeOfSoSVU> (Published May 14, 2020)).



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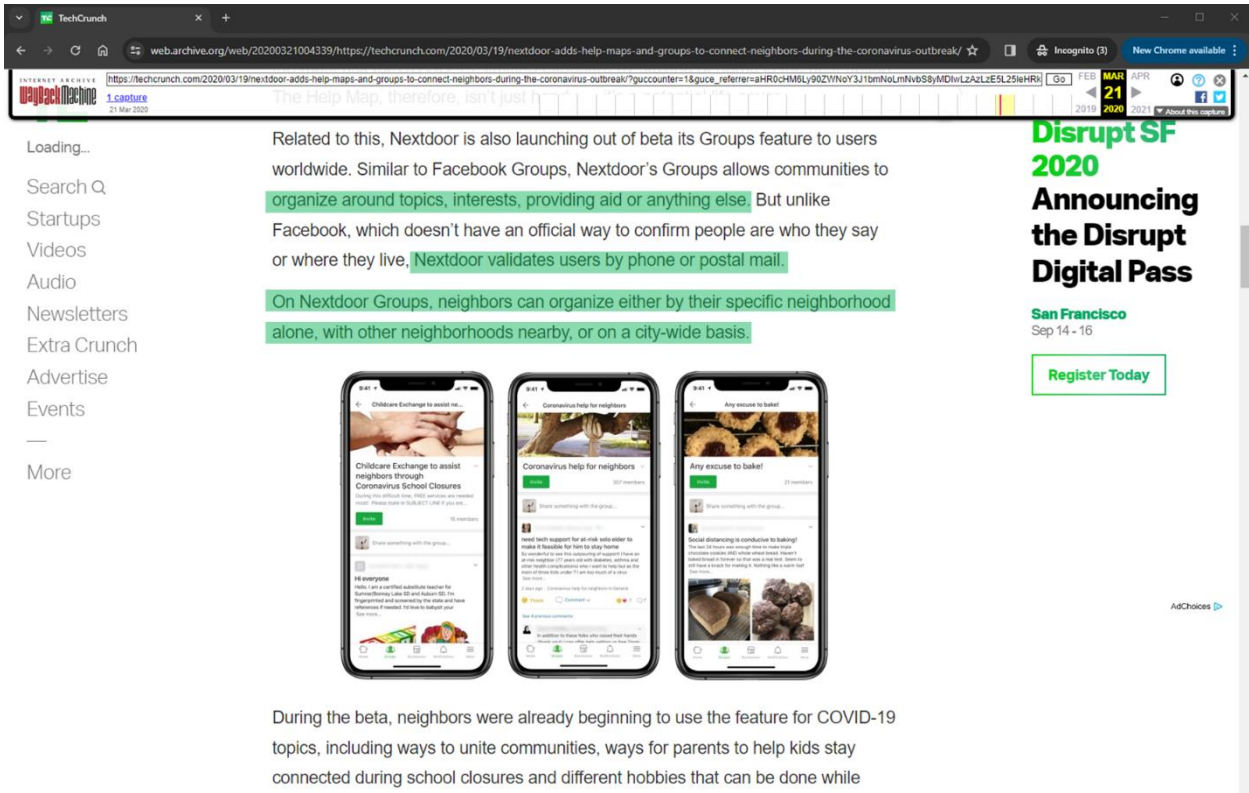
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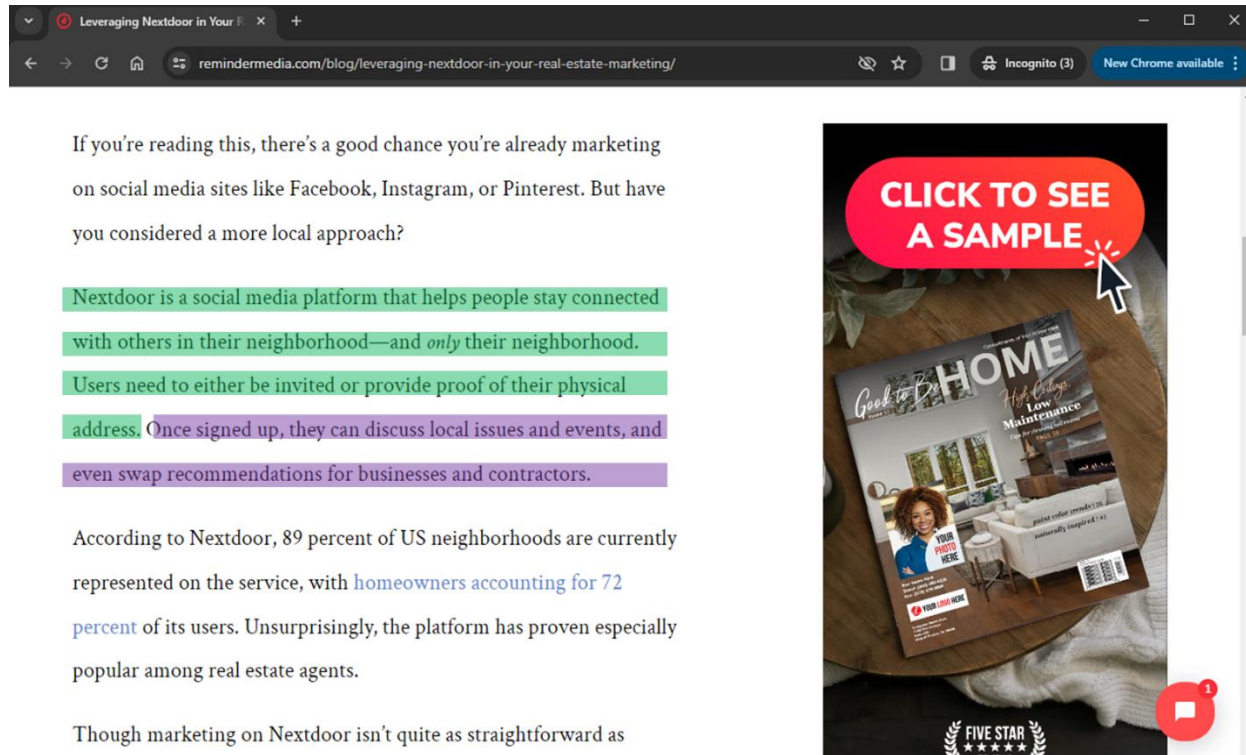


(E.g., <https://web.archive.org/web/20200321004339/https://techcrunch.com/2020/03/19/nextdoor-adds-help-maps-and-groups-to-connect-neighbors-during-the-coronavirus-outbreak/>

(Published March 19, 2020)).

26. The Accused Instrumentality employs an electronic multimedia creator server subsystem operatively coupled to the electronic media submissions server subsystem, necessarily having one or more data processing apparatus in order to manage content, and an electronic creator multimedia database stored on a non-transitory medium, configured to select and retrieve a plurality of electronic media submissions (e.g., user profiles, business profiles and associated posts) on neighborhood feeds with associated photo content and textual content associated with the user-submitter from the electronic media submissions database using an electronic content filter located on the electronic multimedia creator server. As can be seen below, such electronic content filter as is used by Nextdoor is based at least in part on at least one of the one or more user

attributes, such as the interests of the user-submitter, desired range of search, business category, and the user-submitter’s neighborhood and more generally a geographical region which in turn affect which electronic media submissions, *e.g.*, profiles and associated media within the user-submitter’s neighborhood appear to the user) as shown and discussed for example below. Nextdoor uses function-specific subsystems, for example as discussed below.

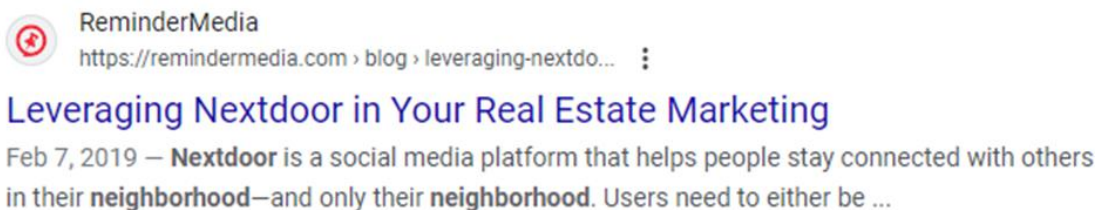


If you're reading this, there's a good chance you're already marketing on social media sites like Facebook, Instagram, or Pinterest. But have you considered a more local approach?

Nextdoor is a social media platform that helps people stay connected with others in their neighborhood—and *only* their neighborhood. Users need to either be invited or provide proof of their physical address. Once signed up, they can discuss local issues and events, and even swap recommendations for businesses and contractors.

According to Nextdoor, 89 percent of US neighborhoods are currently represented on the service, with homeowners accounting for 72 percent of its users. Unsurprisingly, the platform has proven especially popular among real estate agents.

Though marketing on Nextdoor isn't quite as straightforward as



ReminderMedia
https://remindermedia.com › blog › leveraging-nextdo...
Leveraging Nextdoor in Your Real Estate Marketing
Feb 7, 2019 — Nextdoor is a social media platform that helps people stay connected with others in their neighborhood—and only their neighborhood. Users need to either be ...

(*E.g.*, <https://remindermedia.com/blog/leveraging-nextdoor-in-your-real-estate-marketing/>
(Archived by Google.com on February 7, 2019)).


EDUCATING
OUR CUSTOMERS

January 2020

Short Tutorial/FAQ - What Are The Benefits Of Nextdoor?

Question: A neighbor recently suggested I join the Nextdoor social network. What are the benefits of doing so?

Answer: First, let's start with the basics. The Nextdoor app is a private social networking platform for local communities and neighborhoods. Instead of connecting you to users around the world, Nextdoor narrows your network to include only those in your surrounding area. In order to join, you have to prove that you live where you say you do (by entering a code mailed to your home address, for example).



According to the Nextdoor website, its mission is to "provide a trusted platform where neighbors work together to build stronger, safer, happier communities..." In addition to fostering relationships among neighbors, Nextdoor is frequently used to do the following:

- **Buy and sell.** Users can use Nextdoor in order to sell or purchase items in the "For Sale or Free" page of the app. Listings will also appear on the neighborhood feed so users can see new items as they appear.
- **Organize events.** Do you think your neighborhood could benefit from a block party? Do you want to get a book club started? True to the spirit of the app, users can use Nextdoor to host and organize parties and events.
- **Get recommendations.** With the app, users can find recommendations from neighbors on local businesses, restaurants, babysitters, pet sitters, and so on.
- **Communicate about property concerns.** Nextdoor can be an effective place to voice concerns about dangerous tree limbs, icy sidewalks, or overgrown lawns.
- **Spread the word about lost pets.** If a dog or cat goes missing, users can quickly ask their neighbors to be on the lookout.

Given all the benefits, it can't hurt to be neighborly and give the free Nextdoor app a try.

(E.g., https://www.newsletterhome.com/eNewsletter/2020/2001_Section_J.html).

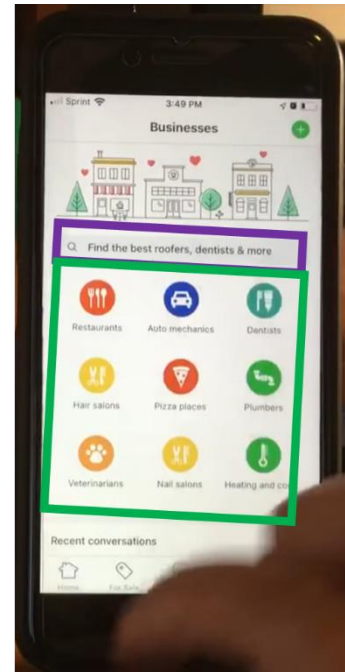
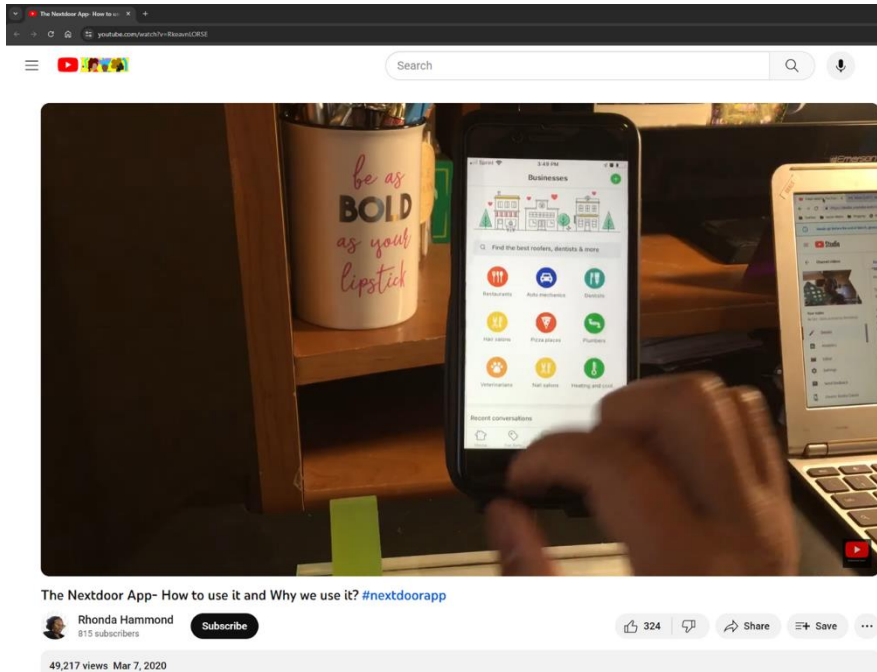
Related to this, Nextdoor is also launching out of beta its Groups feature to users worldwide. Similar to Facebook Groups, Nextdoor's Groups allows communities to **organize around topics, interests, providing aid or anything else**. But unlike Facebook, which doesn't have an official way to confirm people are who they say or where they live, **Nextdoor validates users by phone or postal mail**.

On Nextdoor Groups, neighbors can organize either by their specific neighborhood alone, with other neighborhoods nearby, or on a city-wide basis.

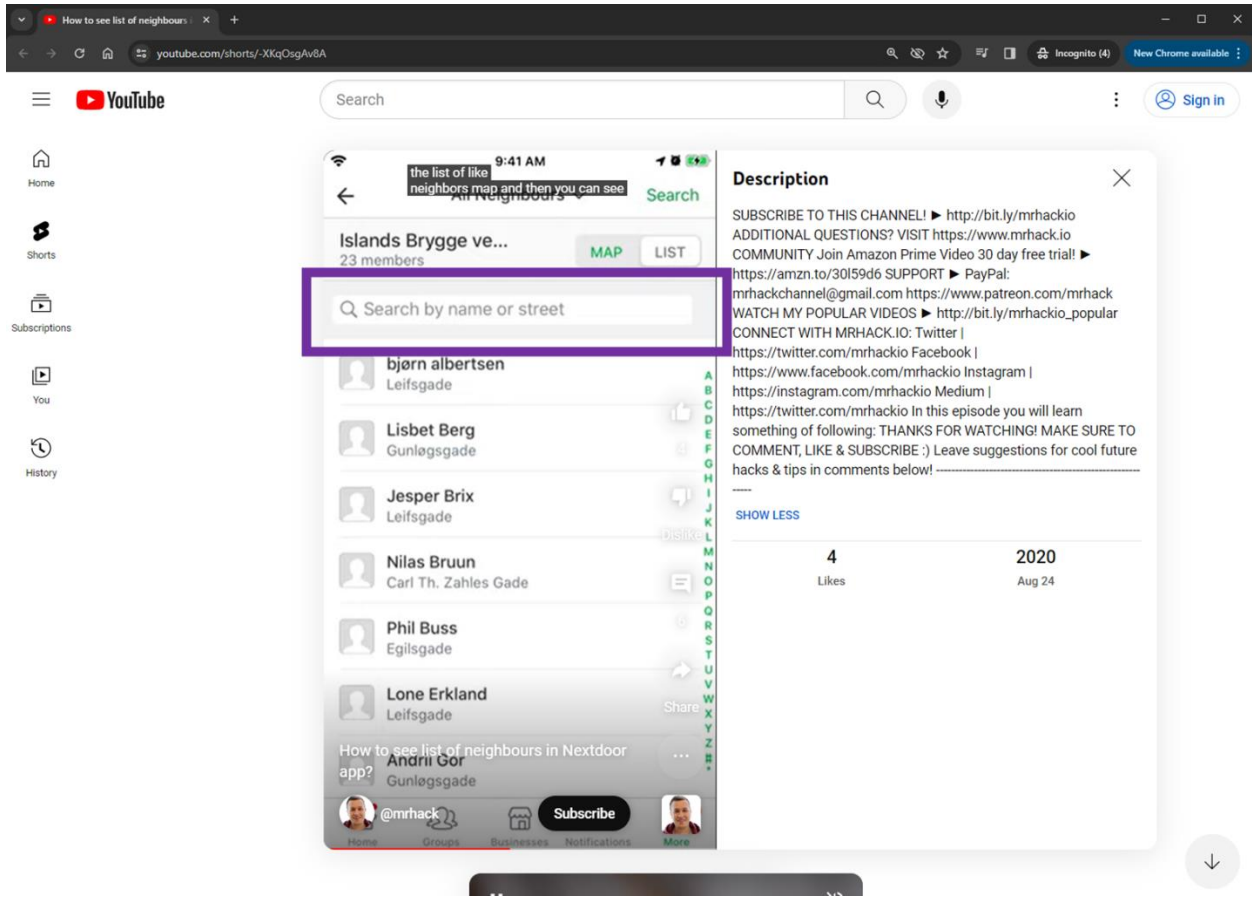
During the beta, neighbors were already beginning to use the feature for COVID-19 topics, including ways to unite communities, ways for parents to help kids stay connected during school closures and different hobbies that can be done while

(E.g., <https://web.archive.org/web/20200321004339/https://techcrunch.com/2020/03/19/nextdoor-adds-help-maps-and-groups-to-connect-neighbors-during-the-coronavirus-outbreak/>

(Published March 19, 2020)).

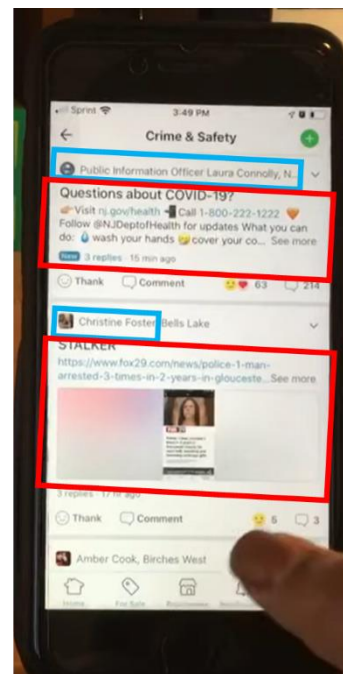
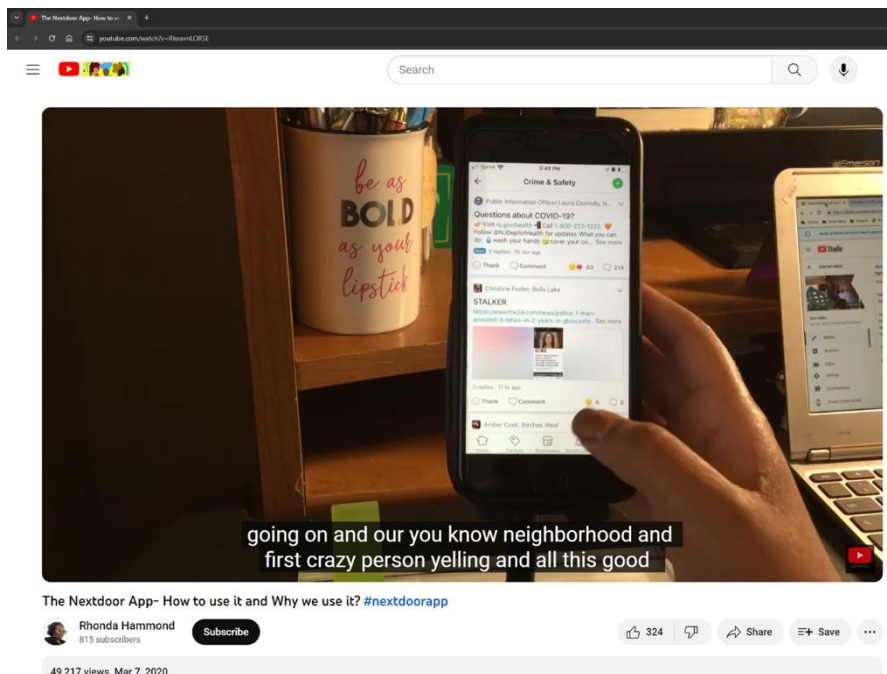


(E.g., <https://www.youtube.com/watch?v=RkeavnLORSE> (Published March 7, 2020)).

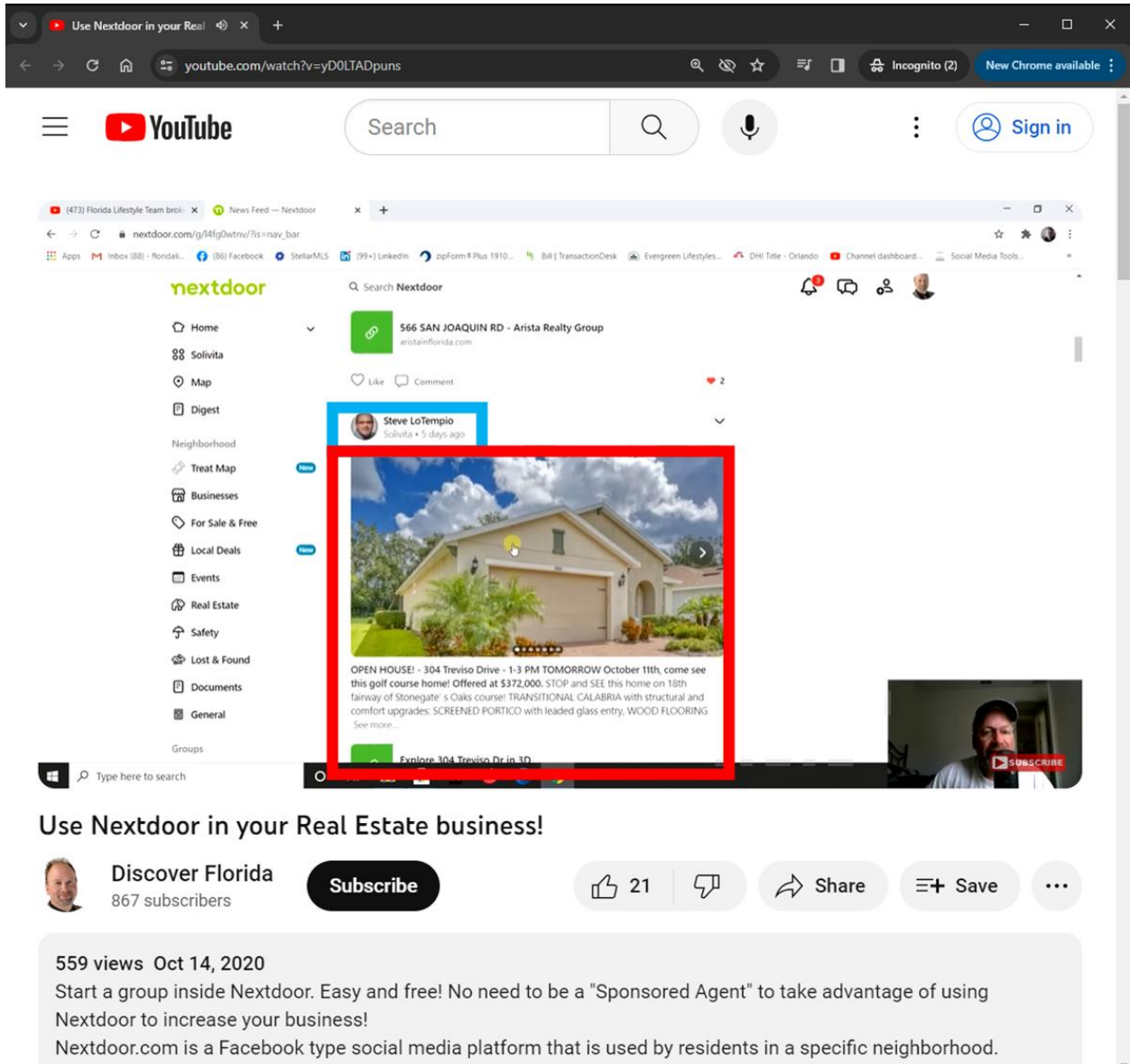


(E.g., <https://www.youtube.com/shorts/-XKqOsgAv8A> (Published August 24, 2020)).

27. Such electronic content filter is used by Accused Instrumentality to develop multimedia content (e.g., the profiles and/or various content as discussed above) associated with the user-submitter to be electronically available for viewing on user devices (e.g., devices such as computers and smart phones incorporating browsers or apps) wherein the identification of the submitter (e.g., a user’s name and profile picture) is maintained with each selected and retrieved submission within the multimedia content, for example as shown below.



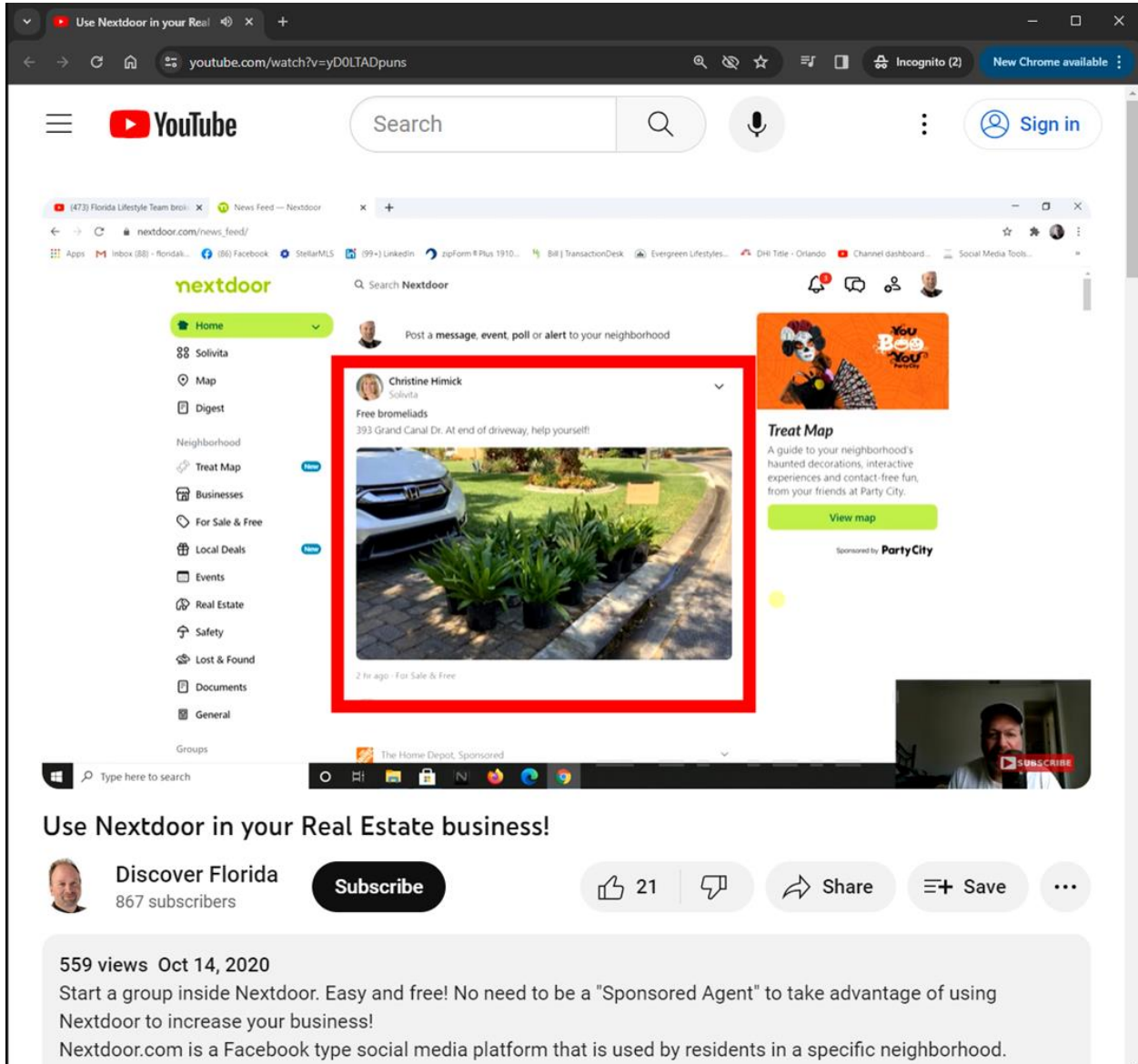
(E.g., <https://www.youtube.com/watch?v=RkeavnLORSE> (Published March 7, 2020)).



(E.g., <https://www.youtube.com/watch?v=yDOLTADpuns> (Published October 14, 2020)).

28. The Accused Instrumentality employs an electronic release subsystem operatively coupled to the electronic multimedia creator server subsystem, necessarily having one or more data processing apparatus in order to serve multimedia profile and/or post content with associated photo, profile picture, and textual content to users, configured to make the multimedia content electronically available for viewing on one or more user devices. For example, as shown below, multimedia content associated with user profiles and posts is provided on various user devices

(e.g., a computer or other device with a web browser or app) in response to a user logging in to Accused Instrumentality. Nextdoor uses function-specific subsystems, for example as discussed below.



(E.g., <https://www.youtube.com/watch?v=yDOLTADpuns> (Published October 14, 2020)).

Local Business Guide for Getting Started on Nextdoor & Becoming a Neighborhood Favorite

Nextdoor for businesses
Start connecting with neighbors who are actively looking for business like yours.

Build an effective business page with these handy tips:

- Photo**
Choose a high res, 512x512 pixel photo
- Greeting message**
Add a greeting message that is both personable and approachable while including your professional qualifications.
- Recommendations**
Ask past and present clients to give you recommendations to build your reputation.
- Address**
Include your company's address
- Office hours**
Enter in your hours of availability
- Contact information**
Provide your phone number and website. Be sure to fill out each field as every customer has their own preferred method of communication

Local Business Guide for Getting Started on Nextdoor & Becoming a Neighborhood Favorite

Surefire Local 1.83K subscribers [Subscribe](#)

1,244 views Nov 6, 2019

9 | Share | Save

(E.g., <https://www.youtube.com/watch?v=RXwEH0EgCJ4> (Published November 6, 2019)).

Nextdoor - YouTube

youtube.com/watch?v=TTNeOfSoSVU

POST a message, event, poll or urgent alert

Angela Salerno, Allied Gardens South

BLACKTOP TOO HOT FOR DOG PAWS

Hi Neighbors, I have noticed several people walking their dogs through parking lots or talking in the street with their dogs next to them on leash, while it is warm outside and the blacktop is piping hot. The blacktop is extremely hot when the weather is warm and it burns dog pads, as it would the bottom of our feet. Please do not walk
See more...

5 May · Dogs

Thank Comment

130 32

See 21 previous comments

Jables Benavides, San Carlos-Mission Gorge

Good reminder. Thank you.

1 day ago Thank Reply 2

nextdoor

Hank Drayton
1.03K subscribers

Subscribe

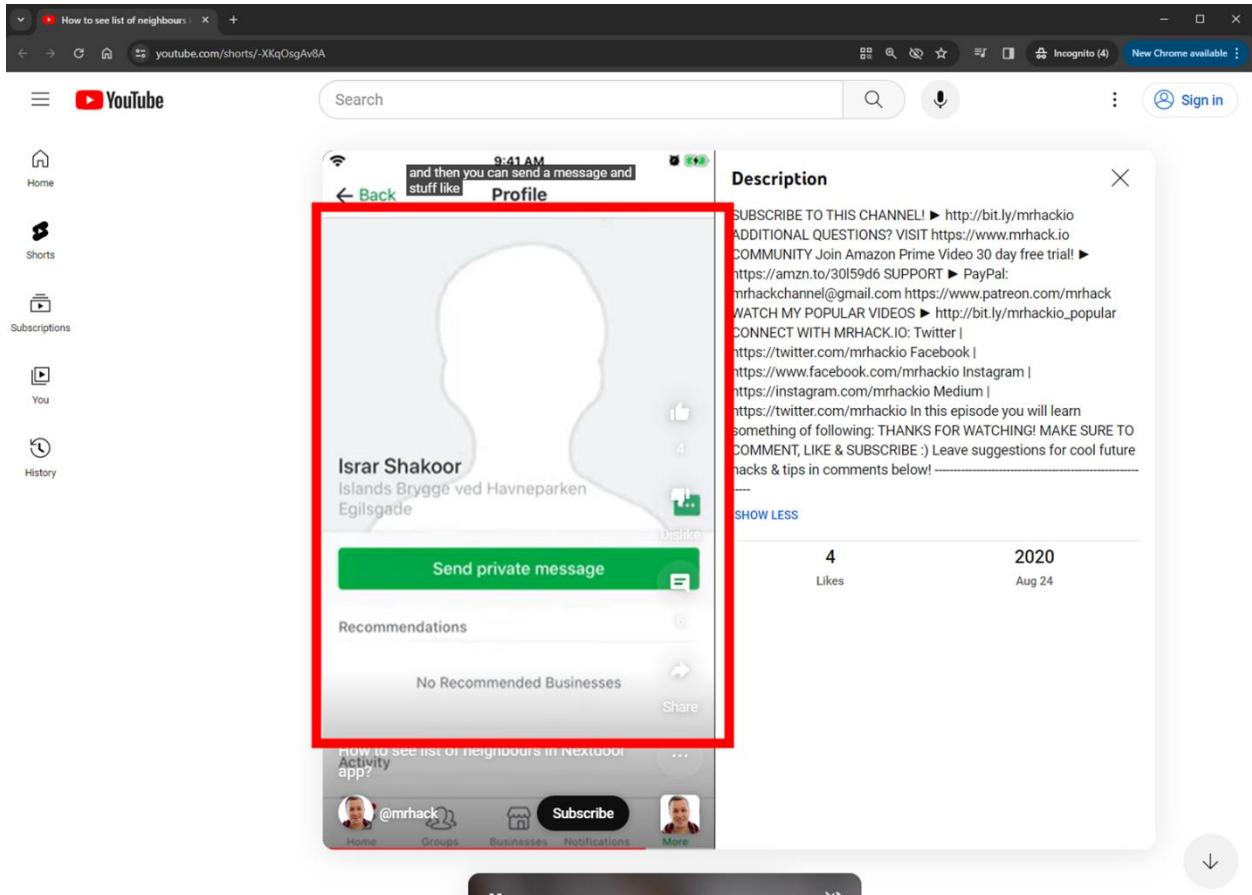
0 Share Save

31 views May 14, 2020

(E.g., <https://www.youtube.com/watch?v=TTNeOfSoSVU> (Published May 14, 2020)).

The screenshot shows a YouTube video player with the URL [youtube.com/watch?v=yDOLTADpuns](https://www.youtube.com/watch?v=yDOLTADpuns). The video content is a Nextdoor post by Steve LoTempio, dated 5 days ago. The post features a photograph of a large, light-colored house with a two-car garage and a gabled roof. The text of the post reads: "OPEN HOUSE! - 304 Treviso Drive - 1-3 PM TOMORROW October 11th, come see this golf course home! Offered at \$372,000. STOP and SEE this home on 12th fairway of Stonegate's Oaks course! TRANSITIONAL CALABRIA with structural and comfort upgrades: SCREENED PORTICO with leaded glass entry, WOOD FLOORING See more...". Below the text is a "SUBSCRIBE" button. The video player interface includes a search bar, a "Sign in" button, and a "Use Nextdoor in your Real Estate business!" banner. The banner includes a profile picture of Steve LoTempio, the text "Discover Florida 867 subscribers", a "Subscribe" button, and interaction icons for likes (21), comments, share, and save. Below the banner, the video statistics are shown: "559 views Oct 14, 2020". A text box below the statistics contains the following text: "Start a group inside Nextdoor. Easy and free! No need to be a 'Sponsored Agent' to take advantage of using Nextdoor to increase your business! Nextdoor.com is a Facebook type social media platform that is used by residents in a specific neighborhood."

(E.g., <https://www.youtube.com/watch?v=yDOLTADpuns> (Published October 14, 2020)).

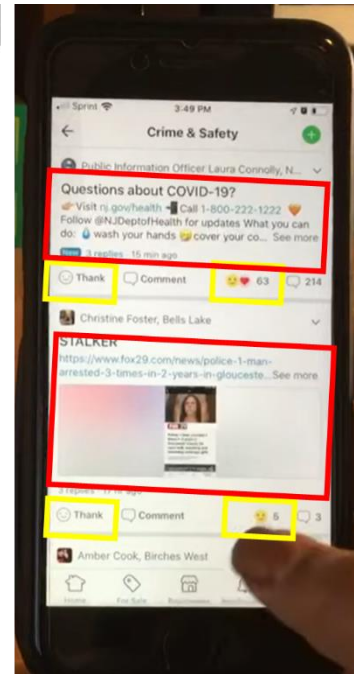
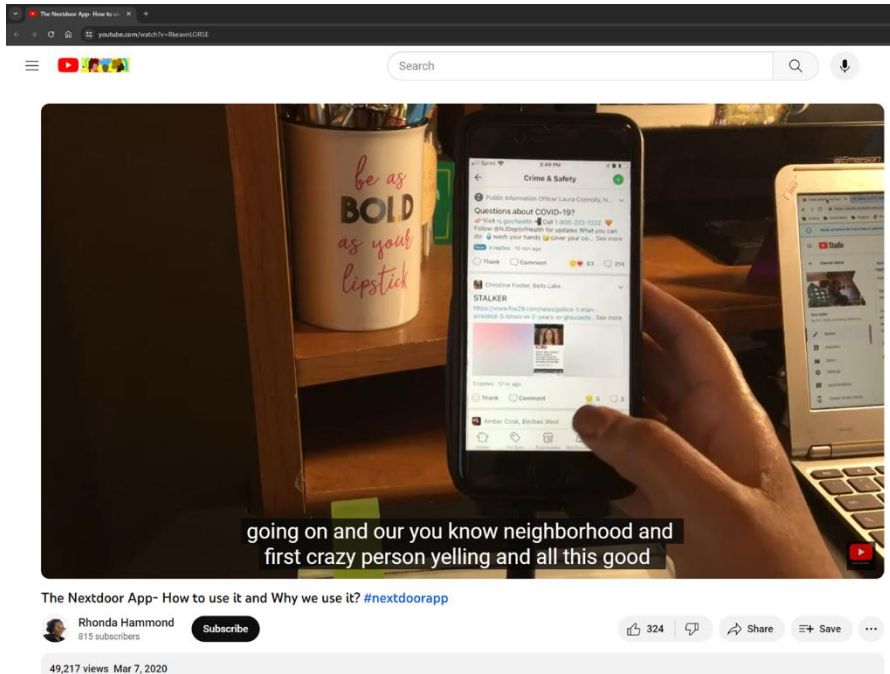


(E.g., <https://www.youtube.com/shorts/-XKqOsgAv8A> (Published August 24, 2020)).

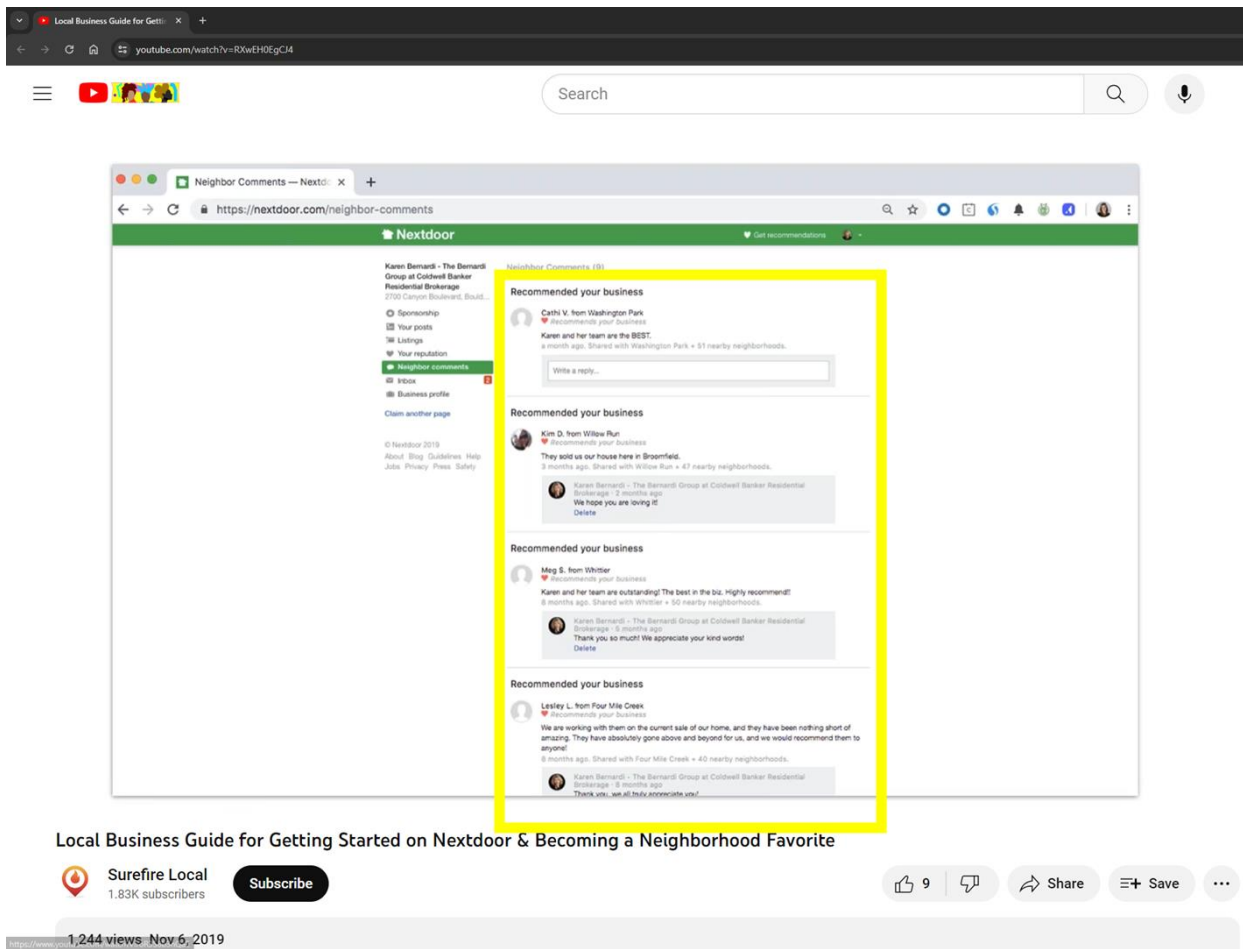
29. The Accused Instrumentality employs an electronic voting subsystem, necessarily having one or more data processing apparatus in order to track voting or electronic rating, configured to enable a user to electronically vote for or rate (e.g., by the users choices with respect to a selection of a “Thank” and or a smiley face icon, a heart icon or a like icon) an electronically available multimedia content (e.g., a multimedia profile provided by a user-submitter, with accompanying photo and/or textual content). Users may also elect to post a Recommendation for business profiles. Nextdoor uses function-specific subsystems, for example as discussed below.

The screenshot shows a YouTube video player with the URL [youtube.com/watch?v=TTNeOfSoSVU](https://www.youtube.com/watch?v=TTNeOfSoSVU). The video content is a Nextdoor post by Angela Salerno, Allied Gardens South, titled "BLACKTOP TOO HOT FOR DOG PAWS". The post text reads: "Hi Neighbors, I have noticed several people walking their dogs through parking lots or talking in the street with their dogs next to them on leash, while it is warm outside and the blacktop is piping hot. The blacktop is extremely hot when the weather is warm and it burns dog pads, as it would the bottom of our feet. Please do not walk See more...". The post is dated "5 May" and categorized under "Dogs". It has 130 likes and 32 comments. A comment by Jables Benavides, San Carlos-Mission Gorge, says "Good reminder. Thank you." and has 2 likes. The video is from the channel "Nextdoor" by Hank Drayton, with 1.03K subscribers and 31 views as of May 14, 2020.

(E.g., <https://www.youtube.com/watch?v=TTNeOfSoSVU> (Published May 14, 2020)).



(E.g., <https://www.youtube.com/watch?v=RkeavnLORSE> (Published March 7, 2020)).



(E.g., <https://www.youtube.com/watch?v=RXwEH0EgCJ4> (Published November 6, 2019)).

30. Plaintiff has been damaged as a result of Defendant’s infringing conduct. Defendant is thus liable to Plaintiff for damages in an amount that adequately compensates Plaintiff for such Defendant’s infringement of the ‘480 Patent, *i.e.*, in an amount that by law cannot be less than would constitute a reasonable royalty for the use of the patented technology, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

31. To the extent marking is required, VCA has complied with all marking requirements.

IV. COUNT II
(PATENT INFRINGEMENT OF UNITED STATES PATENT NO. 9,477,665)

32. Plaintiff incorporates the above paragraphs herein by reference.

33. On October 25, 2016, United States Patent No. 9,477,665 (“the ‘665 Patent”) was duly and legally issued by the United States Patent and Trademark Office. The ‘665 Patent is titled “Revenue-Generating Electronic Multi-Media Exchange and Process of Operating Same.” A true and correct copy of the ‘665 Patent is attached hereto as Exhibit B and incorporated herein by reference.

34. VCA is the assignee of all right, title, and interest in the ‘665 Patent, including all rights to enforce and prosecute actions for infringement and to collect damages for all relevant times against infringers of the ‘665 Patent. Accordingly, VCA possesses the exclusive right and standing to prosecute the present action for infringement of the ‘665 Patent by Defendant.

35. The application leading to the ‘665 patent was filed November 16, 2012, which was a continuation of application no. 11/978,781, which issued as United States Patent No. 8,340,994, which was a continuation of application no. 09/565,438 which issued as United States Patent No. 7,308,413. (Ex. B at cover). The ‘665 patent was first assigned to Virtual Creative Artists, LLC. (*Id.*).

36. The ‘665 Patent shares the identical specification as the ‘480 patent and therefore VCA incorporates the background and discussion of the invention in Paragraphs 11-18. Furthermore claim 1 involves a system for generating multimedia content. The claim requires, among other things, electronically generating a multimedia file from the retrieved electronic media Submissions in accordance with a selected digital format, wherein the identification of the submitter is maintained with each retrieved submission within the multimedia file. The claim requires electronically transmitting the multimedia file to a plurality of publicly accessible web servers to be electronically available for viewing on one or more user devices over a public network via a web-browser and. This allows electronically transmit data indicating votes or rating

of multimedia content in a much quicker and easier fashion based on specific user criteria. There is nothing abstract about this very particular, unconventional, and non-routine system for the generation of multimedia content as specifically claimed and there is no risk of preempting creating and distribution contention generally, or even within the context of the Internet.

37. The invention is a highly technical electronic process that cannot be achieved with the human mind and is instead rooted in computer technology, including the steps of:

- “electronically retrieving a plurality of electronic media submissions,”
- “electronically generating a multimedia file from the retrieved electronic media submissions in accordance with a selected digital format,”
- “electronically transmitting the multimedia file to a plurality of publicly accessible web servers to be electronically available for viewing on one or more user devices over a public network via a web-browser,” and
- “providing a web-based graphical user interface that enables a user to electronically transmit data indicating a vote or rating for an electronically available multimedia content or an electronic media Submission within a respective electronically available multimedia content.”

38. Each of these subsystems are configured in a very specific (and not generic, unconventional and non-routine manner to offer the novel and non-obvious approach claimed invention. For example, claim 1 requires an “electronic media submissions database,” which is a subsystem that receives media submissions from Internet users. This is not a generic database but rather a scalable database that must be able to receive, store, and manage multiple petabytes of multimedia data received from users all over the world. This is one of the many specialized databased required in the claim. In fact, the specification discloses the use of a sophisticated database management system known in the art at the time that was capable of handling data at this level, Oracle7. This type of database management system cannot operate on a generic computing system but rather requires specialized hardware and software.

39. The claim also provides details to explain how each step operates. For example, the claim requires “electronically retrieving a plurality of electronic media submissions from an electronic media submissions database using an electronic content filter located on one or more data processing apparatus.” Further, “the electronic media submissions database” in this step is further required to “store[] [1] data identifying the submitter and [2] data indicating content for each electronic media submission.” The step further requires an “electronic content filter.” The “filter” also includes a very specific algorithm of “being based at least in part on at least one of the one or more user attributes.”

40. The claims also require an “electronically generating a multimedia file from the retrieved electronic media submissions in accordance with a selected digital format.” Manipulation of multimedia data in accordance with a selected digital format is far from generic and was not routine or conventional at the time of the invention. Further, this step requires that the “electronic media submissions database” “stores data identifying the submitter” and the “the identification of the submitter is maintained with each retrieved submission within the multimedia file.”

41. The claims also require “providing a web-based graphical user interface that enables a user to electronically transmit data indicating a vote or rating for an electronically available multimedia content or an electronic media Submission within a respective electronically available multimedia content,” which is a well-defined, specific, and unconventional feature. By including this additional voting/rating feature, the claims avoid any risk of preempting the creation and distribution of content.

42. The invention also has inventive concepts. For example, the claim requires that the filtering tool be at a specific location, remote from the end-users, with customizable filtering features specific to each end user. The “electronic content filter” is located at the server, remote

from the end user, and customizable based on user attributes. The “electron voting” step at the time of the invention was also novel, inventive, and added sufficient inventive contributions to avoid a risk of preempting the creation and distribution of media content. It is clearly possible to create and distribute media content without every having to include a “voting” subsystem on what components should be included in such media content.

43. These arguments overcame a patent eligibility rejection under 35 U.S.C. §101 of the claim at issue during the prosecution of the ‘665 patent before the United States Patent and Trademark Office.

44. **Direct Infringement.** Upon information and belief, Defendant has been directly infringing claim 1 of the ‘665 Patent in Delaware, and elsewhere in the United States, by employing a computer-based system using <https://nextdoor.com/> (“Accused Instrumentality”) (e.g., <https://nextdoor.com/>).

45. Nextdoor uses a computer-based system for its Accused Instrumentality, to enable user-submitters to create personalized user profiles and browse the profiles of other users based on the user-submitter’s location and neighborhood. User-submitters may create an account and user profile, and link the profile to online neighborhood groups. User-submitters may create multimedia content as a public post which may appear on a live feed of other users within the user-submitter’s location and neighborhood, and other users in the neighborhood or group may interact with the public post. The profiles include multimedia content including image and textual content (e.g., a submitter’s profile picture and an About Me section) which may be shown to other users based on, *inter alia*, user-selected preferences and attributes, and by the user-submitter’s location and neighborhood. Users may also submit multimedia content such as job listings, business listings, and real estate listings as a public post which may appear on a live feed of other users. User-

submitters may also create business profiles and promote business services as posts containing multimedia content on neighborhood groups. This system makes use of one or more data processing apparatus, and a computer readable medium coupled to the one or more data processing apparatus having instructions stored thereon which, when executed by the one or more data processing apparatus, cause the one or more data processing apparatus to perform an electronic method comprising the functions as further discussed below. Nextdoor, during the relevant time period, took advantage of multiple cloud server providers for Accused Instrumentality, as discussed above, as well as scalability within its cloud server providers, employing separate server subsystems for all its meaningfully different functions. Nextdoor uses and has used during the relevant time period, numerous different networks and providers for, *inter alia*, content management systems, web servers, web hosting, data centers, proxy certificates, SSL certificates, traffic analysis, advertising, and tagging, thereby using separate server subsystems for all its meaningfully different functions, such as those indicated below.

The screenshot shows a YouTube video player with the following content:

- Video Title:** Use Nextdoor in your Real Estate business!
- Channel:** Discover Florida (867 subscribers)
- Engagement:** 21 likes, 0 comments, Share, Save, and a menu icon.
- Video Description:**

559 views Oct 14, 2020
Start a group inside Nextdoor. Easy and free! No need to be a "Sponsored Agent" to take advantage of using Nextdoor to increase your business!
Nextdoor.com is a Facebook type social media platform that is used by residents in a specific neighborhood.
- Thumbnail Content:** A screenshot of the Nextdoor website. The main post is by Christine Himick, titled "Free bromeliads" at 393 Grand Canal Dr. The image shows several bromeliad plants in a driveway. To the right is a "Treat Map" advertisement for Party City, described as a guide to neighborhood haunted decorations.

(E.g., <https://www.youtube.com/watch?v=yDOLTADpuns> (Published October 14, 2020)).

The video player shows a YouTube page with the URL [youtube.com/watch?v=RXwEH0EgCJ4](https://www.youtube.com/watch?v=RXwEH0EgCJ4). The video content includes a title card that reads "Nextdoor for businesses" and "Start connecting with neighbors who are actively looking for business like yours." Below this, a text overlay says "Build an effective business page with these handy tips:". The main content is a screenshot of a Nextdoor business profile for "Sunset Market". The profile is highlighted with a red border and includes the following information:

- Neighborhood Favorite:** 15 neighborhoods
- Photo:** A photo of a person at a market stall.
- Address:** 1234 9th Street, San Francisco, CA, 94122
- Hours:** Mon-Fri: 8:00am - 6:00pm
- Contact:** 415-552-0720, sunsetmarket.com
- Description:** "A good meal seems to bridge gaps, to warm hearts and somehow, to connect people. I have been very fortunate in my travels. I've eaten the most incredible meals and one thing I know for sure is that wherever I've been, the ... See more"
- Recommendations:** 20 neighbors recommend

 Surrounding the screenshot are several text boxes providing tips:

- Photo:** Choose a high res, 512x512 pixel photo
- Greeting message:** Add a greeting message that is both personable and approachable while including your professional qualifications.
- Recommendations:** Ask past and present clients to give you recommendations to build your reputation.
- Address:** Include your company's address
- Office hours:** Enter in your hours of availability
- Contact information:** Provide your phone number and website. Be sure to fill out each field as every customer has their own preferred method of communication

 At the bottom of the video frame, there is a "Local Business Guide for Getting Started on Nextdoor & Becoming a Neighborhood Favorite" title, a "Surefire Local" channel name with 1.83K subscribers, a "Subscribe" button, and engagement icons for likes (9), comments, shares, and saves. A view count of "1,244 views Nov 6, 2019" is also visible.

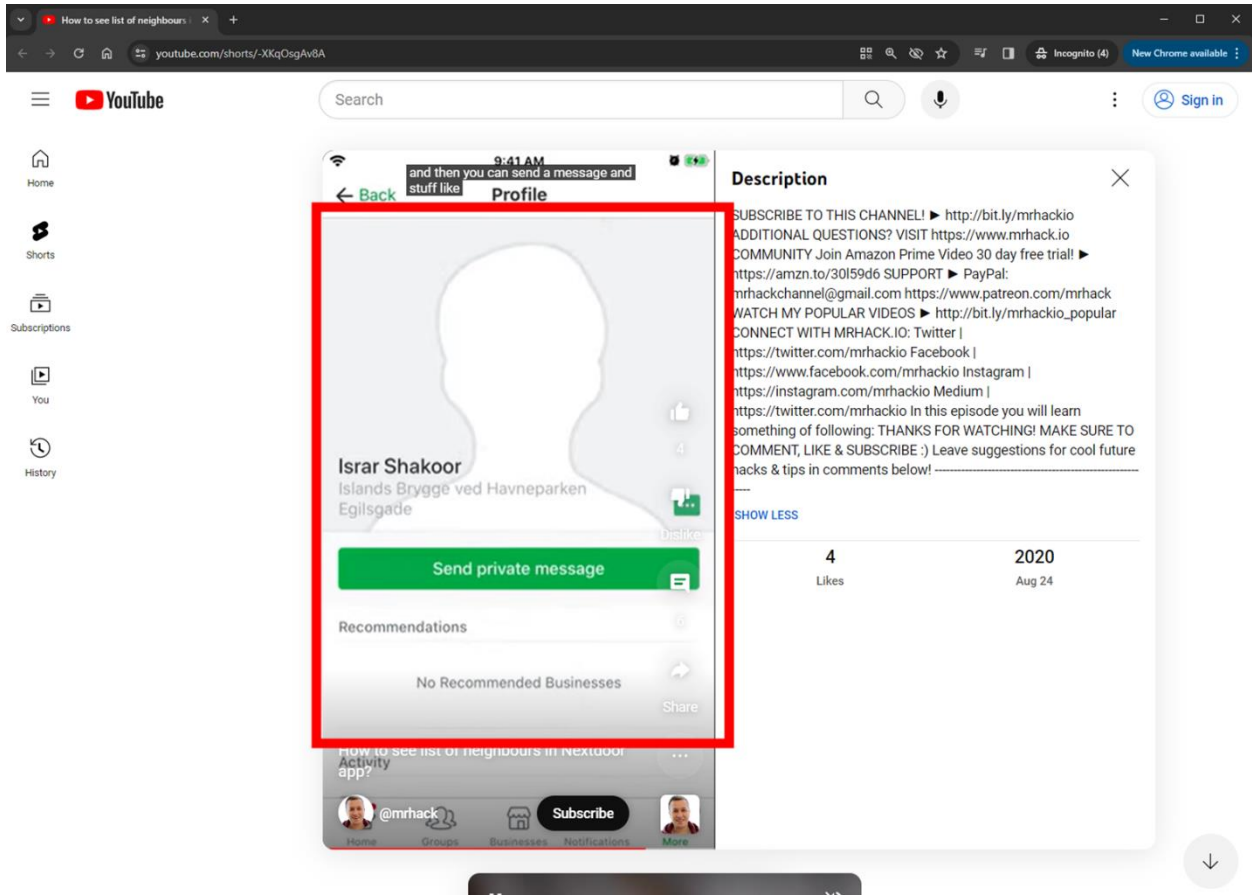
(E.g., <https://www.youtube.com/watch?v=RXwEH0EgCJ4> (Published November 6, 2019)).

The screenshot shows a YouTube video player interface. At the top, there is a search bar and a navigation menu. Below the search bar, there is a prompt to "POST a message, event, poll or urgent alert". The main content is a community post by Angela Salerno, located in Allied Gardens South. The post title is "BLACKTOP TOO HOT FOR DOG PAWS". The text of the post reads: "Hi Neighbors, I have noticed several people walking their dogs through parking lots or talking in the street with their dogs next to them on leash, while it is warm outside and the blacktop is piping hot. The blacktop is extremely hot when the weather is warm and it burns dog pads, as it would the bottom of our feet. Please do not walk See more...". The post is dated "5 May" and is categorized under "Dogs". It has 130 reactions (represented by a smiley face, a heart, and a thumbs up icon) and 32 comments. Below the post, there is a link to "See 21 previous comments". A comment from Jables Benavides, located in San Carlos-Mission Gorge, says "Good reminder. Thank you." and is dated "1 day ago". At the bottom of the video player, the channel name "nextdoor" is visible, along with the profile picture and name of Hank Drayton, who has 1.03K subscribers. There is a "Subscribe" button and interaction buttons for "Like" (0), "Share", "Save", and a menu icon. The video has "31 views" and was published on "May 14, 2020".

(E.g., <https://www.youtube.com/watch?v=TTNeOfSoSVU> (Published May 14, 2020)).

The screenshot shows a YouTube video player with the URL [youtube.com/watch?v=yDOLTADpuns](https://www.youtube.com/watch?v=yDOLTADpuns). The video content is a Nextdoor post from Steve LoTempio, dated 5 days ago. The post features a photograph of a large, light-colored house with a two-car garage and a gabled roof. The text of the post reads: "OPEN HOUSE! - 304 Treviso Drive - 1-3 PM TOMORROW October 11th, come see this golf course home! Offered at \$372,000. STOP and SEE this home on 10th fairway of Stonegate's Oaks course! TRANSITIONAL CALABRIA with structural and comfort upgrades: SCREENED PORTICO with leaded glass entry; WOOD FLOORING See more...". Below the text is a small video thumbnail of Steve LoTempio with a "SUBSCRIBE" button. The video player interface includes a search bar, a "Sign in" button, and a "Use Nextdoor in your Real Estate business!" section with a "Discover Florida" channel (867 subscribers) and a "Subscribe" button. The video has 21 likes and 559 views as of October 14, 2020. A description below the video states: "Start a group inside Nextdoor. Easy and free! No need to be a 'Sponsored Agent' to take advantage of using Nextdoor to increase your business! Nextdoor.com is a Facebook type social media platform that is used by residents in a specific neighborhood."

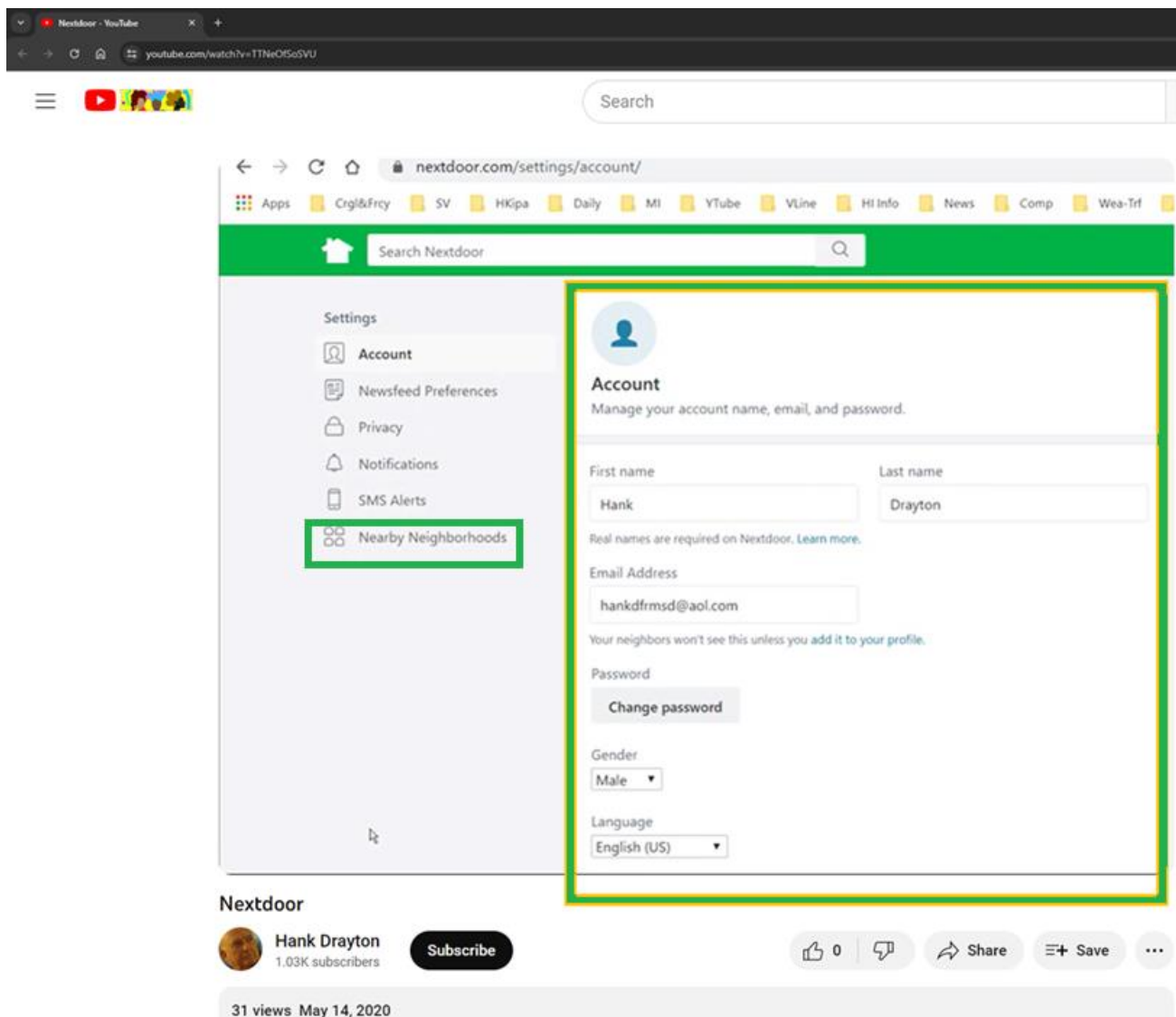
(E.g., <https://www.youtube.com/watch?v=yDOLTADpuns> (Published October 14, 2020)).



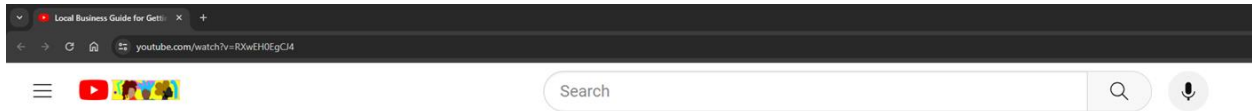
(E.g., <https://www.youtube.com/shorts/-XKqOsgAv8A> (Published August 24, 2020)).

46. The Accused Instrumentality electronically retrieves a plurality of electronic media submissions from an electronic media submissions database on a non-transitory medium, for example multimedia content pertaining to building a user profile on Accused Instrumentality, as well as multimedia content to be displayed on the user’s profile or live feed, as discussed and shown above in connection with the above discussion. Individual users can sign up and create an account (user profile) and/or a business account (business profile) on Nextdoor’s Accused Instrumentality, which is stored on a user database. Such user database is stored in memory available through Accused Instrumentality, for example as discussed above. The user attributes of users who create a user profile may include, e.g., a name, age, gender, interests, address and/or a

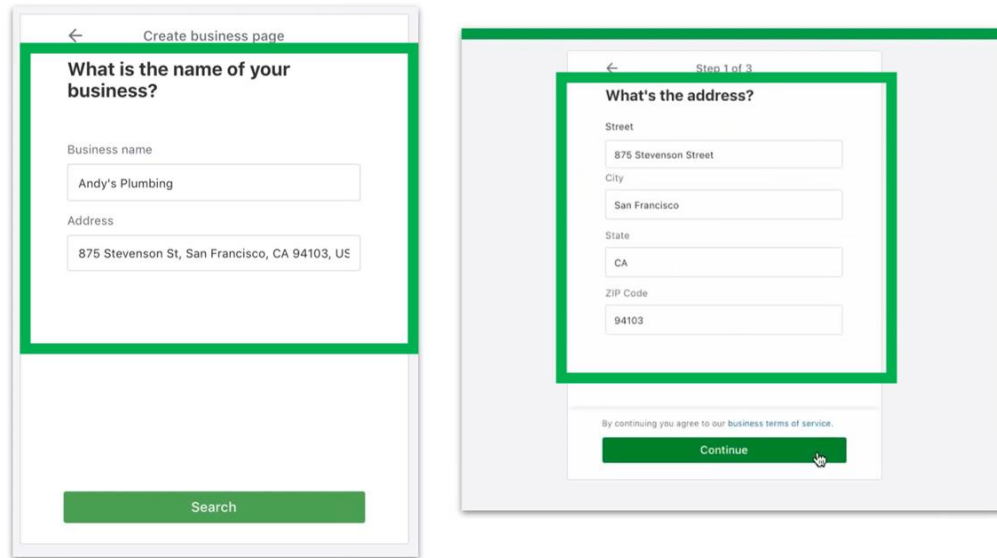
neighborhood selection, and more generally a geographical region, and the like. User attributes for a business profile may also include a business category (*e.g.*, a plumber, dentist auto mechanic and the like, *e.g.*, as shown below) Nextdoor's Accused Instrumentality's retrieval of electronic media (*e.g.*, user profiles, business profiles and associated posts) on neighborhood feeds with associated photo content and textual content associated with the user-submitter from the electronic media submissions database uses an electronic content filter located on the one or more data processing apparatus. As can be seen below, such electronic content filter as is used by Nextdoor is based at least in part on at least one of the one or more user attributes, such as the interests of the user-submitter, desired range of search, business category, and the user-submitter's neighborhood more generally a geographical region which in turn affect which electronic media submissions (*e.g.*, profiles and associated media within the user-submitter's neighborhood) appear to the user, as shown and discussed for example below. Nextdoor uses function-specific subsystems, for example as discussed below.



(E.g., <https://www.youtube.com/watch?v=TTNeOfSoSVU> (Published May 14, 2020)).



- Claim Your Page -



Local Business Guide for Getting Started on Nextdoor & Becoming a Neighborhood Favorite



Surefire Local
1.83K subscribers

Subscribe

9



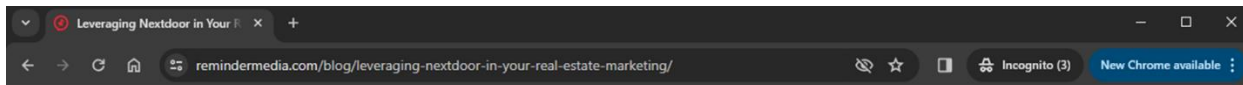
Share

Save



1,244 views Nov 6, 2019

(E.g., <https://www.youtube.com/watch?v=RXwEH0EgCJ4> (Published November 6, 2019)).



If you're reading this, there's a good chance you're already marketing on social media sites like Facebook, Instagram, or Pinterest. But have you considered a more local approach?

Nextdoor is a social media platform that helps people stay connected with others in their neighborhood—and *only* their neighborhood. Users need to either be invited or provide proof of their physical address. Once signed up, they can discuss local issues and events, and even swap recommendations for businesses and contractors.

According to Nextdoor, 89 percent of US neighborhoods are currently represented on the service, with homeowners accounting for 72 percent of its users. Unsurprisingly, the platform has proven especially popular among real estate agents.

Though marketing on Nextdoor isn't quite as straightforward as



ReminderMedia
<https://remindermedia.com> › [blog › leveraging-nextdo...](https://remindermedia.com/blog/leveraging-nextdo...)

Leveraging Nextdoor in Your Real Estate Marketing

Feb 7, 2019 — **Nextdoor** is a social media platform that helps people stay connected with others in their **neighborhood**—and only their **neighborhood**. Users need to either be ...

(E.g., <https://remindermedia.com/blog/leveraging-nextdoor-in-your-real-estate-marketing/>

(Archived by Google.com on February 7, 2019)).


EDUCATING
OUR CUSTOMERS

January 2020

Short Tutorial/FAQ - What Are The Benefits Of Nextdoor?

Question: A neighbor recently suggested I join the Nextdoor social network. What are the benefits of doing so?

Answer: First, let's start with the basics. The Nextdoor app is a private social networking platform for local communities and neighborhoods. Instead of connecting you to users around the world, Nextdoor narrows your network to include only those in your surrounding area. In order to join, you have to prove that you live where you say you do (by entering a code mailed to your home address, for example).



According to the Nextdoor website, its mission is to "provide a trusted platform where neighbors work together to build stronger, safer, happier communities..." In addition to fostering relationships among neighbors, Nextdoor is frequently used to do the following:

- **Buy and sell.** Users can use Nextdoor in order to sell or purchase items in the "For Sale or Free" page of the app. Listings will also appear on the neighborhood feed so users can see new items as they appear.
- **Organize events.** Do you think your neighborhood could benefit from a block party? Do you want to get a book club started? True to the spirit of the app, users can use Nextdoor to host and organize parties and events.
- **Get recommendations.** With the app, users can find recommendations from neighbors on local businesses, restaurants, babysitters, pet sitters, and so on.
- **Communicate about property concerns.** Nextdoor can be an effective place to voice concerns about dangerous tree limbs, icy sidewalks, or overgrown lawns.
- **Spread the word about lost pets.** If a dog or cat goes missing, users can quickly ask their neighbors to be on the lookout.

Given all the benefits, it can't hurt to be neighborly and give the free Nextdoor app a try.

(E.g., https://www.newsletterhome.com/eNewsletter/2020/2001_Section_J.html).

Related to this, Nextdoor is also launching out of beta its Groups feature to users worldwide. Similar to Facebook Groups, Nextdoor's Groups allows communities to **organize around topics, interests, providing aid or anything else.** But unlike Facebook, which doesn't have an official way to confirm people are who they say or where they live, **Nextdoor validates users by phone or postal mail.**

On Nextdoor Groups, neighbors can organize either by their specific neighborhood alone, with other neighborhoods nearby, or on a city-wide basis.

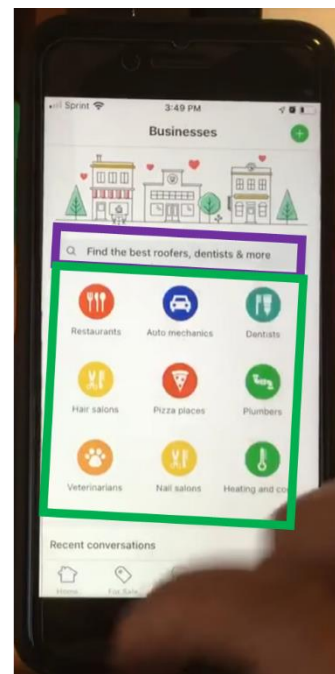
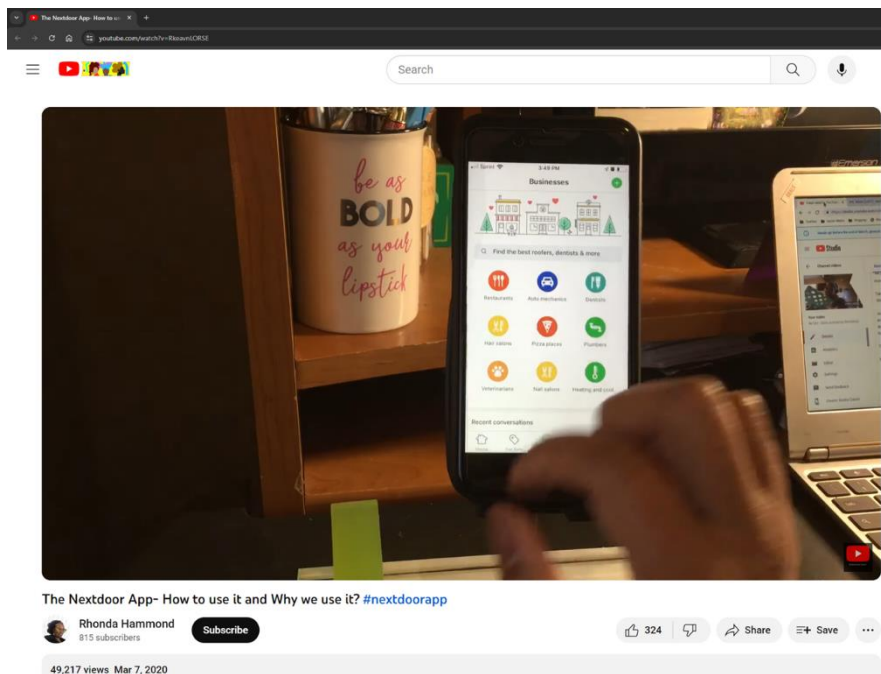
Childcare Exchange to assist neighbors through Coronavirus School Closures
 Coronavirus help for neighbors
 Any excuse to bake!

During the beta, neighbors were already beginning to use the feature for COVID-19 topics, including ways to unite communities, ways for parents to help kids stay connected during school closures and different hobbies that can be done while

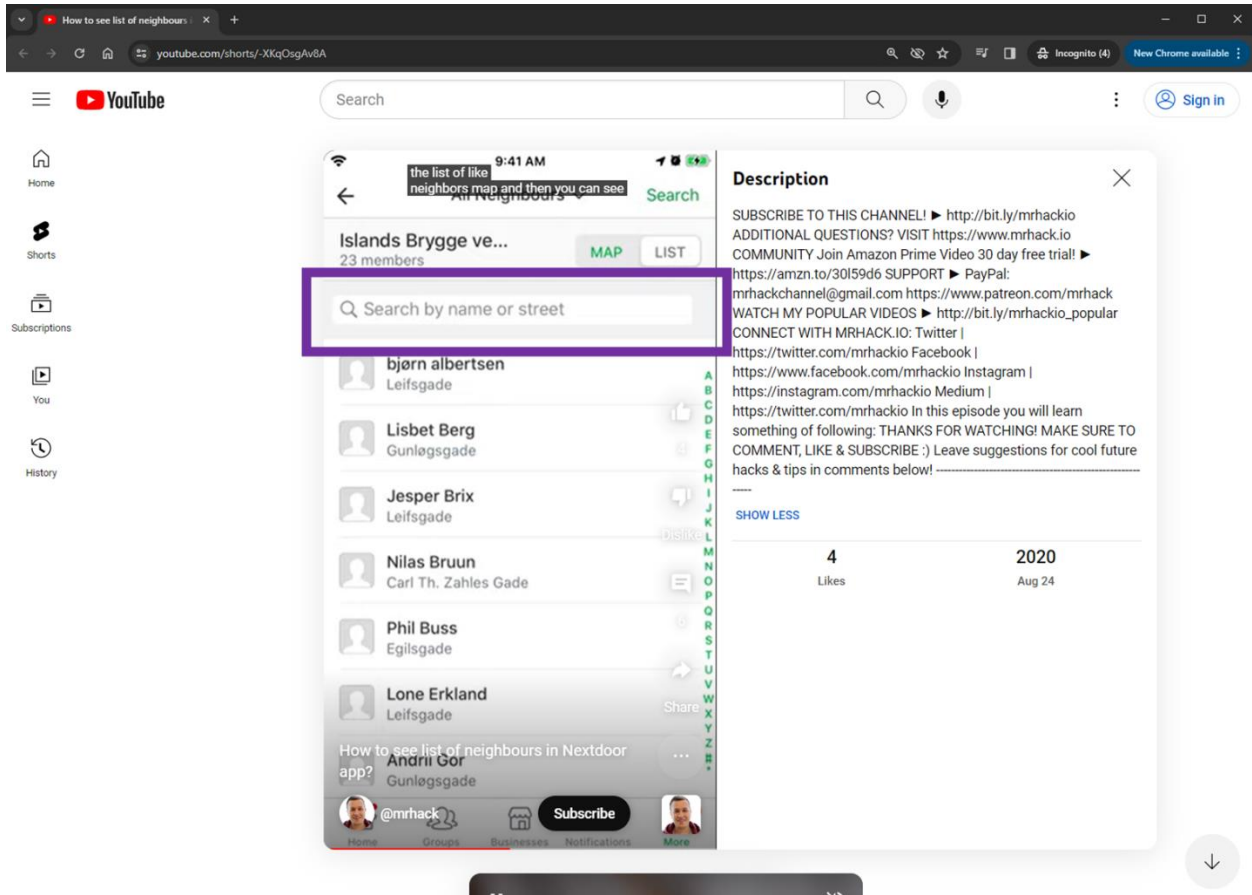
Disrupt SF 2020
Announcing the Disrupt Digital Pass
 San Francisco
 Sep 14 - 16
 Register Today

(E.g., <https://web.archive.org/web/20200321004339/https://techcrunch.com/2020/03/19/nextdoor-adds-help-maps-and-groups-to-connect-neighbors-during-the-coronavirus-outbreak/>

(Published March 19, 2020)).



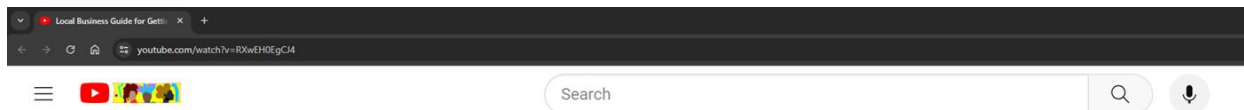
(E.g., <https://www.youtube.com/watch?v=RkeavnLORSE> (Published March 7, 2020)).



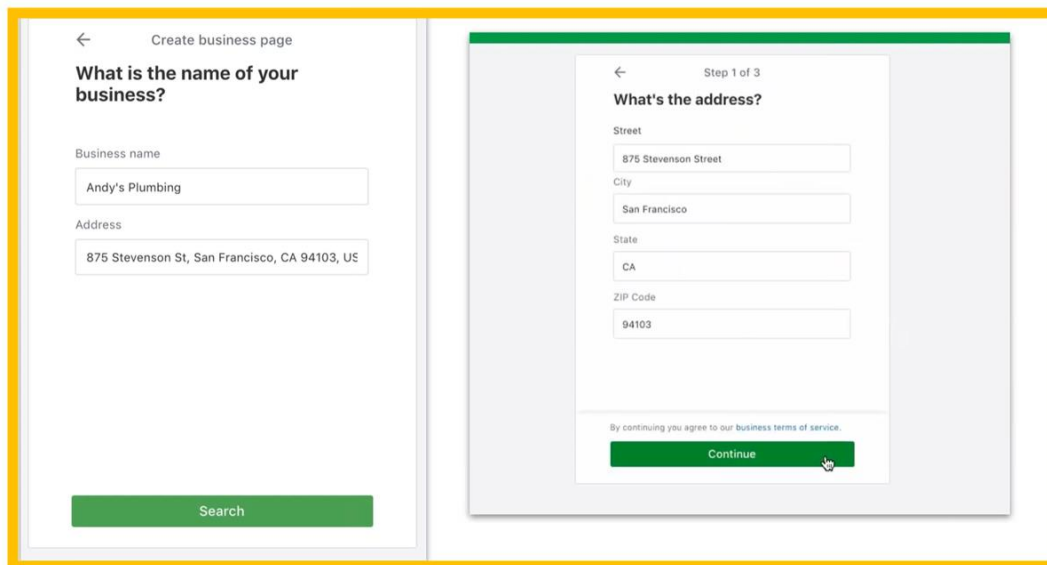
(E.g., <https://www.youtube.com/shorts/-XKqOsgAv8A> (Published August 24, 2020)).

47. The Accused Instrumentality includes an electronic media submissions database stored on a non-transitory medium in order to process and store received submissions from a plurality of user-submitters, for example content pertaining to their respective user profiles on Accused Instrumentality, as well as multimedia content to be displayed on one or both of the user's profile, the live feed, and online neighborhood groups as discussed and shown in connection with the above discussion. The submissions pertaining to building a user profile, a business profile and to posting on neighborhood groups may include, *e.g.*, photo, hyperlinks and/or textual content. The submissions are provided to Accused Instrumentality via a submissions electronic interface, *e.g.*, a web-based content portal, accessible for example by logging in and selecting options to upload such content or import content, configured to receive such electronic media, from a plurality of

user-submitters over a public network (e.g., the Internet) and stored, via an uploading process, in said electronic media submissions database for use in distribution to other users of Accused Instrumentality.



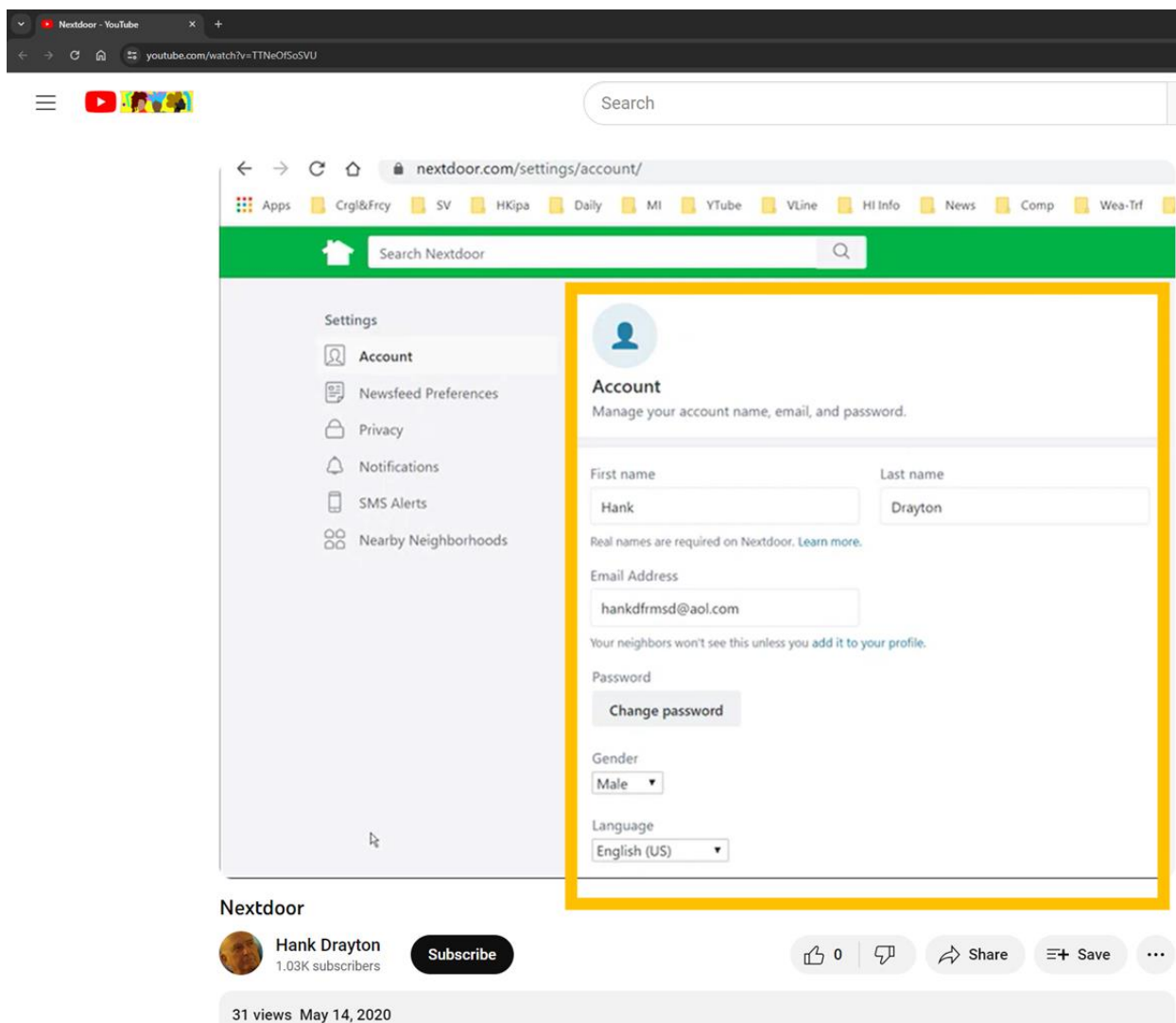
- Claim Your Page -



Local Business Guide for Getting Started on Nextdoor & Becoming a Neighborhood Favorite



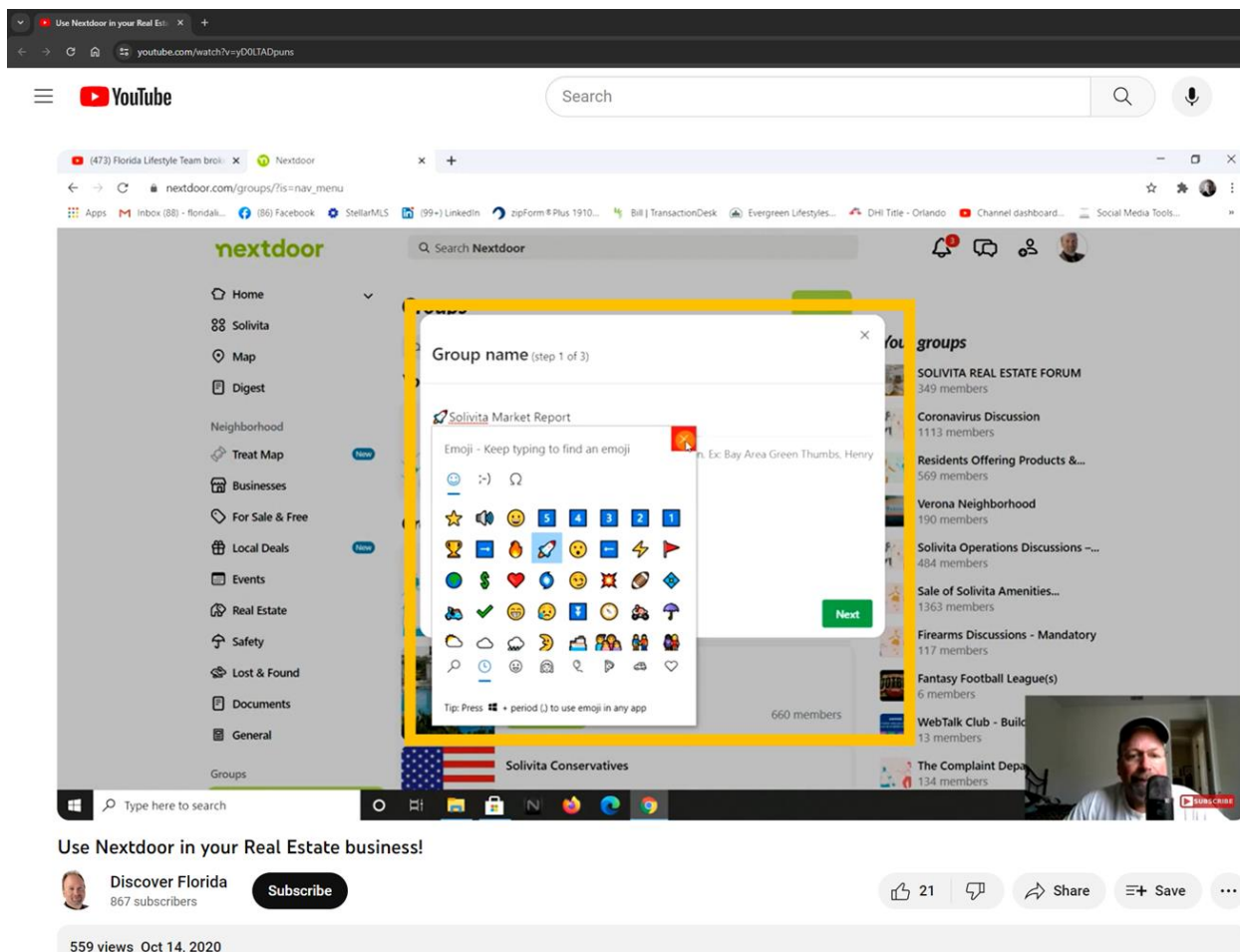
(E.g., <https://www.youtube.com/watch?v=RXwEH0EgCJ4> (Published November 6, 2019)).



(E.g., <https://www.youtube.com/watch?v=TTNeOfSoSVU> (Published May 14, 2020)).

The screenshot displays a YouTube video player. The video title is "Use Nextdoor in your Real Estate business!". The video content is a screen recording of the Nextdoor website. The Nextdoor interface shows a neighborhood feed. A post by Christine Himick is highlighted with a yellow box, titled "Free bromeliads" and "393 Grand Canal Dr. At end of driveway, help yourself!". Below it is a photo of several potted bromeliads. To the right, there is a "Treat Map" sponsored by Party City, described as a guide to neighborhood haunted decorations. The video player interface includes a search bar, a "Sign in" button, and video controls. Below the video, the video title "Use Nextdoor in your Real Estate business!" is repeated, along with the channel name "Discover Florida" (867 subscribers), a "Subscribe" button, and engagement icons for likes (21), comments, shares, and saves. The video description states: "559 views Oct 14, 2020 Start a group inside Nextdoor. Easy and free! No need to be a 'Sponsored Agent' to take advantage of using Nextdoor to increase your business! Nextdoor.com is a Facebook type social media platform that is used by residents in a specific neighborhood."

(E.g., <https://www.youtube.com/watch?v=yDOLTADpuns> (Published October 14, 2020)).



(E.g., <https://www.youtube.com/watch?v=yDOLTADpuns> (Published October 14, 2020)).

The more recommendations you have, the more people you reach

Only Businesses that have received at least one recommendation will appear in the Recommendations section

Members can only see recommendations from their residential neighbors and nearby neighbors

Having more recommendations will help your business appear higher in search results

Search

Recommendations section

Business Page

Local Business Guide for Getting Started on Nextdoor & Becoming a Neighborhood Favorite

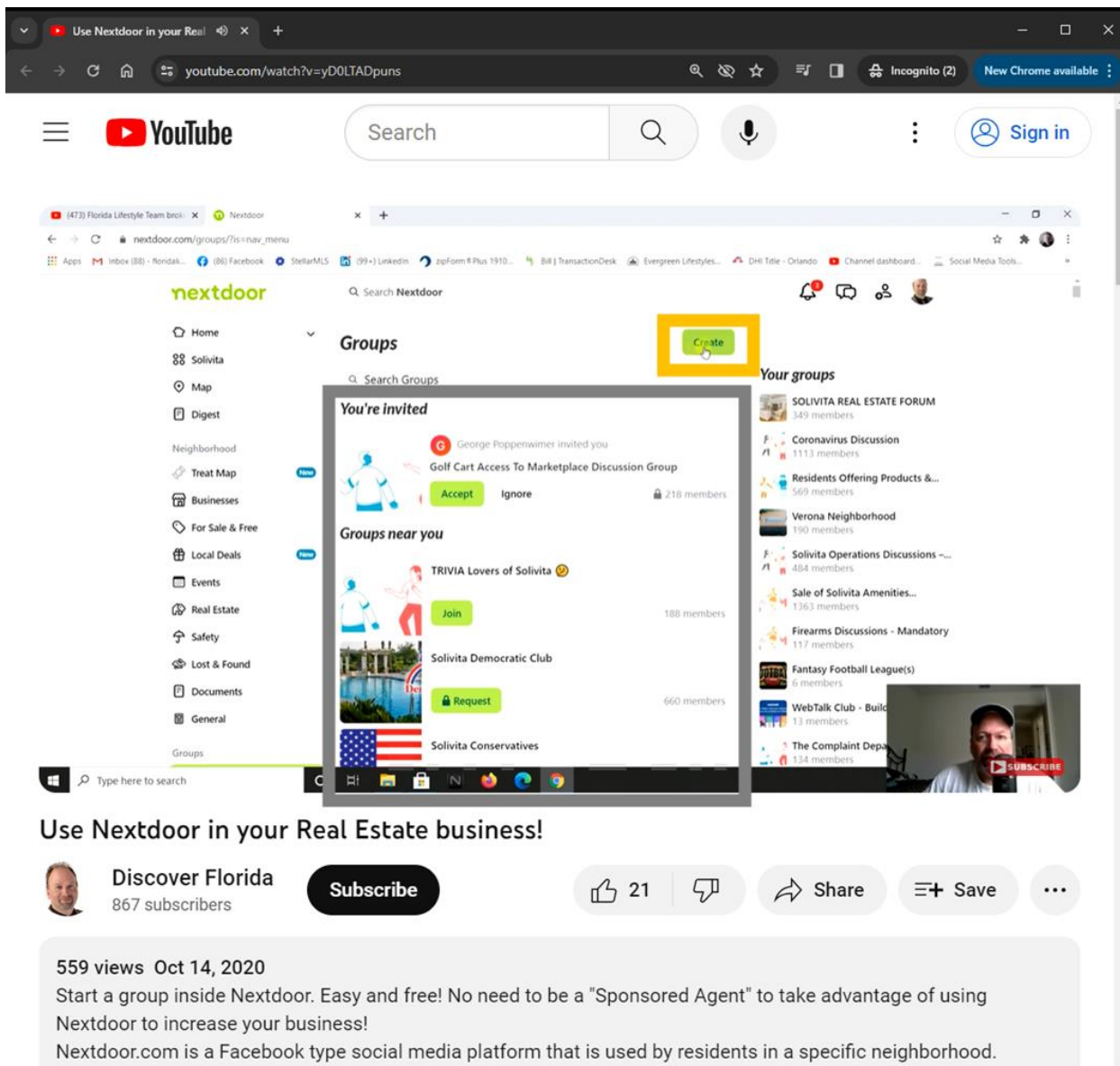
Surefire Local
1.83K subscribers

Subscribe

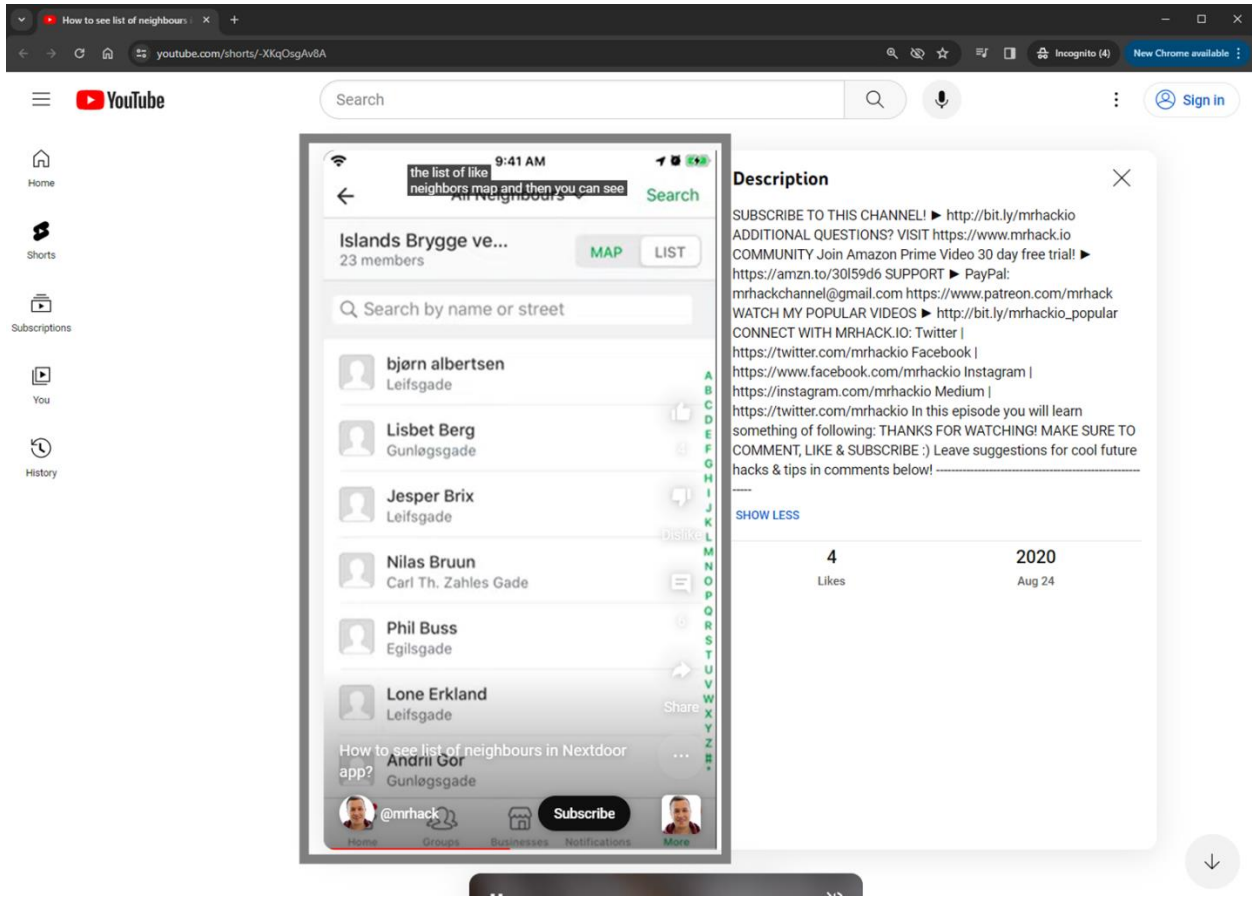
9 | | Share | Save | ...

1,244 views Nov 6, 2019

(E.g., <https://www.youtube.com/watch?v=RXwEH0EgCJ4> (Published November 6, 2019)).

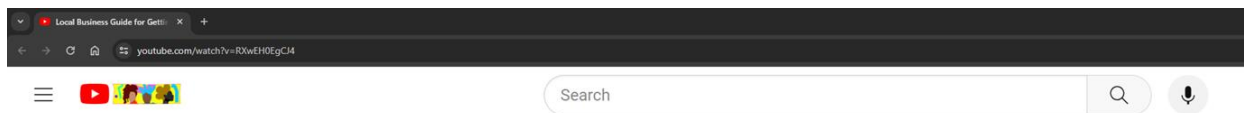


(E.g., <https://www.youtube.com/watch?v=yDOLTADpuns> (Published October 14, 2020)).

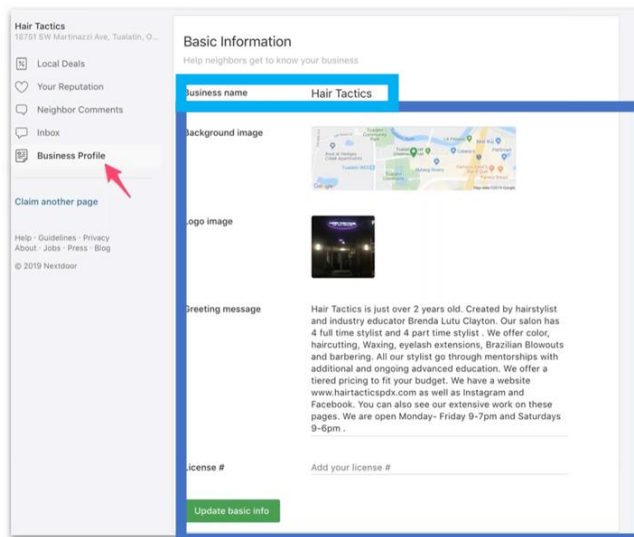


(E.g., <https://www.youtube.com/shorts/-XKqOsgAv8A> (Published August 24, 2020)).

48. The electronic media submissions database of Accused Instrumentality used by Nextdoor which stores the submissions further stores data identifying the submitter and data indicating content for each electronic media submission. As shown below, data identifying the user-submitter includes *e.g.*, a name and/or a logo or profile picture displayed as a thumbnail. Data indicating content for each electronic media submission includes a photo and/or textual content.



- Complete Your Profile -



Local Business Guide for Getting Started on Nextdoor & Becoming a Neighborhood Favorite



Surefire Local
1.83K subscribers

Subscribe

9



Share

Save



1,244 views Nov 6, 2019

(E.g., <https://www.youtube.com/watch?v=RXwEH0EgCJ4> (Published November 6, 2019)).

Nextdoor for businesses
Start connecting with neighbors who are actively looking for business like yours.

Build an effective business page with these handy tips:

- Photo**
Choose a high res, 512x512 pixel photo
- Greeting message**
Add a greeting message that is both personable and approachable while including your professional qualifications.
- Recommendations**
Ask past and present clients to give you recommendations to build your reputation.
- Address**
Include your company's address
- Office hours**
Enter in your hours of availability
- Contact information**
Provide your phone number and website. Be sure to fill out each field as every customer has their own preferred method of communication

Local Business Guide for Getting Started on Nextdoor & Becoming a Neighborhood Favorite

Surefire Local 1.83K subscribers [Subscribe](#)

1,244 views Nov 6, 2019

9 | Share | Save

(E.g., <https://www.youtube.com/watch?v=RXwEH0EgCJ4> (Published November 6, 2019)).

Nextdoor - YouTube

youtube.com/watch?v=TTNeOfSoSVU

Search

Post a message, event, poll or urgent alert

A Angela Salerno, Allied Gardens South

BLACKTOP TOO HOT FOR DOG PAWS

Hi Neighbors, I have noticed several people walking their dogs through parking lots or talking in the street with their dogs next to them on leash, while it is warm outside and the blacktop is piping hot. The blacktop is extremely hot when the weather is warm and it burns dog pads, as it would the bottom of our feet. Please do not walk See more...

5 May · Dogs

Thank Comment 130 32

See 21 previous comments

J Jables Benavides, San Carlos-Mission Gorge

Good reminder. Thank you.

1 day ago Thank Reply 2

Nextdoor

Hank Drayton
1.03K subscribers

Subscribe

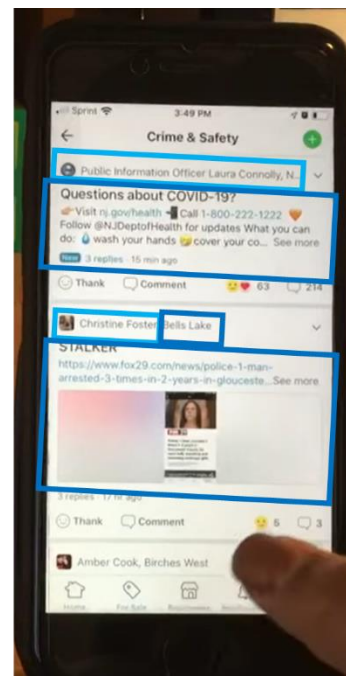
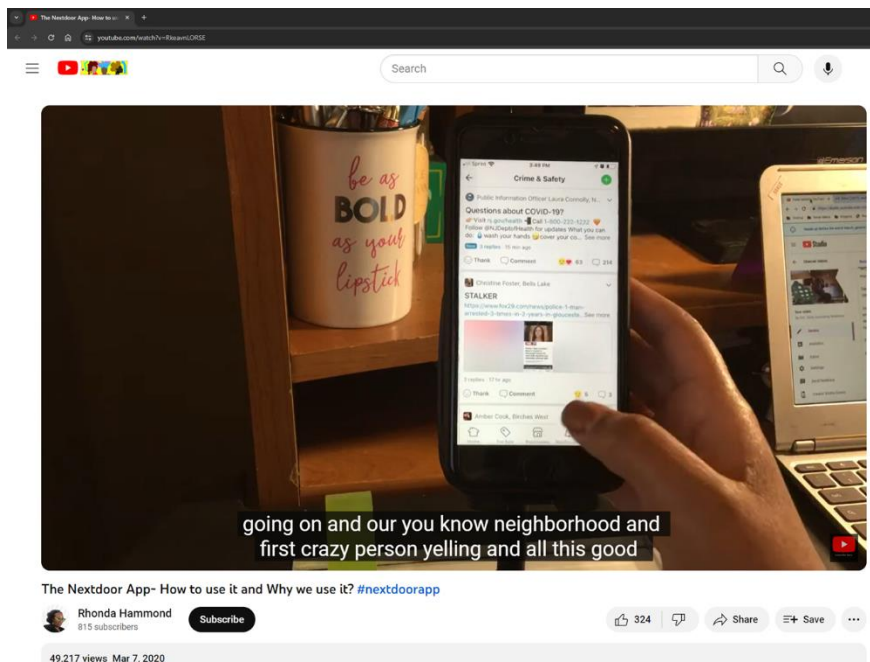
0 Share Save

31 views May 14, 2020

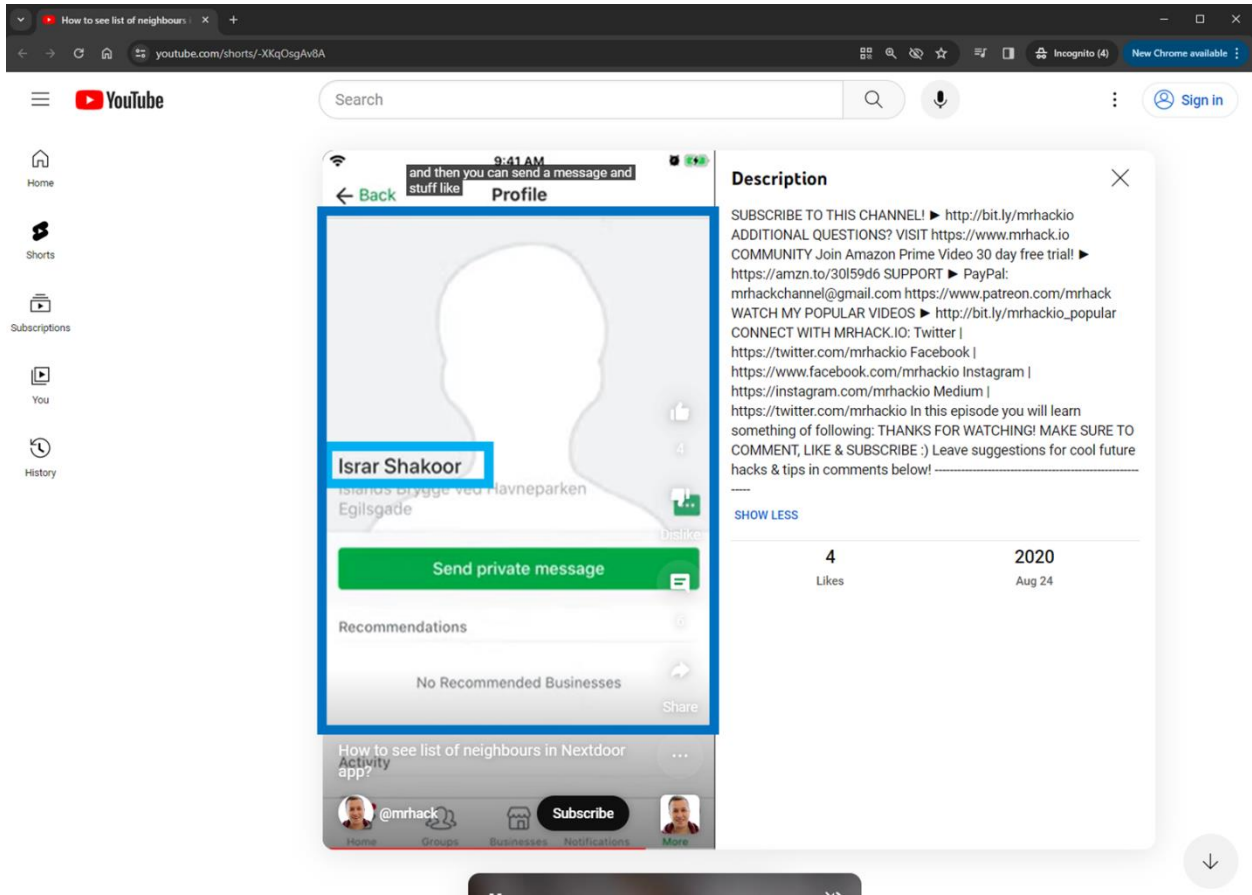
(E.g., <https://www.youtube.com/watch?v=TTNeOfSoSVU> (Published May 14, 2020)).

The screenshot displays a YouTube video player. The video content is an advertisement for Nextdoor. At the top, it says "Use Nextdoor in your Real Estate business!". Below this, there is a profile for "Discover Florida" with 867 subscribers and a "Subscribe" button. The video has 21 likes and a "Share" button. The main content of the video is a Nextdoor interface. On the left is a navigation menu with options like Home, Solivita, Map, Digest, Neighborhood, Treat Map, Businesses, For Sale & Free, Local Deals, Events, Real Estate, Safety, Lost & Found, Documents, and General. The main area shows a real estate listing for "566 SAN JOAQUIN RD - Arista Realty Group" with a "Like" and "Comment" button. Below that is a video by "Steve LoTempio" showing a house. The video description reads: "OPEN HOUSE! - 304 Treviso Drive - 1-3 PM TOMORROW October 11th, come see this golf course home! Offered at \$372,000. STOP and SEE this home on 10th fairway of Stonegate's Oaks course! TRANSITIONAL CALABRIA with structural and comfort upgrades: SCREENED PORTICO with leaded glass entry, WOOD FLOORING See more...". At the bottom of the video, there is a "SUBSCRIBE" button.

(E.g., <https://www.youtube.com/watch?v=yDOLTADpuns> (Published October 14, 2020)).



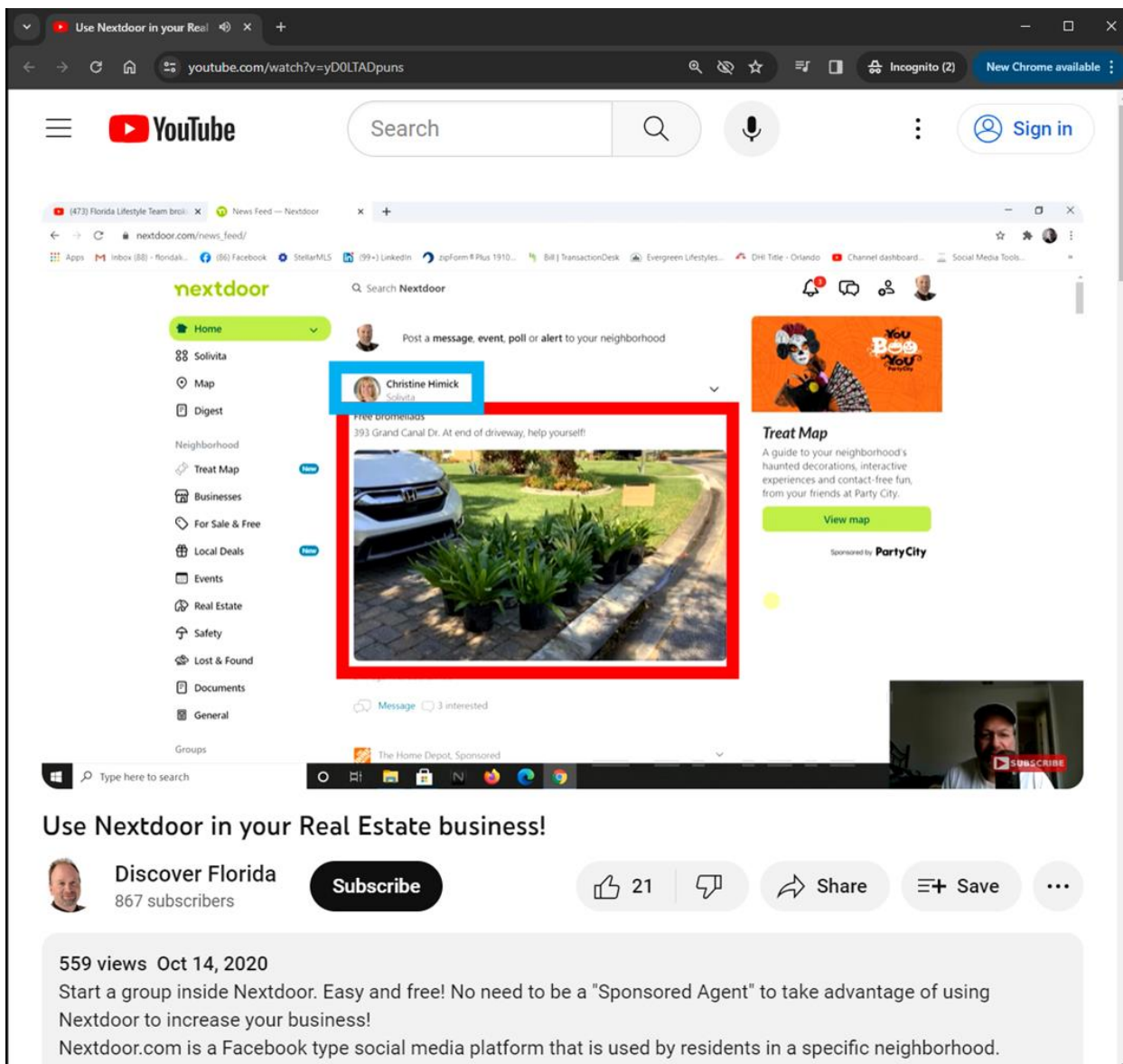
(E.g., <https://www.youtube.com/watch?v=RkeavnLORSE> (Published March 7, 2020)).



(E.g., <https://www.youtube.com/shorts/-XKqOsgAv8A> (Published August 24, 2020)).

49. The Accused Instrumentality electronically generates a multimedia file from the retrieved electronic media submissions, in accordance with a selected digital format (e.g., a digital format compatible with a selected digital format compatible with the particular device such as a computer or smart phone incorporating one or more browsers or apps), and the identification of the submitter is maintained with each retrieved submission within the multimedia file. As shown below, data identifying the user-submitter includes e.g., a name and profile picture identifying the user and textual content, along with embedded hyperlinks to listings (such as real estate listings) and recommendations. For example, below are examples of such multimedia files being displayed within a user's browser or app, on a user device, in association with the identification of the submitter is maintained with each retrieved submission within the multimedia file having

associated multimedia content (e.g., the profiles and/or various content as discussed above), for example as shown below.



(E.g., <https://www.youtube.com/watch?v=yDOLTADpuns> (Published October 14, 2020)).

The image shows a YouTube video player with a video titled "Local Business Guide for Getting Started on Nextdoor & Becoming a Neighborhood Favorite". The video content features a Nextdoor business page for "Sunset Market" in San Francisco. The page is highlighted with a red border and includes several callout boxes with tips:

- Photo:** Choose a high res, 512x512 pixel photo.
- Greeting message:** Add a greeting message that is both personable and approachable while including your professional qualifications.
- Recommendations:** Ask past and present clients to give you recommendations to build your reputation.
- Address:** Include your company's address.
- Office hours:** Enter in your hours of availability.
- Contact information:** Provide your phone number and website. Be sure to fill out each field as every customer has their own preferred method of communication.

The Nextdoor business page for "Sunset Market" includes a "Neighborhood Favorite" badge, a photo of a person at a market, the address "1234 9th Street, San Francisco, CA, 94122", a description, and contact information: "Mon-Fri: 8:00am - 6:00pm" and "415-552-0720". It also shows "20 neighbors recommend" and a "Recommend" button.

Below the video, there is a "Local Business Guide for Getting Started on Nextdoor & Becoming a Neighborhood Favorite" section with a "Surefire Local" badge (1.83K subscribers) and a "Subscribe" button. The video has "1,244 views" and was published on "Nov 6, 2019".

(E.g., <https://www.youtube.com/watch?v=RXwEH0EgCJ4> (Published November 6, 2019)).

The screenshot shows a YouTube video player interface. At the top, there is a search bar and a navigation menu. Below the video player, there is a comment section. A comment by Angela Salerno, from the neighborhood 'Allied Gardens South', is highlighted with a red border. The comment text reads: 'BLACKTOP TOO HOT FOR DOG PAWS Hi Neighbors, I have noticed several people walking their dogs through parking lots or talking in the street with their dogs next to them on leash, while it is warm outside and the blacktop is piping hot. The blacktop is extremely hot when the weather is warm and it burns dog pads, as it would the bottom of our feet. Please do not walk See more...'. The comment was posted on May 5th and is categorized under 'Dogs'. It has 130 likes and 32 replies. Below this comment, there is a comment by Jables Benavides, from 'San Carlos-Mission Gorge', which says 'Good reminder. Thank you.' and was posted 1 day ago. At the bottom of the page, the channel 'Nextdoor' is shown, featuring Hank Drayton with 1.03K subscribers. The video has 31 views and was published on May 14, 2020.

(E.g., <https://www.youtube.com/watch?v=TTNeOfSoSVU> (Published May 14, 2020)).

The screenshot displays a YouTube video player. The video title is "Use Nextdoor in your Real Estate business!". The video content shows a Nextdoor real estate listing for a house at 304 Treviso Drive. The listing includes details about an open house and features like a screened portico and wood flooring. The video is by "Discover Florida" and has 559 views as of October 14, 2020.

Use Nextdoor in your Real Estate business!

Discover Florida
867 subscribers

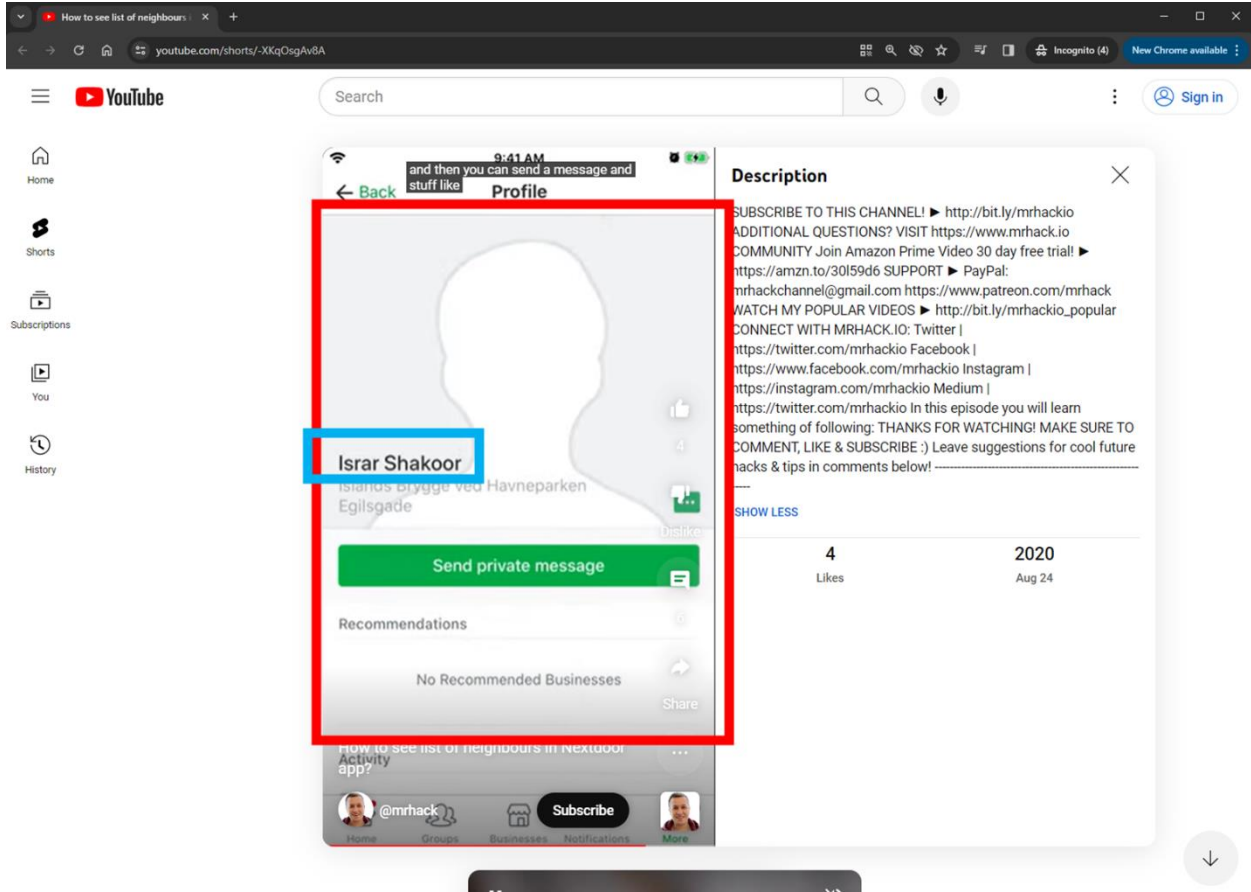
Subscribe

21 likes | Share | Save

559 views Oct 14, 2020

Start a group inside Nextdoor. Easy and free! No need to be a "Sponsored Agent" to take advantage of using Nextdoor to increase your business!
Nextdoor.com is a Facebook type social media platform that is used by residents in a specific neighborhood.

(E.g., <https://www.youtube.com/watch?v=yDOLTADpuns> (Published October 14, 2020)).



(E.g., <https://www.youtube.com/shorts/-XKqOsgAv8A> (Published August 24, 2020)).

50. The Accused Instrumentality, in order to distribute its multimedia content to a geographically distributed userbase, electronically transmits the multimedia file to a plurality of publicly accessible web servers, so as to be made electronically available multimedia profile and/or post content with associated photo, profile picture, and textual content to users, thereby making the multimedia content electronically available for viewing on one or more user devices over a public network (e.g., the Internet). For example, as shown below, multimedia content associated with user profiles and posts is provided on various user devices (e.g., a computer or other device with a web browser or app) in response to a user logging in to Accused Instrumentality. Nextdoor uses function-specific subsystems, for example as discussed below.

The screenshot displays a YouTube video player. The video title is "Use Nextdoor in your Real Estate business!". The video content shows a Nextdoor mobile app interface. A post by Christine Himick is highlighted with a red box. The post is titled "Free bromeliads" and includes a photo of several potted bromeliads. The video description reads: "Start a group inside Nextdoor. Easy and free! No need to be a 'Sponsored Agent' to take advantage of using Nextdoor to increase your business! Nextdoor.com is a Facebook type social media platform that is used by residents in a specific neighborhood." The video has 559 views and was published on Oct 14, 2020.

(E.g., <https://www.youtube.com/watch?v=yDOLTADpuns> (Published October 14, 2020)).

The video player shows a YouTube page with the URL [youtube.com/watch?v=RXwEH0EgCJ4](https://www.youtube.com/watch?v=RXwEH0EgCJ4). The video content is a guide titled "Local Business Guide for Getting Started on Nextdoor & Becoming a Neighborhood Favorite".

Nextdoor for businesses
Start connecting with neighbors who are actively looking for business like yours.

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- Photo**: Choose a high res, 512x512 pixel photo
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- Office hours**: Enter in your hours of availability
- Contact information**: Provide your phone number and website. Be sure to fill out each field as every customer has their own preferred method of communication

The video shows a Nextdoor profile for "Sunset Market" (Farmer's market) at 1234 9th Street, San Francisco, CA, 94122. The profile includes a photo of a market stall, a description, and contact information (phone: 415-552-0720, website: sunsetmarket.com). The profile is highlighted with a red border in the video.

Local Business Guide for Getting Started on Nextdoor & Becoming a Neighborhood Favorite

Surefire Local 1.83K subscribers [Subscribe](#)

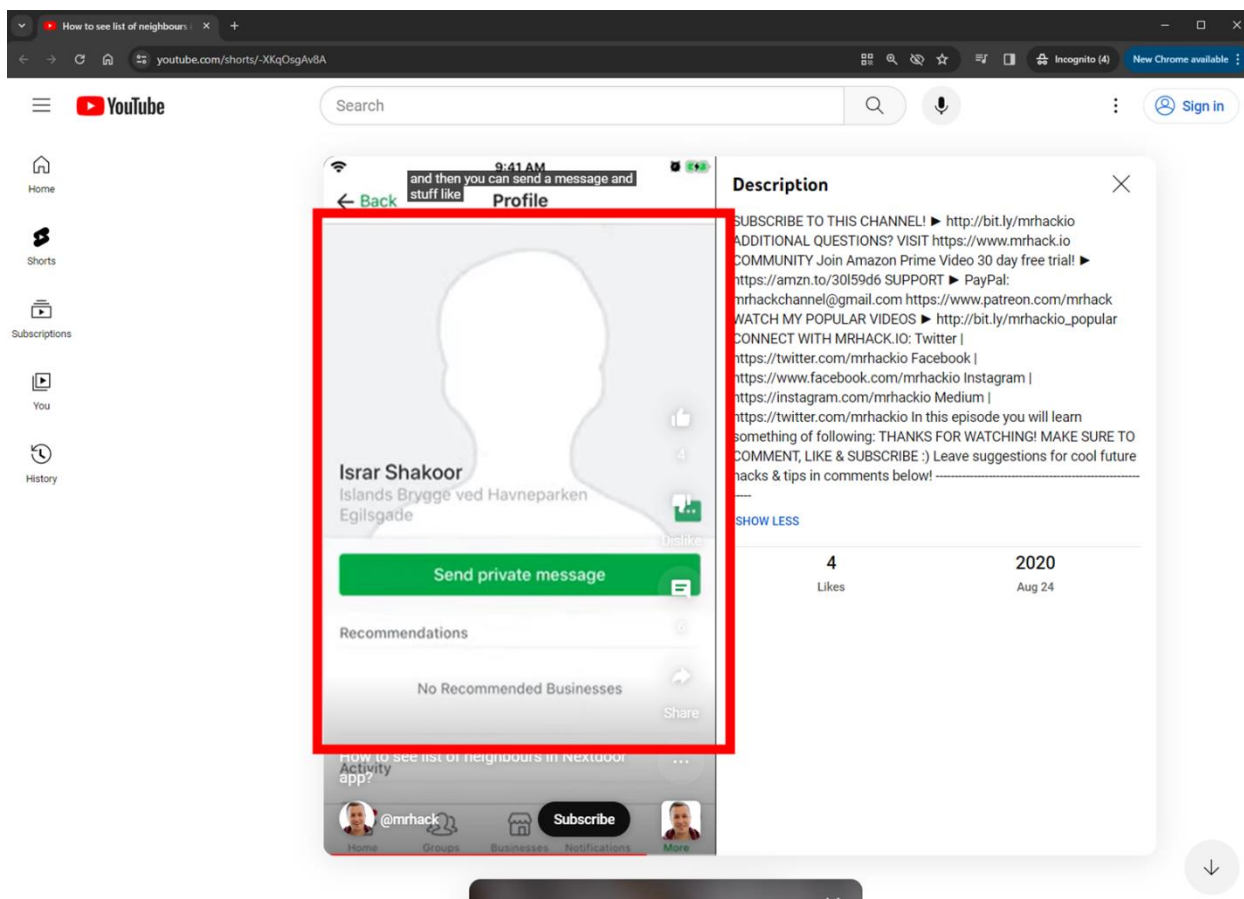
1,244 views Nov 6, 2019

9 | Share | Save

(E.g., <https://www.youtube.com/watch?v=RXwEH0EgCJ4> (Published November 6, 2019)).

The screenshot shows a web browser window with the address bar displaying "youtube.com/watch?v=TTNeOISoSVU". The page content is a Nextdoor post. At the top, there is a search bar and a prompt to "POST a message, event, poll or urgent alert". The post is by "Angela Salerno, Allied Gardens South". The title of the post is "BLACKTOP TOO HOT FOR DOG PAWS". The text of the post reads: "Hi Neighbors, I have noticed several people walking their dogs through parking lots or talking in the street with their dogs next to them on leash, while it is warm outside and the blacktop is piping hot. The blacktop is extremely hot when the weather is warm and it burns dog pads, as it would the bottom of our feet. Please do not walk See more...". The post is dated "5 May" and is categorized under "Dogs". It has 130 likes and 32 comments. Below the post, there is a section for "See 21 previous comments". One comment is visible from "Jables Benavides, San Carlos-Mission Gorge" with the text "Good reminder. Thank you." and 2 likes. At the bottom of the screenshot, the "nextdoor" logo is visible, along with the profile of "Hank Drayton" (1.03K subscribers) and a "Subscribe" button. There are also icons for "Like" (0), "Comment", "Share", "Save", and a menu icon. The video player shows "31 views" and "May 14, 2020".

(E.g., <https://www.youtube.com/watch?v=yDOLTADpuns> (Published October 14, 2020)).



(E.g., <https://www.youtube.com/shorts/-XKqOsgAv8A> (Published August 24, 2020)).

51. The Accused Instrumentality employs a web-based graphical user interface enabling its users to electronically access an electronic voting subsystem, enabling tracking of voting or electronic rating, configured to enable a user to electronically vote for or rate (e.g., by the users choices with respect to a selection of a “Thank” and or a smiley face icon, a heart icon or a like icon) an electronically available multimedia content (e.g., a multimedia profile provided by a user-submitter, with accompanying photo and/or textual content). Users may also elect to post a Recommendation for business profiles. Nextdoor uses function-specific subsystems, for example as discussed below.

Nextdoor - YouTube

youtube.com/watch?v=TTNeOfSoSVU

Post a message, event, poll or urgent alert

Angela Salerno, Allied Gardens South

BLACKTOP TOO HOT FOR DOG PAWS

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5 May · Dogs

Thank Comment

130 32

See 21 previous comments

Jables Benavides, San Carlos-Mission Gorge

Good reminder. Thank you.

1 day ago Thank Reply

2

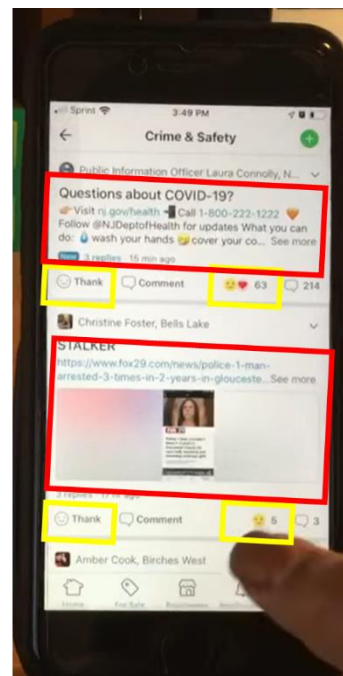
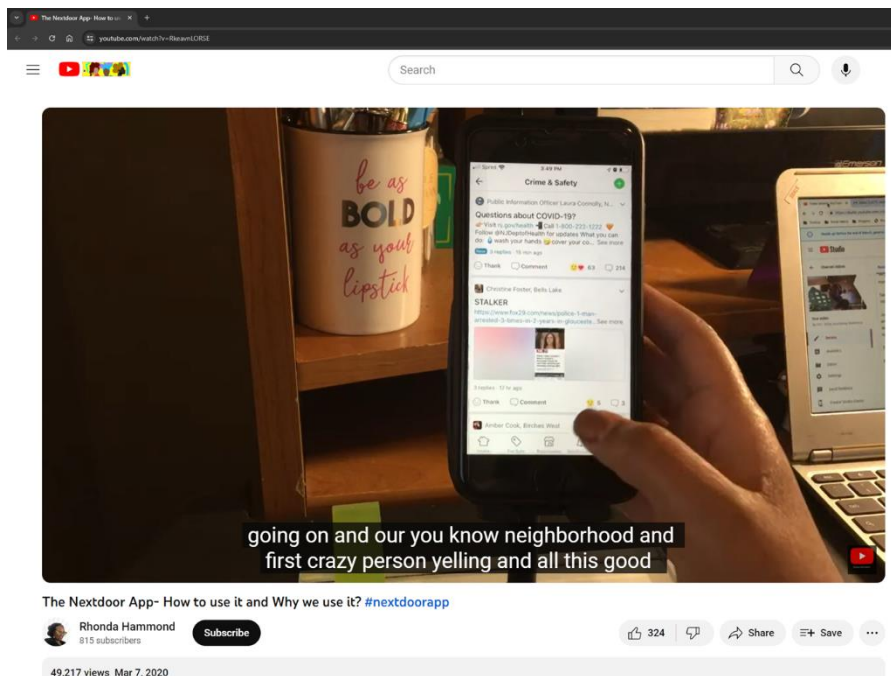
Nextdoor

Hank Drayton
1.03K subscribers
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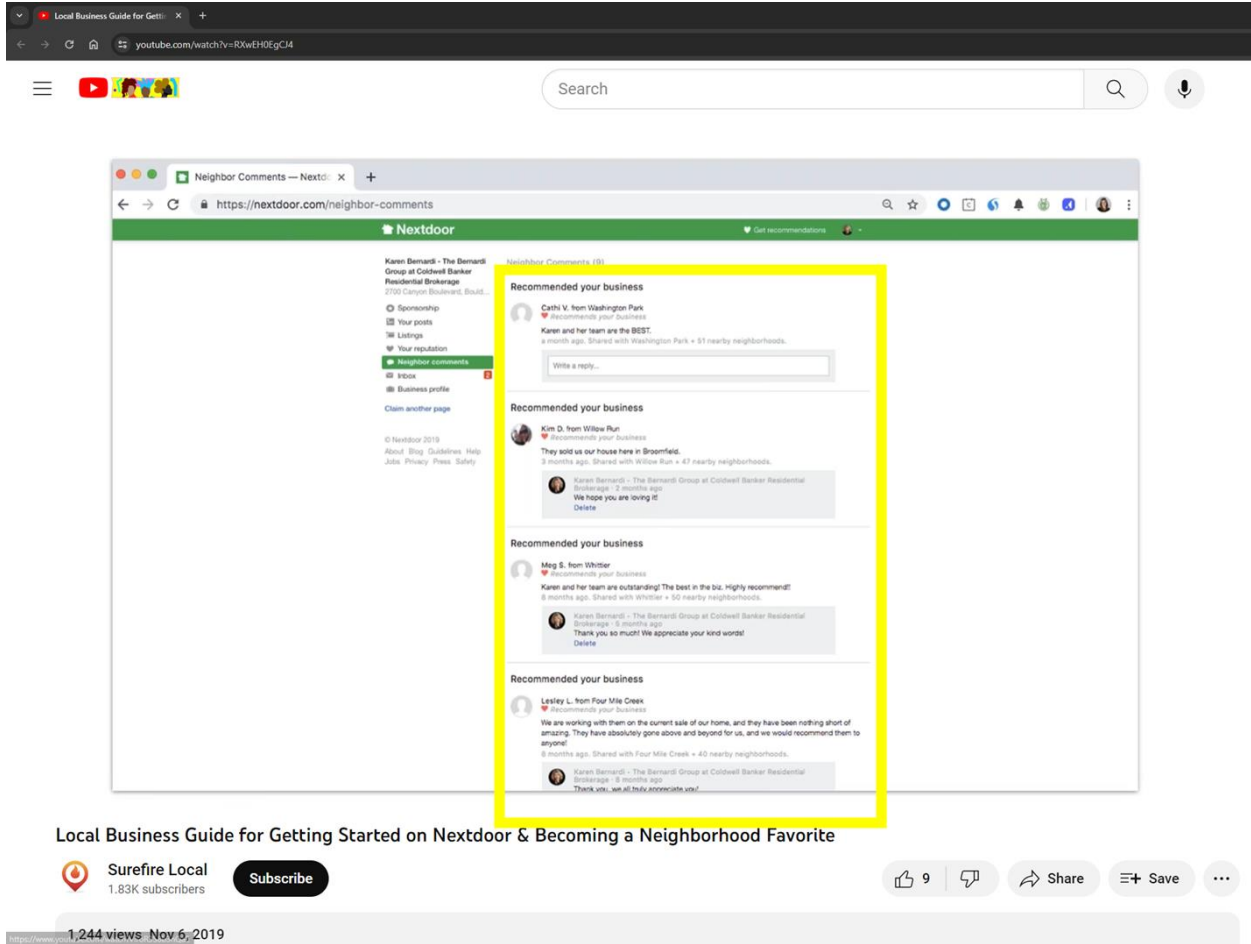
0 Share Save

31 views May 14, 2020

(E.g., <https://www.youtube.com/watch?v=TTNeOfSoSVU> (Published May 14, 2020)).



(E.g., <https://www.youtube.com/watch?v=RkeavnLORSE> (Published March 7, 2020)).



(E.g., <https://www.youtube.com/watch?v=RXwEH0EgCJ4> (Published November 6, 2019)).

52. Plaintiff has been damaged as a result of Defendant’s infringing conduct. Defendant is thus liable to Plaintiff for damages in an amount that adequately compensates Plaintiff for such Defendant’s infringement of the ‘665 Patent, *i.e.*, in an amount that by law cannot be less than would constitute a reasonable royalty for the use of the patented technology, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

53. To the extent marking is required, VCA has complied with all marking requirements.

V. JURY DEMAND

Plaintiff, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of any issues so triable by right.

VI. PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that the Court find in its favor and against Defendant, and that the Court grant Plaintiff the following relief:

- a. Judgment that one or more claims of United States Patent No. 9,501,480 have been infringed, either literally and/or under the doctrine of equivalents, by Defendant;
- b. Judgment that one or more claims of United States Patent No. 9,477,665 have been infringed, either literally and/or under the doctrine of equivalents, by Defendant;
- c. Judgment that Defendant account for and pay to Plaintiff all damages to and costs incurred by Plaintiff because of Defendant's infringing activities and other conduct complained of herein, and an accounting of all infringements and damages not presented at trial;
- d. That Plaintiff be granted pre-judgment and post-judgment interest on the damages caused by Defendant's infringing activities and other conduct complained of herein; and
- e. That Plaintiff be granted such other and further relief as the Court may deem just and proper under the circumstances.

November 20, 2023

CHONG LAW FIRM, P.A.

OF COUNSEL:

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Chicago, IL 60614-0184
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Virtual Creative Artists, LLC*