

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

DIGIMEDIA TECH, LLC,

Plaintiff,

v.

WIDOPENWEST FINANCE, LLC,  
WIDOPENWEST NETWORKS, LLC, and  
WIDOPENWEST, INC. D/B/A WOW!,

Defendants.

CIVIL ACTION

NO. \_\_\_\_\_

**Jury Trial Demanded**

**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff DigiMedia Tech, LLC (“Plaintiff”) files this Complaint for Patent Infringement and states as follows:

**THE PARTIES**

1. Plaintiff is a limited liability company organized and existing under the laws of the State of Georgia, having its principal office at 44 Milton Avenue, Suite 254, Alpharetta, Georgia 30009.

2. On information and belief, WideOpenWest Finance, LLC is a limited liability company organized and existing under the laws of the State of Delaware with an established place of business at 7887 E. Belleview Ave, Ste 1000, Englewood, CO 80111.

3. On information and belief, WideOpenWest Networks, LLC is a limited liability company organized and existing under the laws of the State of Delaware with an established place of business at 7887 E. Belleview Ave, Ste 1000, Englewood, CO 80111.

4. On information and belief, WideOpenWest, Inc. is a corporation organized and existing under the laws of the State of Delaware with an established place of business at 7887 E. Belleview Ave, Ste 1000, Englewood, CO 80111. On information and belief, WideOpenWest

Finance, LLC and WideOpenWest Networks, LLC are subsidiaries of WideOpenWest, Inc. WideOpenWest Finance, LLC, WideOpenWest Networks, Inc., and WideOpenWest, Inc. are referred to herein as “Defendants.” On information and belief, Defendants do business as WOW!

### **JURISDICTION AND VENUE**

5. This Court has exclusive subject matter jurisdiction over this case pursuant to 28 U.S.C. §§ 1331 and 1338(a) on the grounds that this action arises under the Patent Laws of the United States, 35 U.S.C. § 1, *et seq.*, including, without limitation, 35 U.S.C. §§ 271, 281, 284, and 285.

6. This Court has personal jurisdiction over Defendants on the grounds that they are incorporated in this State.

7. Venue is proper in this Court pursuant to 28 U.S.C. § 1400(b) on the grounds that Defendants each reside in this judicial district.

### **FACTUAL BACKGROUND**

#### ***The '778 Patent***

8. Plaintiff is the owner by assignment of all right, title, and interest in and to United States Patent No. 7,065,778 entitled “Method and System for Providing Media from Remote Locations to a Viewer” (“the ’778 patent”), including the right to sue for all past, present, and future infringement, which assignment was duly recorded in the USPTO.

9. A true and correct copy of the ’778 patent is attached hereto as Exhibit A. The ’778 patent is incorporated herein by reference.

10. The application that became the ’778 patent was filed on May 25, 2001.

11. The ’778 patent issued on June 20, 2006, after a full and fair examination by the USPTO.

12. The '778 patent is and is legally presumed to be valid, enforceable, and directed to patent-eligible subject matter.

13. The '778 patent discloses and claims technical solutions to technical problems and thus provides technical benefits. For example, the '778 patent discloses that

Modern research and technology have provided society with a wide variety of electronic devices. It is appreciated that some of these modern electronic devices are very powerful and useful to their users. (1:15-18)

14. As also disclosed in Plaintiff's '778 patent:

It is appreciated that television programming is distributed to televisions of the general public in a wide variety of ways. For example, consumers of the general public are able to receive television programming on their televisions within their households and/or businesses via coaxial cables, personal satellite dishes (large or small), antennas, broadband Internet, and the like. Furthermore, most of these ways of distributing television programming provide the general public an ever increasing amount of television programming. (1:38-47)

15. As further disclosed in Plaintiff's '778 patent:

[C]urrently there may be as many as one hundred times more television channels that are basically providing nationwide television programming. Furthermore, it is appreciated that some of these television channels are continuously broadcasting television programming 24 hours a day (e.g., ESPN, VH1, CNN, QVC, and the like). Consequently, there is a large amount of television programming available to consumers of the general public. (1:51-58)

16. Plaintiff's '778 patent additionally discloses

However, it should be appreciated that there are some disadvantages associated with the distribution of television programming. For instance, one of the disadvantages is that a typical television viewer does not have access to all of the television programming that is broadcast throughout the world. Therefore, the typical television viewer is unable to view television programming that he or she would be interested in viewing because it is being broadcast in remote cities, states, and/or countries.

Accordingly, a need exists for a method and system which enables television viewers to receive desired television programming which is broadcast in remote locations throughout the world. The present invention provides a method and system which accomplishes the above mentioned need. (1:59-2:8)

17. The elements recited in the claims of the '778 patent were not well-understood, routine, or conventional when the application that became the '778 patent was filed. This is evidenced, for example, by the fact that the Patent Examiner allowed the '778 patent over the art of record.

18. The claims for the '778 patent are directed to technical solutions to the technical problem of television content distribution desired by requesting users, where the information content is in remote locations throughout the world – in other words, of enabling television viewers to receive programming regardless of where it is broadcast. One of the reasons this is important is that a user is often remote to the broadcast location and/or is unable to view the desired program at the time it airs. This problem calls for technical solutions. The '778 patent discloses and claims such technical solutions. For example, the '778 patent recognized that a series of receiver devices, servers and digital recorders could be put in place. Such methods and systems could then be used to locate the appropriate digital recorders, provide the necessary instructions, and set forth a method to record and provide access to the user after the recording is complete.

19. In one embodiment, for example, the invention disclosed and claimed in the '778 patent

enables a user to utilize a personalized video recorder (PVR) to order and receive specific television shows that are unavailable from his or her television content provider. Specifically, the personalized video recorder is coupled to the Internet such that it can receive an electronic programming guide (EPG) containing worldwide television programming from an EPG server computer. The personalized video recorder user is able to utilize the EPG to

request delivery of a specific television show that is unavailable to him or her. Upon reception of the request, the EPG server computer locates via the Internet one or more personalized video recorders situated within a broadcast region of the requested television show. Next, the EPG server computer programs one or more personalized video recorders to record the requested television show when it is broadcast. Once the personalized video recorders record the television show, one or more of the personalized video recorders may transmit it to the EPG server computer which then transmits it to the requesting personalized video recorder. (2:9-28)

20. Specifically, for example, asserted claims 31, 32, 33, and 37 of the '778 patent claim:

31. A method comprising:

a server computer receiving a request from a receiver device for a television show;

said server computer locating a plurality of digital video recorders capable of receiving a broadcast of said television show that satisfies said request;

each of said plurality of digital video recorders receiving a programming instruction from said server computer to record said television show when broadcast by a television content provider, after said server computer locating said plurality of digital video recorders;

at least one of said plurality of digital video recorders recording said television show during broadcast of said television show by said television content provider, after said each of said plurality of digital video recorders receiving said programming instruction; and

said receiver device receiving said television show recorded by said at least one of said plurality of digital video recorders.

32. The method as described in claim 31 further comprising each of said plurality of digital video recorders adding said programming instruction to its programmable task list.

33. The method as described in claim 31 further comprising said receiver device receiving an electronic programming guide from said server computer.

37. The method as described in claim 31 further comprising: a cache server computer receiving and storing said television show recorded by

said at least one of said plurality of digital video recorders; and said cache server transmitting a first copy of said television show to said receiver device.

21. The inventions recited in the asserted claim of the '778 patent, including their sequence of steps, provides a technical solution to the technical problem of remote television content distribution and recording.

22. The claimed inventions constitute patent-eligible subject matter, are not directed to an abstract idea, law of nature, or natural phenomenon, and contain one or more inventive concepts for accomplishing the goal of providing remote television distribution and content access through a series of receivers, servers, and recording devices.

23. The significance of the inventiveness of the '778 patent is illustrated by the fact that it has been cited in 77 other patent applications, including the following U.S. patents and published patent applications: US20030235396A1, US20030235395A1, US20040078810A1, US20040101271A1, US20040101272A1, US20040117853A1, US20040117849A1, US20040117846A1, US20040117829A1, US20040117833A1, US20040114036A1, US20040117851A1, US20040117837A1, US20040117816A1, US20040117491A1, US20040117844A1, US20040117852A1, US20040114141A1, US20040117836A1, US20040117845A1, US20040117848A1, US20040128680A1, US20040148353A1, US20050108519A1, US20050233693A1, US20060080452A1, US20060127039A1, US20060184969A1, US20060230173A1, US20070086724A1, US20070207755A1, US20070280631A1, US20070286581A1, US20080089667A1, US20080092200A1, US20080089658A1, US20080138028A1, US20080172688A1, US20080232783A1, US20090010610A1, US20090044233A1, US20090064266A1, US20090083836A1, US20090138928A1, US20090157803A1, US20090182945A1, US20090313657A1,

US20100070925A1, US20100169939A1, US20100251318A1, US20100250772A1, US20100269140A1, US20110191811A1, US20110296466A1, US20130132994A1, US9602862B2, US20150067103A1, US10306331B2, and US20200053319A1. These public documents and their related prosecution histories are incorporated herein by reference and provide concrete proof that the inventions claimed and disclosed in the '778 patent were not well-understood, routine, or conventional at the time of the invention.

***The '220 Patent***

24. Plaintiff is the owner by assignment of all right, title, and interest in and to United States Patent No. 6,684,220 entitled “Method and System for Automatic Information Exchange” (“the '220 patent”), including the right to sue for all past, present, and future infringement, which assignment was duly recorded in the USPTO.

25. A true and correct copy of the '220 patent is attached hereto as Exhibit B. The '220 patent is incorporated herein by reference.

26. The application that became the '220 patent was filed on September 20, 2000.

27. The '220 patent issued on January 27, 2004, after a full and fair examination by the USPTO.

28. The '220 patent is and is legally presumed to be valid, enforceable and directed to patent eligible subject matter.

29. The elements recited in the asserted claims of the '220 patent were not well-understood, routine, or conventional when the application that became the '220 patent was filed. This is demonstrated, for example, by the decision of the Patent Examiner to allow the claims of the '220 patent over the art of record.

30. The claims the '220 patent are directed to technical solutions to the technical problem of a server system conducting automated information exchanges. One of the reasons this is important is to support automated and accurate server-generated responses to customer inquiries in online chat systems. With accurate and automated information exchange, routine customer inquiries can be answered directly by a server system. The '220 patent discloses and claims such technical solutions for automated information exchange. For example, the '220 patent couples an information source to a processor that stores a data model. The '220 patent discloses a loading engine for automatically creating object links between input variables and output variables for the data objects in the data model. Consequently, the technology in the '220 patent enables automated and accurate online responses from a server system to customer support inquiries without requiring answers from customer support representatives.

31. For example, asserted claim 10 of the '220 patent claims:

10. A method for automatic information exchange, comprising:

retrieving a model from an information source, the model having a plurality of objects, each of the plurality of objects having an input variable and an output variable;

automatically identifying the input variables and the output variables of each of the plurality of objects; and

automatically creating object links between the corresponding input variables and output variables of each of the plurality of objects.

32. The sequence of steps set forth in the asserted claim of the '220 patent provide a technical solution to the technical problem of a server system conducting automated information.

33. The claimed sequence of steps set forth in the '220 patent constitutes patent-eligible subject matter, is not directed to an abstract idea, law of nature, or natural phenomenon, and contains one or more inventive concepts for accomplishing the goal of accurate and automated information exchange.



34. The significance of the inventiveness of the '220 patent is illustrated by the fact that it has been cited in six other patent applications, including the following U.S. patents and published patent applications: US20060010423A1, US20060010419A1, US20060136497A1, EP1674953A1, and US20140373034A1. These public documents and their related prosecution histories are incorporated herein by reference and provide concrete proof that the inventions claimed and disclosed in the '220 patent were not well-understood, routine, or conventional at the time of the invention.

***The '568 Patent***

35. Plaintiff is the owner by assignment of all right, title, and interest in and to United States Patent No. 6,807,568 entitled "Recipient Selection Of Information To Be Subsequently Delivered" ("the '568 patent"), including the right to sue for all past, present, and future infringement, which assignment was duly recorded in the USPTO.

36. A true and correct copy of the '568 patent is attached hereto as Exhibit C. The '568 patent is incorporated herein by reference.

37. The application that became the '568 patent was filed on July 27, 2000.

38. The '568 patent issued on October 19, 2004, after a full and fair examination by the USPTO.

39. The '568 patent is and is legally presumed to be valid, enforceable, and directed to patent-eligible subject matter.

40. The elements recited in the claims of the '568 patent were not well-understood, routine, or conventional when the application that became the '568 patent was filed.

41. The technical problems which the '568 Patent addresses includes the following:

Currently, when it is desired to watch a TV program, the viewer is at the mercy of the content providers as to what that viewer

watches and at what time. This is changing now that digital recorders, such as the TIVO system from Philips, can record many hours of TV programs thereby allowing viewers to delay watching broadcasts for a period of time by recording such broadcasts for later viewing. Such systems also allow users to select programs to be aired in the future and to record the selected shows. These systems also allow users to select topics and the system selects the shows that match these selected topics. Such systems work well, but suffer from the fact that they also are dependent upon the preselection of content by the content provider. (1:14-26)

This same problem exists when users are trying to obtain information from the Internet. The user can only gain access to information if that information exists on the Internet at the time that the information is sought. However, even if the information existed on the Internet at that time, obtaining that information, even using the very sophisticated tools available today, is not trivial. For example, assume that a user desires to obtain tickets to see a certain play (or concert) or to see a certain performer when and if that play, concert or performer is next in town. Today, the user would access the Internet and look for the name of the play or the name of the performer. If there was a scheduled performance, the user might, depending upon his/her skill (and patience), find it. But if there was nothing scheduled (or contemplated) then the user would come away (usually after spending considerable time looking) with nothing. (1:35-50)

42. The claims for the '568 patent are directed to technical solutions to the technical problem of locating and accessing information content desired by requesting users, where the information content is controlled and held by information providers. One of the reasons this is important is that a network providing service to subscribers may not know either (i) if the user has rights to access the information content held by information providers and accessed via the network or (ii) if the information provider holds the requested information content. Since a network prefers easy access to information content desired by users, but doesn't know upon receiving a request by users if the information content is available to the users, the problem calls for technical solutions. The '568 patent discloses and claims such technical solutions. For example, the '568 patent recognized that user requests for information could be collected by a

network and then forwarded to information providers, where the information providers can determine if they have control over the information. Upon successfully confirming the conditions for user access, the network can deliver information that is under control of the information provider to the requesting user.

43. The '568 Patent describes the technical solution to this problem in detail as follows:

Turning now to FIG. 1, there is shown system **10**, which has user input device **11** which could, for example, be a remote control into the TV set or digital recorder or a computer or any other input device, such as a wireless phone. The input could be by voice command, using, for example, a voice recognition system. In the TV environment, the input could be to digital recorder **12**, such as, for example, the aforementioned TIVO recorder provided by Philips. Such a device would typically have processor **1201** and memory **1202** and would operate to receive input signals from a variety of sources such as, for example inputs **1203**. This data can be in analog or digital form and would be stored in a memory. In the illustrative embodiment, analog signals are digitized by recorder **12** and stored in memory **1202**. Information stored in memory **1202** is made available to display **13** on command from the user, or, alternatively, under control of the information provider.

Recorder **12** is designed to-interact with a remote location **14** either by phone connection, satellite or by any other mechanism, whether wireless or wireline, to exchange information pertaining to the lineup on the various channels. In this manner the user, using input device **11**, may determine what is available today, tomorrow or sometime in the future. This then allows the user to select, (and set for recording if desired) certain programs which will become available over input **1203** at future times. This information is updated periodically via a connection made between recorder **12** and remote location **14**, thereby assuring recorder **12** that it has the latest program information.

User **11** may specify to recorder **12**, usually in the form of an interactive session between user device **11** and recorder **12**, that the user desires to watch certain programs by name or type, which programs will occur in the future. Recorder **12** then monitors the information received from remote location **14**, then recorder **12** will monitor the information and, whenever an input program

arrives having that artist, the recorder will proceed to record the program.

The problem at this point, however, is that if recorder **12** has no information pertaining to future programs, movies, artists, etc., then the interactive session between user **11** and recorder **12** will not achieve the desired result, i.e., the scheduling of a desired program.

In the embodiment shown in FIG. **1** user **11** could input to recorder **12** the desired movie, series, concept, artist or any other desired information. This information then is provided from recorder **12** to remote location **14**, for example, over the periodic connection between the two. Remote location **14** then stores the information pertaining to user **11**. Location **14** then accesses data base **15**, which could<sup>[SEP]</sup> be local to remote location **14** or remote therefrom. This access can either be direct, via connection **1204**, or it could<sup>[SEP]</sup> be through Internet **100** via connections **1205**, **1206**. (4:26-5:15)

44. Specifically, for example, claims 1, 2, 4, 6, and 12 of the '568 patent claim:

1. A method of delivering information to a requesting user, said method comprising the steps of:

making a request available to information providers by a user that said user desires certain information content;

accessing said request by any information provider other than said user and wherein said accessing is under control of said accessing information provider independent from said user;

determining by said information provider whether said information provider has control of information content that said user desires; and

under at least partial control of said determining step delivering said information content which is under the control of said information provider and which information content is desired by said user.

2. The method of claim 1 wherein said information provider accesses said information via the Internet.

4. The method of claim 1 wherein said making a request step includes providing user information to control the accessing of said requests by third parties.

6. The method of claim 1 wherein said delivering step includes the step of: interacting between said information provider and said user as to the nature of the information to be delivered.

12. The method of claim 1 wherein said information to be delivered is entertainment media.

45. The inventions recited in the asserted claims of the '568 patent, including the claimed sequence of steps, provide a technical solution to the technical problem of locating and accessing information content desired by requesting users, where the information content is controlled and held by information providers.

46. The claimed inventions constitute patent-eligible subject matter, are not directed to an abstract idea, law of nature, or natural phenomenon, and contain one or more inventive concepts for accomplishing the goal of locating and accessing information content desired by requesting users, where the information content is controlled and held by information providers.

47. This claimed inventions were not well-understood, routine, or conventional at the time of the invention. This is evidenced by the USPTO Examiner's decision to allow the claims of the '568 patent over the art of record.

48. The significance of the inventiveness of the '568 patent is illustrated by the fact that it has been cited in 20 other patent applications, including the following U.S. patents and published patent applications: US20020152257A1, US20040064507A1, US20050010498A1, US20090144385A1, US20090315958A1, US20040268403A1, US8813136B2, US20080235188A1, US8732778B1, US8949870B2, US9532007B2, US20100037248A1, US8516533B2, US9659263B2, US20100205628A1, and US10779032B2. These public documents and their related prosecution histories are incorporated herein by reference and provide concrete proof that the inventions claimed and disclosed in the '568 patent were not well-understood, routine, or conventional at the time of the invention.

**COUNT I – INFRINGEMENT OF THE '778 PATENT**

49. Plaintiff realleges and incorporates by reference the allegations set forth above, as if set forth verbatim herein.

50. Defendants have made, used, sold, offered for sale, and/or imported products that incorporate one or more of the inventions claimed in the '778 patent.

51. For example, Defendants have infringed at least claims 31, 32, 33, and 37 of the '778 patent, either literally or under the doctrine of equivalents, in connection with Defendants' video recording functionality, as detailed in the preliminary claim chart attached hereto as Exhibit D and incorporated herein by reference.

52. On information and belief, Defendants perform all steps of the asserted claims of the '778 patent or, alternatively, to the extent a user performs any step, Defendants condition the user's use of the functionality of the Defendants' accused instrumentalities described in Exhibit D on the performance of that step as disclosed in Exhibit D. For example, on information and belief, a user cannot use the video recording functionality of the accused instrumentality as described in Exhibit D without performance of the steps recited in the asserted claims of the '778 patent. By providing the accused instrumentality as disclosed in Exhibit D, Defendants also control the manner and/or timing of the functionality described in Exhibit D. In other words, for a user to utilize the functionality described in Exhibit D, the steps of the asserted claims of the '778 patent must be performed in the manner described herein. Without performance of the steps as described herein, the Defendants' functionality will not be available to users.

53. Defendants' infringing activities occurred without authority or license under the '778 patent.

54. Plaintiff provided WOW! with notice of its infringement of the '778 patent by letter dated July 14, 2022. WOW! continued its infringing conduct after receiving notice of its infringement. WOW!'s infringement after receiving notice was willful.

55. Because the asserted claims of the '778 patent are method claims, the marking requirement of 35 U.S.C. § 287 does not apply to them. Therefore, Plaintiff has complied with all applicable requirements of § 287 such that it is entitled to past damages for infringement.

56. Plaintiff has been damaged by Defendants' infringement of the '778 patent, and Plaintiff is entitled to recover damages for Defendants' infringement, which damages cannot be less than a reasonable royalty (including enhanced damages for the period of willful infringement).

#### **COUNT II – INFRINGEMENT OF THE '220 PATENT**

57. Plaintiff realleges and incorporates by reference the allegations set forth above, as if set forth verbatim herein.

58. Defendants have made, used, sold, offered for sale, and/or imported products that incorporate one or more of the inventions claimed in the '220 patent.

59. For example, Defendants have infringed at least claim 10 of the '220 patent, either literally or under the doctrine of equivalents, in connection with Defendants' chatbot system, as detailed in the preliminary claim chart attached hereto as Exhibit E and incorporated herein by reference.

60. Defendants' infringing activities occurred without authority or license under the '220 patent.

61. Plaintiff provided WOW! with notice of its infringement of the '220 patent by letter dated July 14, 2022.

62. Because the asserted claim of the '220 patent is a method claim, the marking requirement of 35 U.S.C. § 287 does not apply to it. Therefore, Plaintiff has complied with all applicable requirements of § 287 such that it is entitled to past damages for infringement.

63. Plaintiff has been damaged by Defendants' infringement of the '220 patent, and Plaintiff is entitled to recover damages for Defendants' infringement, which damages cannot be less than a reasonable royalty.

### **COUNT III – INFRINGEMENT OF THE '568 PATENT**

64. Plaintiff realleges and incorporates by reference the allegations set forth above, as if set forth verbatim herein.

65. Defendants have made, used, sold, offered for sale, and/or imported products that incorporate one or more of the inventions claimed in the '568 patent.

66. For example, Defendants have infringed at least claim 1 of the '568 patent, either literally or under the doctrine of equivalents, in connection with Defendants' WOW! streaming apps, as detailed in the preliminary claim chart attached hereto as Exhibit F and incorporated herein by reference.

67. On information and belief, Defendants perform all steps of the asserted claim of the '568 patent or, alternatively, to the extent a user performs any step, Defendants condition the user's use of the functionality of the Defendants' accused instrumentalities described in Exhibit F on the performance of that step as disclosed in Exhibit F. For example, on information and belief, a user cannot use the functionality of the accused instrumentality as described in Exhibit F without performance of the steps recited in the asserted claim of the '568 patent. By providing the accused instrumentality as disclosed in Exhibit F, Defendants also control the manner and/or timing of the functionality described in Exhibit F. In other words, for a user to utilize the functionality described in Exhibit F, the steps of the asserted claim of the '568 patent must be



performed in the manner described herein. Without performance of the steps as described herein, the Defendants' functionality will not be available to users.

68. Defendants' infringing activities occurred without authority or license under the '568 patent.

69. Plaintiff provided WOW! with notice of its infringement of the '568 patent by letter dated July 14, 2022.

70. Because the asserted claim of the '568 patent is a method claim, the marking requirement of 35 U.S.C. § 287 does not apply to it. Therefore, Plaintiff has complied with all applicable requirements of § 287 such that it is entitled to past damages for infringement.

71. Plaintiff has been damaged by Defendants' infringement of the '568 patent, and Plaintiff is entitled to recover damages for Defendants' infringement, which damages cannot be less than a reasonable royalty.

#### **JURY DEMAND**

Plaintiff demands a trial by jury of all issues so triable.

#### **PRAYER FOR RELIEF**

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

- A. Entry of judgment that Defendants have infringed one or more claims of the '778 patent,
- B. Entry of judgment that Defendants have infringed one or more claims of the '220 patent,
- C. Entry of judgment that Defendants have infringed one or more claims of the '568 patent,

- D. Damages in an amount to be determined at trial for Defendants' infringement, which amount cannot be less than a reasonable royalty, and an accounting of all infringing acts including, but not limited to, those acts not presented at trial, along with enhanced damages for Defendants' willful infringement of the '778 patent,
- E. An award of attorney's fees pursuant to 35 U.S.C. § 285,
- F. All costs of this action,
- G. Pre-judgment and post-judgment interest on the damages assessed, and
- H. Such other and further relief, both at law and in equity, to which Plaintiff may be entitled and which the Court deems just and proper.

This 12th day of December, 2023.

*/s/ Richard C. Weinblatt*  
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