

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

VIRTUAL CREATIVE ARTISTS, LLC,

Plaintiff,

v.

GRUBHUB HOLDINGS INC.,

Defendant.

C.A. No. 1:24-cv-00662

JURY TRIAL DEMANDED

PATENT CASE

ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Virtual Creative Artists, LLC files this Original Complaint for Patent Infringement against Grubhub Holdings 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 Grubhub Holdings Inc. (“Grubhub” or “Defendant”) is a limited liability company organized and existing under the laws of Delaware. Defendant has a place of business at 111 W. Washington St. Suite 2100 Chicago IL 60602. Defendant has a registered agent at Illinois Corporation Service Company, 801 Adlai Stevenson Drive, Springfield, IL 62703.

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 Illinois Long-Arm Statute, due at least to its

business in this forum, including at least a portion of the infringements alleged herein at 111 W. Washington St. Suite 2100 Chicago IL 60602.

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 Illinois. 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 Illinois. 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 Illinois. Defendant has committed such purposeful acts and/or transactions in Illinois 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 has a businesses address in this District at 111 W. Washington St. Suite 2100 Chicago IL 60602. 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.

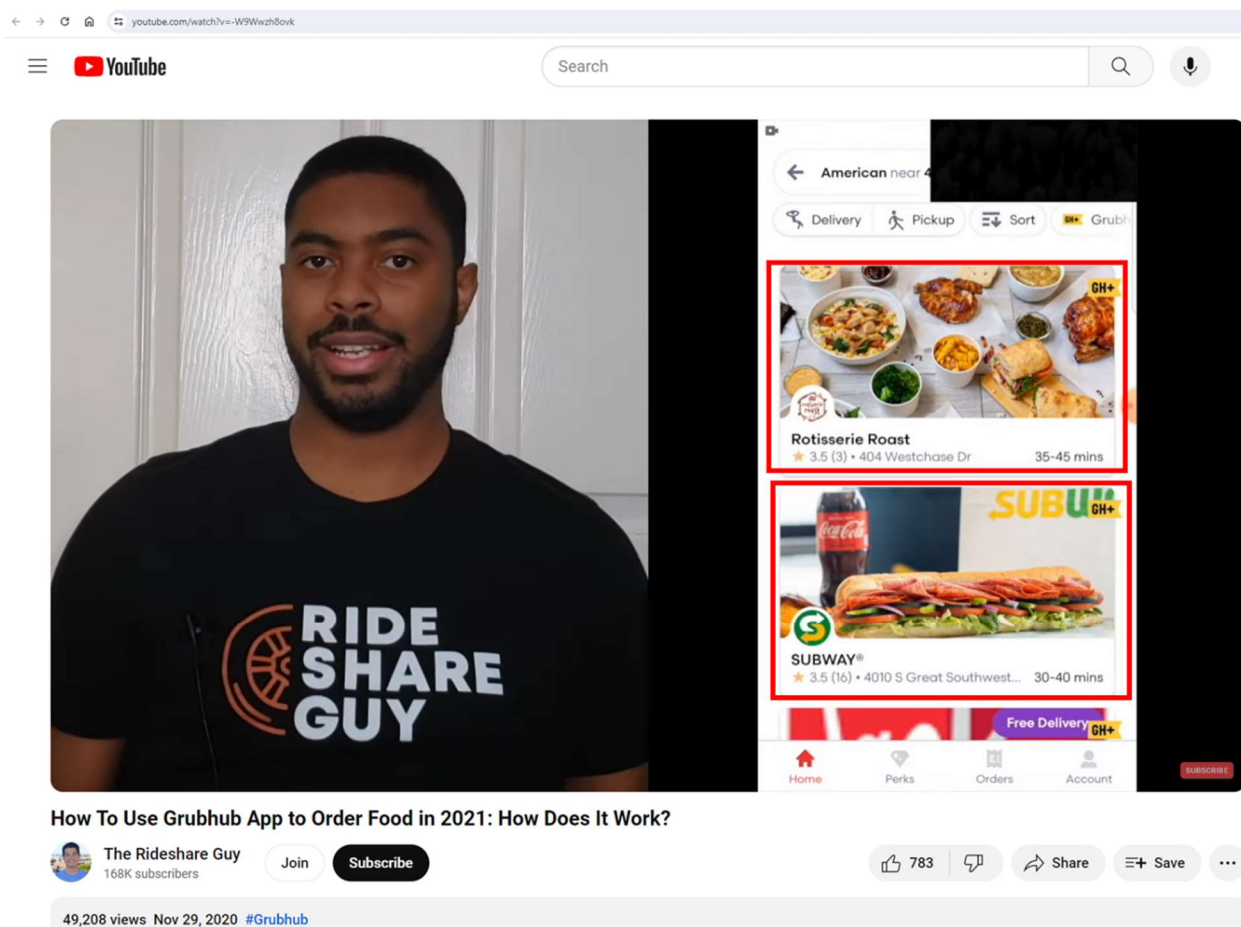
20. Furthermore, the very particular and specifically configured “electronic media creator subsystem” not only provides a detailed and unique physical structure and interrelationship with other claimed components, but also includes a very specific configuration that is not conventional or routine. The 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 Illinois, and elsewhere in the United States, by employing a computer-based system using <https://www.grubhub.com/> (“Accused Instrumentality”) (e.g., <https://www.grubhub.com/>). Grubhub uses a computer-based system for its Accused Instrumentality, to enable user-restauranters to create a personalized virtual restaurant profile and share multimedia content pertaining to food offerings which may be ordered by user-customers through Grubhub and delivered to the user-customers by user-drivers. The multimedia content includes image content and textual content pertaining to food offered by the user-restauranters, which may be shown to other users based on, *inter alia*, user-restauranteur attributes. On information and belief, and as shown in certain respects below, the Accused Instrumentality is representative of the systems involved with The Accused Instrumentality in relevant respect pertaining to infringement of the asserted patent. Grubhub, during the relevant time period, took advantage of multiple cloud server providers for the Accused Instrumentality and the Accused Instrumentality, as discussed above, as well as scalability within its cloud server providers, employing separate server subsystems for all its meaningfully different functions. Grubhub 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, and

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=-W9Wwzh8ovk>).

The screenshot shows a YouTube video player. The video title is "GrubHub Tips & Tricks 2019 Part 1" by "Gig Coach Jake" (10.6K subscribers). The video has 412 likes, a share button, a save button, and 17,188 views. The video content features a man in a black t-shirt with "T.E.A.M.P.I.N.G." written on it, standing in front of a whiteboard. The whiteboard has handwritten text in red and black: "GrubHub Tips & Tricks 2019", "Know Your Market!! (Cust. app, time) (Distance, # areas)", "Trouble Spots ('No Fly List')", "Lead To ## (Not Live Data)", "Check 'Order Placed' Time (Pick-Up)", "LOW TIP OFFERS!!", "ON Block (Peak vs. Non-Peak)", and "PATIENT, Polite, & ON TIME!!".

An inset window shows a GrubHub menu for Panda Express. The menu items and prices are as follows:

Item	Price
Family Feast (Choose Any 2 Large Sides & 3 Large Entrees)	\$40.25+
Plate (Choose Any 1 Side & 2 Entrees)	\$9.10+
Bigger Plate (Choose Any 1 Side & 3 Entrees)	\$10.80+
Bowl (Choose Any 1 Side & 1 Entree)	\$7.50+

Red circles highlight the prices for the Family Feast, Bigger Plate, and Bowl. A green circle highlights the "Reviews (550)" link. A red box highlights the restaurant name and logo.

(E.g., <https://www.youtube.com/watch?app=desktop&v=GfwngXn-A0>).

The screenshot shows a YouTube video player with a browser window overlaid. The browser window displays the GrubHub website search results for 'Pizza, sushi, chinese' in New York, NY. Three restaurant listings are highlighted with red boxes: '5 Napkin Burger', 'Abitino's Pizza & Italia...', and 'Ponche Taqueria & Co...'. Below the listings, a network developer tool is open, showing a list of XHR requests. The video player shows a man in a plaid shirt looking at the screen.

Scrape GrubHub Restaurant & Menu Data

S Stevesie Data
8.74K subscribers **Subscribe**

79 Share Save

5,416 views Nov 12, 2019

(E.g., <https://www.youtube.com/watch?v=4I0SgTAPf5U>).

The screenshot shows a web browser window with the address bar displaying "lifewire.com/how-does-seamless-delivery-work-4628129". The Lifewire logo is at the top left, with the tagline "TECH FOR HUMANS". Navigation links for "NEWS", "HOW TO", "FEATURES", and "ABOUT US" are in the top center. A link for "Best Gaming" is on the top right. On the left side, there is a sidebar titled "IN THIS ARTICLE" with a list of links: "What Is Seamless?", "Seamless History" (highlighted with an orange arrow), "Seamless vs. Grubhub", "How Seamless Delivery Works", and "Common Questions". The main content area has a heading "Seamless: A Brief History" followed by two paragraphs of text. A red-bordered box highlights a section titled "Seamless vs. Grubhub" which contains two paragraphs of text.

Lifewire
TECH FOR HUMANS

NEWS HOW TO FEATURES ABOUT US [Best Gaming](#)

IN THIS ARTICLE

- What Is Seamless?
- > Seamless History
- Seamless vs. Grubhub
- How Seamless Delivery Works
- Common Questions

Seamless: A Brief History

Seamless Web began its journey towards multi-million dollar status in 1999 when the service was offered to corporate clients, such as lawyers, who worked around the clock. Seamless was acquired by Aramark in 2006 when it was immediately met with rising competition.

In 2011, Seamless was released by Aramark and refinanced with another goal in mind: reaching the average consumer. During the process, Seamless dropped the "web" from its name, hoping to help differentiate the brand in the new market. Through various app updates, marketing tactics, and a new strategy, Seamless became successful in the consumer market, bringing in \$85 million in revenue by the end of 2012.

Now, Seamless offers delivery services in hundreds of cities around the United States and London and sees millions of orders each year.

Seamless vs. Grubhub

Both Seamless and Grubhub are part of Grubhub, Inc. Although the two services are separate, there are similarities.

For example, Seamless and Grubhub offer about the same type of mobile experience with almost identical design. Pricing is the same for both services, and both cover the same service areas. Whether you choose to order using Seamless or GrubHub, these services are essentially the same.

(E.g., <https://www.lifewire.com/how-does-seamless-delivery-work-4628129>).

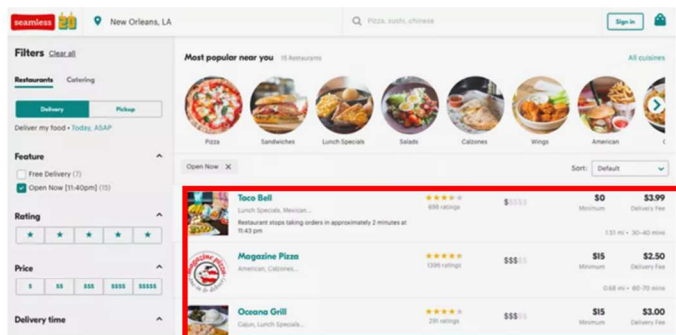
IN THIS ARTICLE

- What Is Seamless?
- Seamless History
- > Seamless vs. Grubhub
- How Seamless Delivery Works
- Common Questions

essentially the same.

How Does Seamless Delivery Work?

Seamless offers in-app ordering and desktop ordering, depending on your access. Regardless of the device you use, Seamless makes ordering your favorite food simple. Start by entering your delivery address.



Seamless offers many types of cuisine, including Italian, Chinese, American, and more. The service allows you to see a list of restaurants offering online ordering in your area, close to the address you chose.

Note: No restaurants in your local area yet? Don't worry. Seamless is always updating and adding new places to eat to ensure everyone has access to the service.

(E.g., <https://www.lifewire.com/how-does-seamless-delivery-work-4628129>).

The screenshot shows the W3Techs website interface. At the top, there's a navigation bar with links: Home, Technologies, Reports, API, Sites, Quality, Users, Blog, Forum. Below this is a yellow banner for 'Featured products and services' with logos for WordPress and DesignBombs. The main content area is titled 'Site Info - Grubhub.com' and provides an overview of web technologies used by Grubhub.com. It is organized into several sections:

- Website Background:** Description on Homepage (Food Delivery | Restaurant Takeout | Order Food Online | Grubhub) and Popularity rank (Top 100k among all websites).
- Content Management Systems:** WordPress (used on a subdomain) and Elementor (used on a subdomain).
- Server-side Programming Languages:** ASP.NET and PHP (used on a subdomain).
- Client-side Programming Language:** JavaScript.
- JavaScript Libraries:** Polyfill.io (used on inner pages), Angular 1.8.2 (version 1.6.4 used until recently, used on inner pages), and jQuery 3.6.4 (33% of sites use a newer version, used on a subdomain).
- Web Servers:** Nginx 1.6.0 (99% of sites use a newer version) and Cloudflare Server (used on a subdomain).
- Web Hosting Provider:** WP Engine (used on a subdomain).

At the bottom right of the site info section, it notes: 'hosting info partly based on data from ipinfo.io'.

(E.g., <https://w3techs.com/sites/info/seamless.com>).

23. Grubhub’s 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-restaurateurs, for example content pertaining to their respective electronic media submissions/virtual restaurant on the Accused Instrumentality, as well as multimedia content to be displayed on one or both of the user-restaurateur's profile and the virtual restaurant, as discussed and shown for example in connection with the above discussion. The submissions include a virtual menu (a listing of the food offered for sale), a title and/or description of the food offered, a restaurant logo and a cover page. The submissions are provided to the 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 submitters (*e.g.*, user-restaurateurs) 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 the Accused Instrumentality.

Boost your takeout revenue by up to 30%

Get more orders

Ready to increase your takeout sales and reach new hungry customers? Become a Grubhub partner today!

First name*

Last name*

Email*

Phone*

Restaurant name*

Restaurant zip code*

Get started

This site is protected by reCAPTCHA and the Google Privacy Policy and Terms of Service apply.

More orders
After joining Grubhub, restaurants' takeout order volume increases by more than 20%.

Proven ROI with no upfront cost
Restaurants who join Grubhub see up to 6x growth in monthly takeout revenue versus non-Grubhub restaurants.

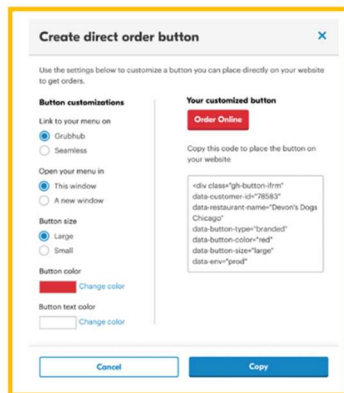
New customers
Tap into direct, peer-to-peer promotion for your restaurant.

Easy-to-use technology
Streamline your takeout business with our simple

(E.g., <https://web.archive.org/web/20200402052340/https://get.grubhub.com/>).



Priebatsch, Grubhub's chief revenue officer. "The Direct Order Toolkit delivers on that commitment and makes it easy for restaurant owners to offer takeout and delivery on their own channels by adding these commission-free online ordering capabilities."



Above left: Customizations for the Direct Order Button. Above right: Download options for the Direct Order QR Code

The Direct Order Toolkit is available to restaurants directly on their Grubhub for Restaurants Dashboard. These solutions improve upon Grubhub's previous online ordering link solutions, offered since 2013 and used for millions of marketing commission-free orders to restaurants.

(E.g., <https://about.grubhub.com/news/grubhub-gives-restaurants-expanded-commission-free-ordering-solutions>).

The screenshot shows a YouTube video player with a menu management interface overlaid. The interface is titled "Breakfast" and lists three items:

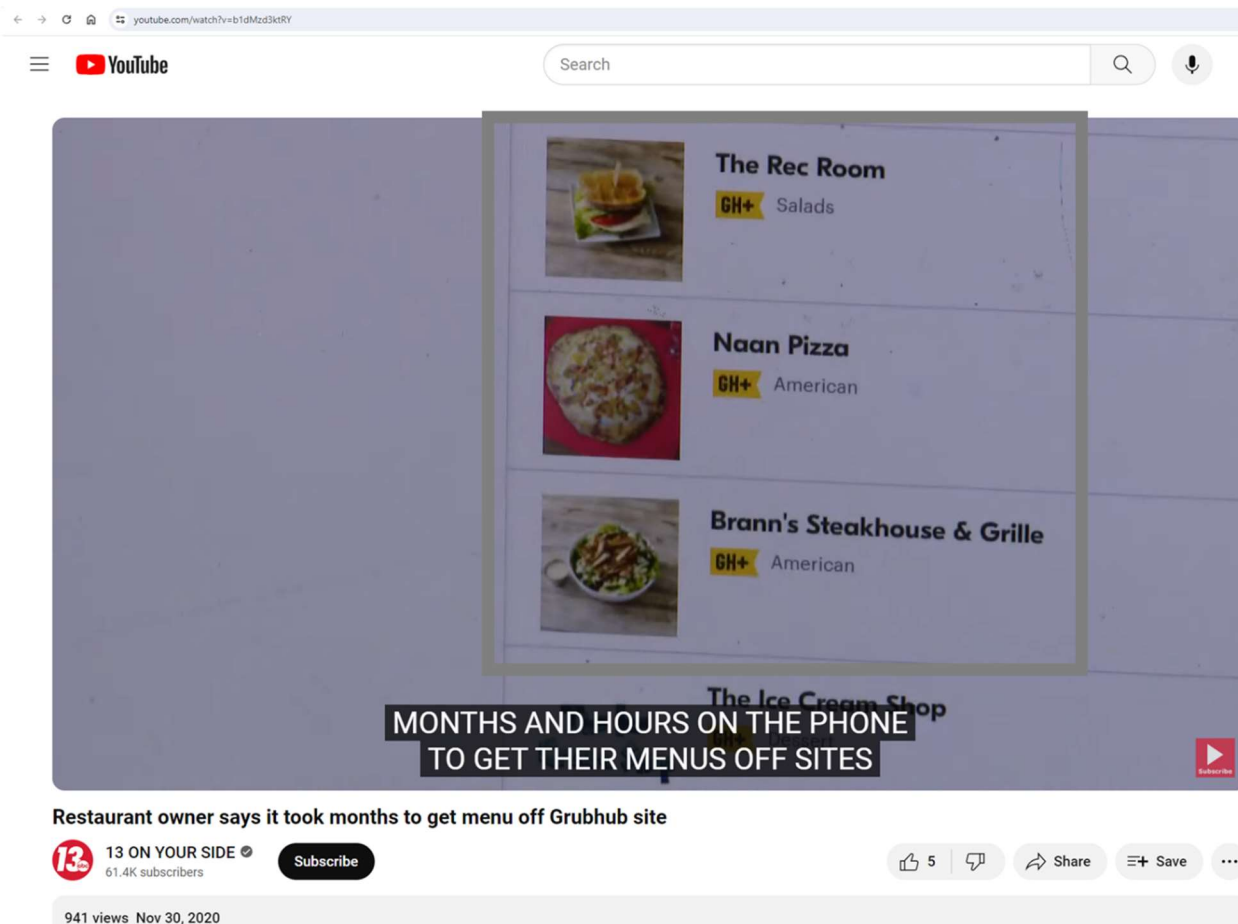
Item	Description	Price
<input type="checkbox"/> Breakfast Burrito	Eggs, cheddar, black beans, potatoes, avocado, pico de gallo	
<input type="checkbox"/> Croque Monsieur	Black forest ham, gruyere, bechamel	\$8.50
<input type="checkbox"/> Egg Sandwich	Pork sausage, eggs, cheese cheese on a biscuit	\$6.50

Below the menu items, there is a "Section Options" dropdown menu with the following options:

- Arrange Items
- + Add Item

The video title is "Basics for Managing Your Menu" by Grubhub, with 88.3K subscribers. The video has 9,177 views and was uploaded on Oct 2, 2018. The video player interface includes a search bar, a microphone icon, and a "Section Options" dropdown menu.

(E.g., https://www.youtube.com/watch?v=rdHdC9K_zwc).



(E.g., <https://www.youtube.com/watch?v=b1dMzd3ktRY>).

24. The electronic media submissions database of the Accused Instrumentality used by Grubhub which stores the submissions further stores data identifying the submitter and data indicating content for each electronic media submission/virtual restaurant. As shown below, data identifying the user-restaurateur includes *e.g.*, a name, logo and a profile photo. Data indicating content for each electronic media submission includes the menu as well as images and textual content pertaining to food offered for sale.

YouTube

Search

Verizon LTE 3:11 PM 67%

Back Menu

Search menu items

Panda Express
4.5 stars 217 ratings

Delivery, ASAP (40-50 mins)
\$0.00 minimum - \$1.99 delivery fee,
additional fees apply at Panda Express

Change

About Reviews (550)

Regular Menu

Family Feast Choose Any 2 Large Sides & 3 Large Entrees	\$40.25+
Plate Choose Any 1 Side & 2 Entrees	\$9.10+
Bigger Plate Choose Any 1 Side & 3 Entrees	\$10.80+
Bowl Choose Any 1 Side & 1 Entree	\$7.50+

Restaurants My Grubhub Bag

GrubHub Tips & Tricks 2019 Part 1

Gig Coach Jake
10.6K subscribers

Subscribe

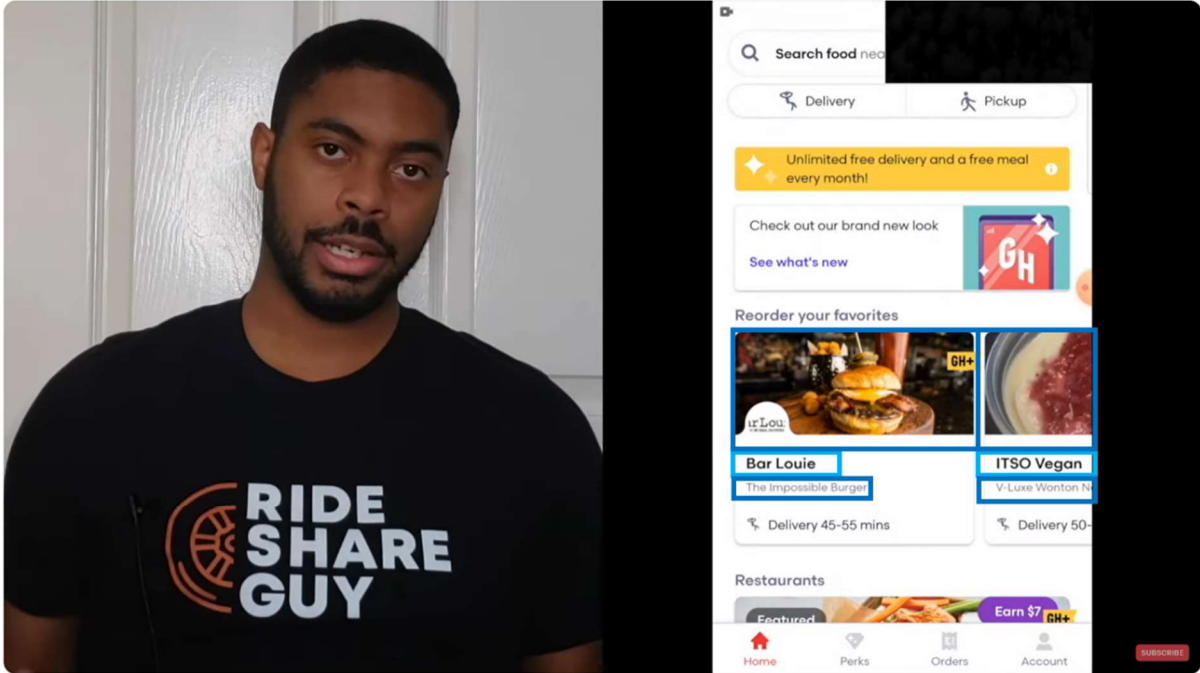
412

Share

Save

17,188 views Premiered Jan 21, 2019

(E.g., <https://www.youtube.com/watch?app=desktop&v=GfwngXn-A0>).



The image shows a YouTube video player. On the left, a man with a beard and short hair is wearing a black t-shirt with the text "RIDE SHARE GUY" and a logo of a wheel. On the right, a screenshot of the Grubhub mobile app is displayed. The app interface includes a search bar, "Delivery" and "Pickup" options, a promotional banner for "Unlimited free delivery and a free meal every month!", a "Check out our brand new look" section with a "See what's new" link, a "Reorder your favorites" section featuring "Bar Louie" (The Impossible Burger) and "ITSO Vegan" (V-Luxe Wonton N), and a "Restaurants" section with a featured item and an "Earn \$7" badge. The bottom navigation bar shows "Home", "Perks", "Orders", and "Account".

How To Use Grubhub App to Order Food in 2021: How Does It Work?

The Rideshare Guy
168K subscribers

Join **Subscribe**

783 Share Save

49,208 views Nov 29, 2020 #Grubhub

(E.g., <https://www.youtube.com/watch?v=-W9Wwzh8ovk>).

The screenshot shows the Seamless app interface for New Orleans, LA. The search bar contains "Pizza, sushi, chinese". The filters section on the left includes options for "Restaurants" and "Catering", with "Delivery" selected. The "Feature" section shows "Open Now [11-40pm] (15)" selected. The "Rating" section shows a 5-star rating. The "Price" section shows a price range from \$ to \$\$\$\$\$. The "Delivery time" section is also visible. The main content area displays "Most popular near you" with 15 restaurants. Three restaurants are highlighted with blue boxes: Taco Bell (Lunch Specials, Mexican...), Magazine Pizza (American, Calzones...), and Oceana Grill (Cajun, Lunch Specials...).

Restaurant	Rating	Price	Minimum	Delivery Fee
Taco Bell	698 ratings	\$\$\$\$	\$0	\$3.99
Magazine Pizza	1396 ratings	\$\$\$\$	\$15	\$2.50
Oceana Grill	291 ratings	\$\$\$\$	\$15	\$3.00

Seamless offers many types of cuisine, including Italian, Chinese, American, and more. The service allows you to see a list of restaurants (E.g., <https://www.lifewire.com/how-does-seamless-delivery-work-4628129>).

25. Individual user-restauranters can sign up and create virtual restaurants on the Accused Instrumentality, which is stored on a user database. Such user database is stored in memory available through the Accused Instrumentality, for example as discussed above. The user attributes of user-restauranters who create virtual restaurant may include e.g., a food category or food categories of the virtual restaurant, the physical location of the restaurant, whether the virtual restaurant offers pick-up or delivery, and the offering of promotions or coupons by the virtual restaurant and the like as shown in the examples below.

The screenshot shows a YouTube video player. The video content displays a menu with three items: 'The Rec Room Salads' (GH+), 'Naan Pizza' (GH+ American), and 'Brann's Steakhouse & Grille' (GH+ American). A text overlay at the bottom of the video reads: 'MONTHS AND HOURS ON THE PHONE TO GET THEIR MENUS OFF SITES'. Below the video, the channel name '13 ON YOUR SIDE' is visible with 61.4K subscribers and a 'Subscribe' button. The video has 5 likes and 941 views as of Nov 30, 2020. The YouTube interface includes a search bar and navigation icons at the top.

(E.g., <https://www.youtube.com/watch?v=b1dMzd3ktRY>).

GRUBHUB

Add FIU as a campus affiliation
under your Grubhub settings

My Grubhub > Settings > Campus Dining > Find your campus

Visit [grubhub.com](https://www.grubhub.com) to download the app

Grubhub FIU Affiliation

shopFIU
9 subscribers

Subscribe

632 views Nov 4, 2020

0 | Share | Save

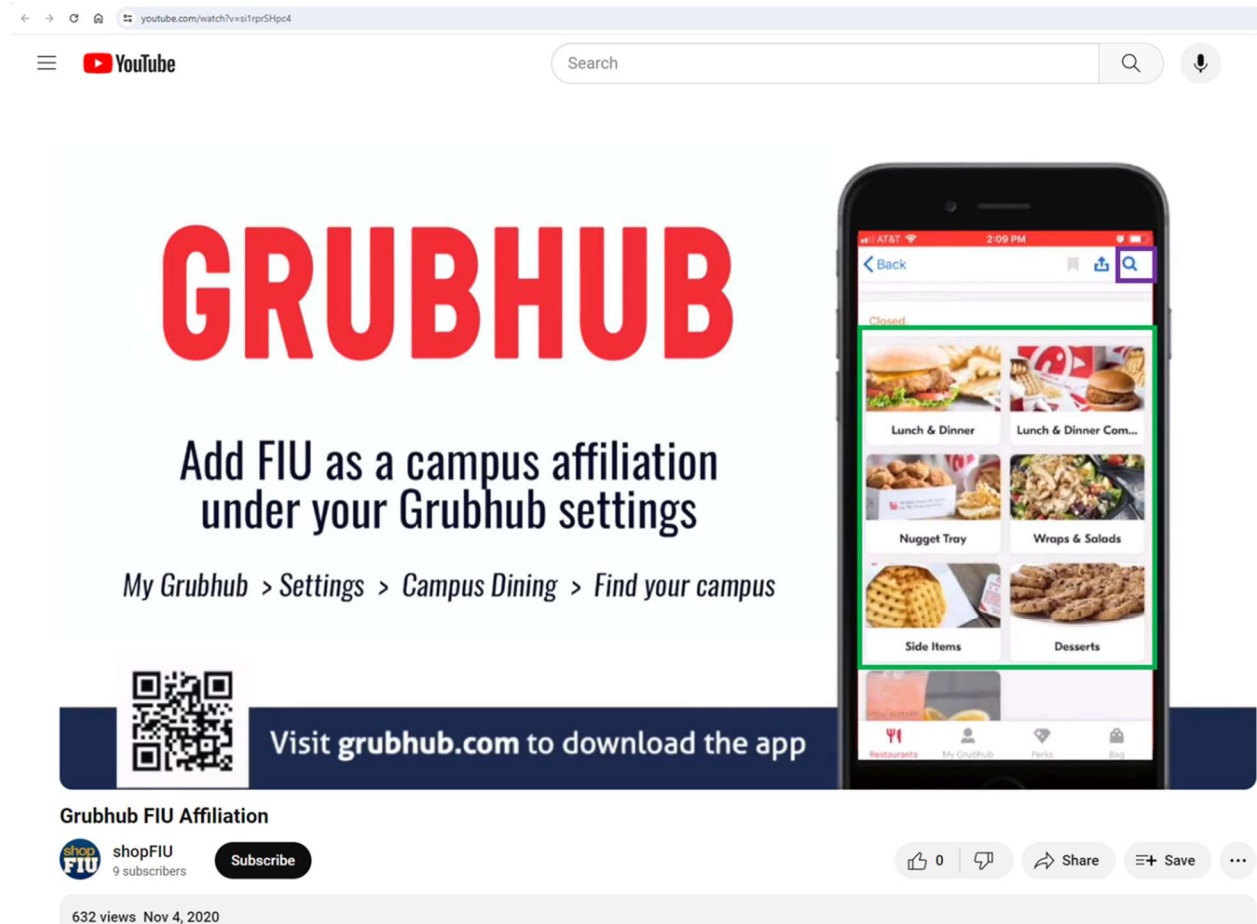
(E.g., <https://www.youtube.com/watch?v=silrprSHpc4>).

The image shows a YouTube video player. The video content is a man in a plaid shirt looking at a computer monitor. The monitor displays the GrubHub website. The website shows search results for 'Pizza, sushi, chinese' in New York, NY. The website has filters for 'Restaurants' and 'Delivery', and a list of popular restaurants including 'Lucky's Famous Burge...'. The video player interface shows the video title 'Scrape GrubHub Restaurant & Menu Data' by 'Stevesie Data' with 8.74K subscribers, 5,416 views, and a date of Nov 12, 2019.

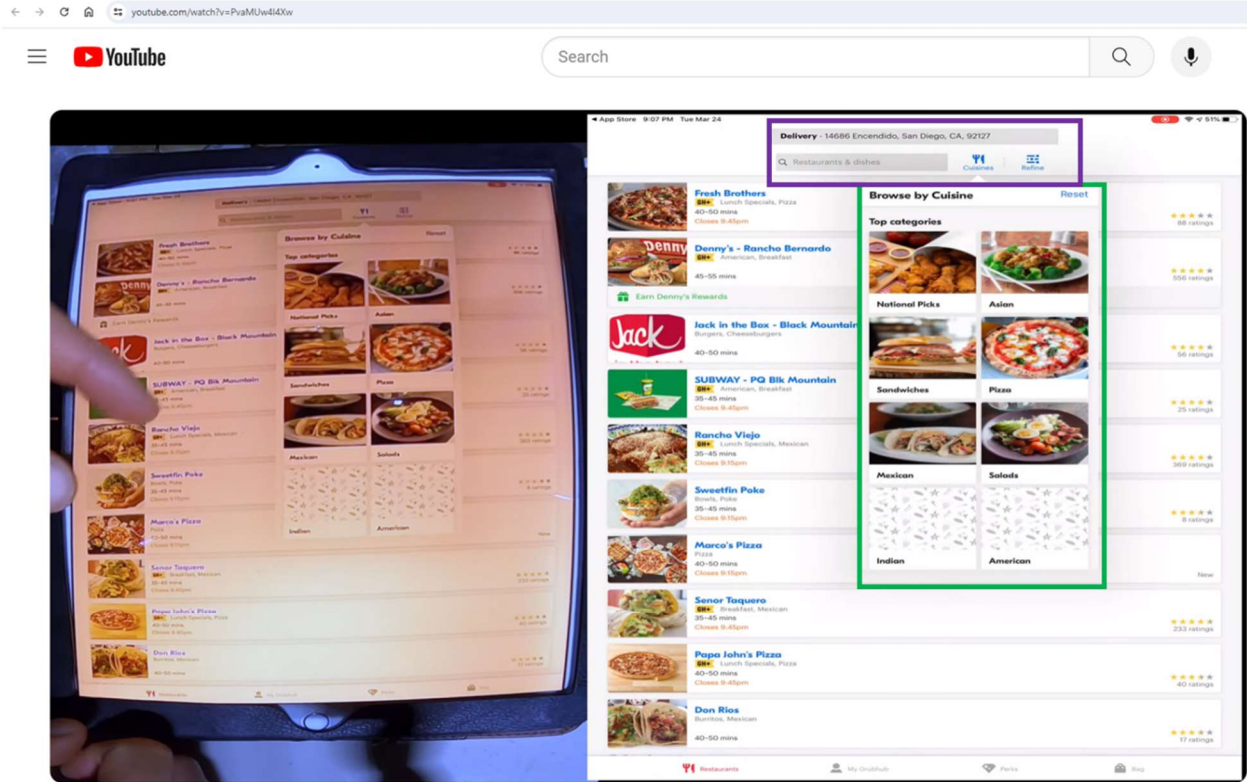
(E.g., <https://www.youtube.com/watch?v=4I0SgTAPf5U>).

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., virtual restaurants with associated photo content and textual content) 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 Grubhub is based at least in part on at least one of the one or more user attributes, (e.g., based on, *inter alia*, a food category or food categories of the virtual restaurant,

the physical location of the restaurant, whether the virtual restaurant offers pick-up or delivery, and the offering of promotions or coupons by the virtual restaurant) which in turn affect which electronic media submissions, e.g., virtual restaurants and associated media, appear to the user as shown and discussed for example below. Grubhub uses function-specific subsystems, for example as discussed below.



(E.g., <https://www.youtube.com/watch?v=silrprSHpc4>).



(E.g., <https://www.youtube.com/watch?v=PvaMUw414Xw>).

The screenshot displays a YouTube video player. The video content is a screen recording of the GrubHub website. The website interface includes a search bar with the text "Pizza, sushi, chinese", a location dropdown set to "New York, NY", and a "Get deal" button. Below the search bar, there are filters for "Restaurants" and "Catering", with "Delivery" and "Pickup" options. A "Feature" section lists various filters like "Coupons (14)", "New (91)", "Order Tracking (665)", and "Open Now (8:03pm) (859)". The main content area shows "Most popular near you" with 720 restaurants, featuring categories like "Lunch Specials", "Sandwiches", "Salads", "Breakfast", and "Asian". A specific restaurant, "Lucky's Famous Burge...", is highlighted with a 3.29 rating and a price of \$15. A network inspector is overlaid on the bottom left of the video, showing a list of requests and a detailed view of a JSON response. The JSON response includes fields for listing_id, intent_search_context, listing_id, market_context, pager, results, rewrite_context, and sponsored_result. The video player shows 79 likes, a share button, and a save button. The video title is "Scrape GrubHub Restaurant & Menu Data" by "Stevesie Data" (8.74K subscribers), with 5,416 views and a date of Nov 12, 2019.

(E.g., <https://www.youtube.com/watch?v=4I0SgTAPf5U>).

The screenshot displays the Seamless website interface. At the top, the Lifewire logo and navigation menu are visible. The main content area features a search bar with the text "Pizza, sushi, chinese" and a location pin for "New Orleans, LA". A "Filters" sidebar is on the left, and a "Most popular near you" section shows a carousel of food items: Pizza, Sandwiches, Lunch Specials, Salads, Calzones, Wings, and American. Below this, a list of restaurants is shown, including Taco Bell, Magazine Pizza, and Oceana Grill, with details like ratings, prices, and delivery fees.

Seamless offers many types of cuisine, including Italian, Chinese, American, and more. The service allows you to see a list of restaurants (E.g., <https://www.lifewire.com/how-does-seamless-delivery-work-4628129>).

27. Such electronic content filter is used by the Accused Instrumentality to develop multimedia content (e.g., the virtual restaurants and/or various content as discussed above) associated with the user-restaurant 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-restaurant's virtual restaurant name and profile picture) is maintained with each selected and retrieved submission within the multimedia content, for example as shown below. In each selected and retrieved submission within the multimedia content, the identification of the submitter is also maintained.

The screenshot shows a YouTube video player. The video title is "GrubHub Tips & Tricks 2019 Part 1" by "Gig Coach Jake" (10.6K subscribers). The video has 412 likes, a share button, and a save button. The video content features a man in a black t-shirt with "T.E.A.M.P.I.N.G." on it, standing in front of a whiteboard. The whiteboard has handwritten text in red and black: "GrubHub Tips & Tricks 2019", "Know Your Market!! (Cust. app, time)", "Distance, # areas", "Trouble Spots ('No Fly List')", "Lead To \$\$\$ (Not Live Data)", "Check 'Order Placed' Time (Pick-Up)", "LOW TIP OFFERS!!", "ON Block (Peak vs. Non-Peak)", and "PATIENT, Polite, & ON TIME!!". An inset image shows a GrubHub app menu for Panda Express. The menu items are: "Family Feast" (\$40.25+), "Plate" (\$9.10+), "Bigger Plate" (\$10.80+), and "Bowl" (\$7.50+). The "Reviews (550)" link is circled in green. The prices for "Family Feast" and "Bigger Plate" are circled in red. The Panda Express logo is also circled in red.

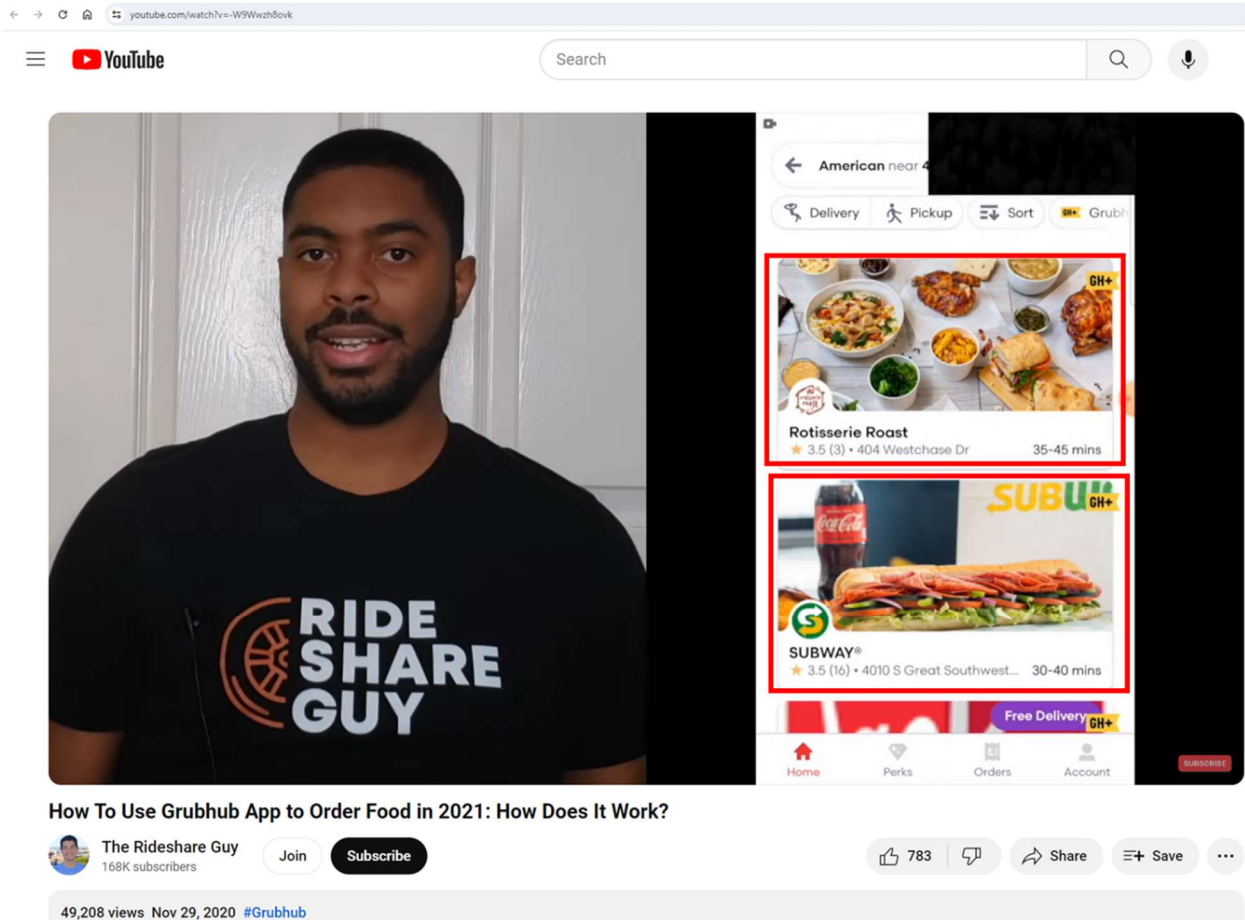
(E.g., <https://www.youtube.com/watch?v=dUbPzqP4uOk>).

The screenshot shows the Seamless website interface. At the top, there is a navigation bar with the Lifewire logo and the tagline 'TECH FOR HUMANS'. To the right of the logo are links for 'NEWS', 'HOW TO', 'FEATURES', 'ABOUT US', and 'Best Gamir'. Below the navigation bar is a 'JUMP TO A SECTION' dropdown menu. The main content area is a search interface for Seamless. It includes a search bar with the text 'Pizza, sushi, chinese', a location selector set to 'New Orleans, LA', and a 'Sign in' button. On the left side, there are filters for 'Restaurants' and 'Catering', with 'Delivery' selected. Below the filters, there are sections for 'Feature' (with options for 'Free Delivery (7)' and 'Open Now [11-40pm] (15)'), 'Rating' (with a five-star rating), 'Price' (with price range options from '\$' to '\$\$\$\$'), and 'Delivery time'. The main content area displays 'Most popular near you' with 15 restaurants. Three restaurants are highlighted with red boxes: 'Taco Bell' (Lunch specials, Mexican...), 'Magazine Pizza' (American, Calzones...), and 'Oceana Grill' (Cajun, Lunch Specials...). Each restaurant listing includes a photo, name, rating, price range, and delivery fee.

Seamless offers many types of cuisine, including Italian, Chinese, American, and more. The service allows you to see a list of restaurants (E.g., <https://www.lifewire.com/how-does-seamless-delivery-work-4628129>).

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 foods with associated photo, profile picture, and textual content to other 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 the virtual restaurant 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 the Accused Instrumentality. Grubhub uses function-specific subsystems, for example as discussed below.



(E.g., <https://www.youtube.com/watch?v=-W9Wwzh8ovk>).

The screenshot displays a YouTube video player. The video title is "GrubHub Tips & Tricks 2019 Part 1" by "Gig Coach Jake" (10.6K subscribers). The video has 412 likes, a share button, and a save button. The video content features a man in a black t-shirt with "T.E.A.M.P.I.N.G." written on it, standing in front of a whiteboard. The whiteboard has handwritten text in red and black ink, including "GrubHub Tips & Tricks 2019", "Know Your Market!! (Cust. app, time Distance, # areas)", "Trouble Spots ('No Fly List')", "Lead To ## (Not Live Data)", "Check 'Order Placed' Time (Pick-Up)", "LOW TIP OFFERS!!", "ON Block (Peak vs. Non-Peak)", and "PATIENT, Polite, & ON TIME!!".

An inset image shows the GrubHub app interface for Panda Express. The app shows the restaurant name, address (908 E Indian School Rd, Phoenix, AZ), and a 4.5-star rating with 217 ratings. The "Regular Menu" section is highlighted with a red box and contains the following items:

Item	Price
Family Feast (Choose Any 2 Large Sides & 3 Large Entrees)	\$40.25+
Plate (Choose Any 1 Side & 2 Entrees)	\$9.10+
Bigger Plate (Choose Any 1 Side & 3 Entrees)	\$10.80+
Bowl (Choose Any 1 Side & 1 Entree)	\$7.50+

The "Reviews (550)" link is circled in green. The Panda Express logo is circled in red. The video player shows 17,188 views and a premiere date of Jan 21, 2019.

(E.g., <https://www.youtube.com/watch?app=desktop&v=GfwngXn-A0>).

The screenshot shows a YouTube video player. The video content is a screen recording of a GrubHub website search results page for 'Pizza, sushi, chinese' in New York, NY. Three restaurant listings are highlighted with red boxes: '5 Napkin Burger', 'Abitino's Pizza & Italia...', and 'Ponche Taqueria & Co...'. A network developer tool is open at the bottom of the browser window, displaying a list of XHR requests. The video player interface includes the YouTube logo, a search bar, and a video title 'Scrape GrubHub Restaurant & Menu Data' by 'Stevesie Data' (8.74K subscribers). The video has 79 likes and 5,416 views from Nov 12, 2019.

Name	Status	Type	Initiator	Size	Time	Waterfall
search?orderMethod=deliver...	200	xhr	Other	17.2 KB	866 ms	
static-content?contentOnly=1	200	xhr	search?order...	15.9 KB	60 ms	
search_listing?orderMethod=...	200	xhr	Other	8.8 KB	331 ms	
site-2500bb38-host.json	200	xhr	Other	7.7 KB	32 ms	
1400931?hideChoiceCategor...	200	xhr	search?order...	2.5 KB	146 ms	
search?orderMethod=deliver...	200	xhr	Other	2.4 KB	319 ms	

(E.g., <https://www.youtube.com/watch?v=4I0SgTAPf5U>).

The screenshot shows the Seamless app interface. At the top, the Lifewire logo and navigation menu are visible. Below that, a 'JUMP TO A SECTION' dropdown is present. The main content area shows the Seamless app interface for New Orleans, LA. It includes a search bar with 'Pizza, sushi, chinese' entered, a 'Sign in' button, and a 'Filters' sidebar. The 'Filters' sidebar has sections for 'Restaurants' (Delivery/Pickup), 'Feature' (Free Delivery, Open Now), 'Rating' (1-5 stars), 'Price' (\$-\$-\$-\$-\$), and 'Delivery time'. The main content area displays 'Most popular near you' with 15 restaurants. Three restaurants are highlighted with a red box: Taco Bell (Lunch Specials, Mexican...), Magazine Pizza (American, Calzones...), and Oceana Grill (Cajun, Lunch Specials...).

Restaurant	Cuisine	Rating	Price	Minimum	Delivery Fee	Distance	Delivery Time
Taco Bell	Lunch Specials, Mexican...	698 ratings	\$\$\$\$	\$0	\$3.99	1.51 mi	30-40 mins
Magazine Pizza	American, Calzones...	1396 ratings	\$\$\$	\$15	\$2.50	0.68 mi	60-70 mins
Oceana Grill	Cajun, Lunch Specials...	291 ratings	\$\$\$	\$15	\$3.00		

Seamless offers many types of cuisine, including Italian, Chinese, American, and more. The service allows you to see a list of restaurants (E.g., <https://www.youtube.com/watch?v=4I0SgTAPf5U>).

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 user's choices with respect to a selection of one or more Stars and textual content in the form of a Review) an electronically available multimedia content (e.g., a multimedia virtual restaurant provided by a user-restaurateur). Grubhub uses function-specific subsystems, for example as discussed below.

The screenshot shows a YouTube video player with a browser window overlaid. The browser window displays the GrubHub website search results for 'Pizza, sushi, chinese' in New York, NY. Three restaurant listings are highlighted with red boxes: '5 Napkin Burger' (1202 ratings, \$0 minimum), 'Abitino's Pizza & Italia...' (1315 ratings, \$16 minimum), and 'Ponche Taqueria & Co...' (1277 ratings, \$20 minimum). A network developer tool is open at the bottom of the browser window, showing a list of XHR requests. The video player shows a man in a plaid shirt looking at the screen.

Scrape GrubHub Restaurant & Menu Data

S Stevesie Data
8.74K subscribers **Subscribe**

79 Share Save

5,416 views Nov 12, 2019

(E.g., <https://www.youtube.com/watch?v=4I0SgTAPf5U>).

The screenshot shows a web browser window with the URL blog.grubhub.com/can-you-trust-restaurant-reviews. The page header is orange and contains the Grubhub logo, navigation links for 'Restaurant Stories', 'Delivery 101', 'What To Eat', and 'COVID-19', a search icon, and an 'Order On Grubhub' button. Below the header, the author is identified as 'Grubhub Staff' with a profile picture of a knife and fork, and the post is dated 'Updated March 14th, 2018'. There are two buttons: 'How To' and 'Reviews'. The main text reads: 'It used to be that everyone just had an opinion. Now everyone has a platform, too. Knowing how much you can trust a ratings and reviews section can be tricky, but at Grubhub, we believe that ratings and reviews should work for you, so you can always find a meal that hits the spot. Bottom line, we're dedicated to making our Ratings and Reviews feature functional and trustworthy. Here are some pro-tips for making the most out of your search for the perfect bite.' Below the text is a red graphic with a white illustration of a woman's head. Lines radiate from her head to icons representing a stopwatch, a dollar sign, and a star. The text 'filter your results' is written in white on the right side of the graphic. To the right of the graphic are social media sharing icons for Facebook, Twitter, Pinterest, and Email. Below these is an email subscription form with the text 'Want more? Let us feed your inbox with sweet deals and recommendations.', an input field for 'Enter your email', and a blue 'Submit' button. A yellow box highlights a tip: 'Filter your search by price range, distance from your address, and quality. Pro-tip: Compare the star rankings to the number of reviews a restaurant has received — if a restaurant has five stars with over a thousand reviews logged, there's a good chance it's pretty tasty!'

(E.g., <https://blog.grubhub.com/can-you-trust-restaurant-reviews>).

The screenshot shows the Seamless app interface. At the top, there's a search bar with 'Pizza, sushi, chinese' and a location of 'New Orleans, LA'. Below the search bar, there's a 'JUMP TO A SECTION' dropdown. The main content area is divided into 'Filters' on the left and 'Most popular near you' on the right. The 'Filters' section includes 'Restaurants' (Delivery/Pickup), 'Feature' (Free Delivery, Open Now), 'Rating' (1-5 stars), 'Price' (\$-\$\$\$\$), and 'Delivery time'. The 'Most popular near you' section shows a carousel of restaurant categories: Pizza, Sandwiches, Lunch Specials, Salads, Calzones, Wings, American, and more. Below the carousel, there's a list of restaurants with their ratings, prices, and delivery fees. Three restaurants are highlighted with red boxes: Taco Bell (4.5 stars, 698 ratings, \$3.99 delivery fee), Magazine Pizza (4.5 stars, 1396 ratings, \$2.50 delivery fee), and Oceana Grill (4.5 stars, 291 ratings, \$3.00 delivery fee).

Seamless offers many types of cuisine, including Italian, Chinese, American, and more. The service allows you to see a list of restaurants (E.g., <https://www.youtube.com/watch?v=4I0SgTAPf5U>).

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

webservers 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 webservers 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 and “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.

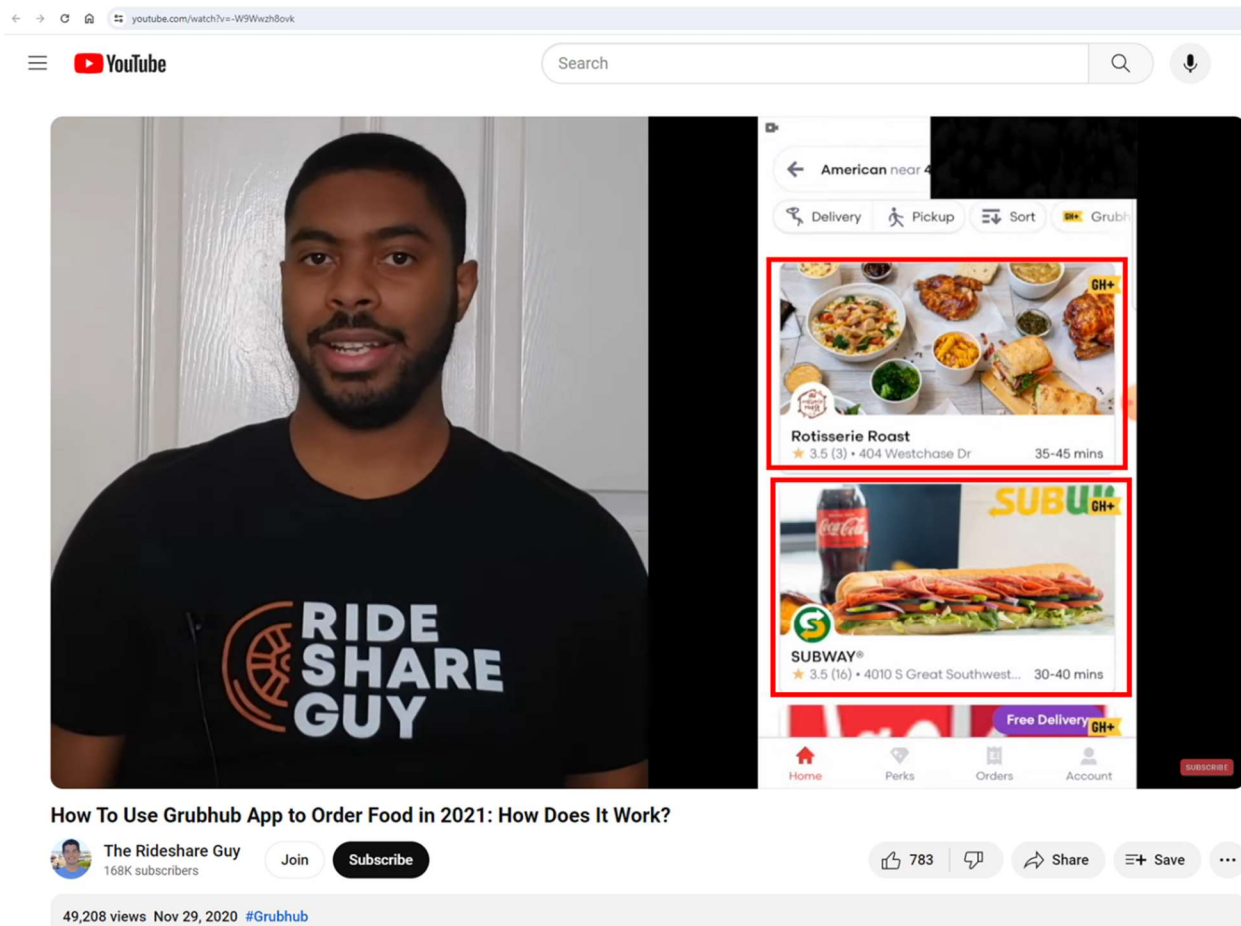
42. The also has inventive concepts. For example, the claim requires that the filtering tool be at a specific location, remote from the end-users, with customizable filtering features specific to each end user. The "electronic content filter" is located at the server, remote from the end user, and customizable 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 Illinois, and elsewhere in the United States, by employing a computer-based system using <https://www.grubhub.com/> ("Accused Instrumentality") (e.g., <https://www.grubhub.com/>).

45. Grubhub uses a computer-based system for its Accused Instrumentality to enable user-restauranters to create a personalized virtual restaurant profile and share multimedia content pertaining to food offerings which may be ordered by user-customers through Grubhub and delivered to the user-customers by user-drivers. The multimedia content includes image content and textual content pertaining to food offered by the user-restauranters, which may be shown to other users based on, *inter alia*, user-restauranteur attributes. 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

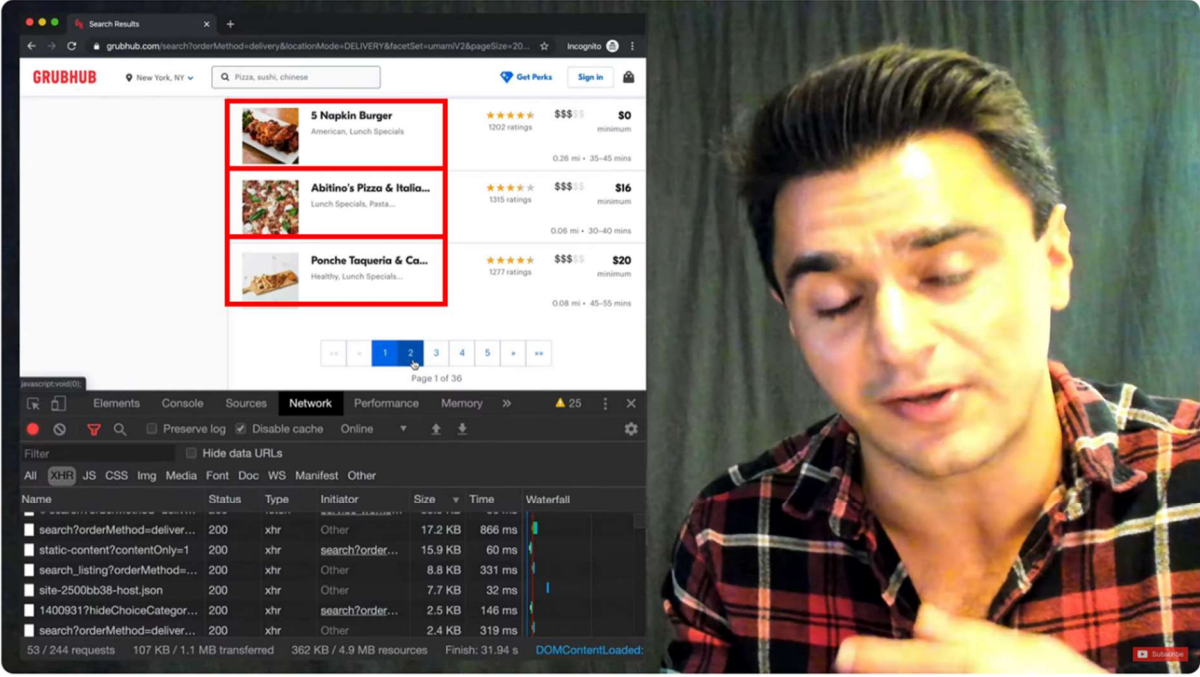
data processing apparatus, cause the one or more data processing apparatus to perform an electronic method comprising the functions as further discussed below. Grubhub, during the relevant time period, took advantage of multiple cloud server providers for the Accused Instrumentality and for the Accused Instrumentality, as discussed above, as well as scalability within its cloud server providers, employing separate server subsystems for all its meaningfully different functions. Grubhub 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, and 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=-W9Wwzh8ovk>).

The screenshot displays a YouTube video player. The video content features a man in a black t-shirt with 'T.E.A.M.-P.I.N.G.' written on it, standing in front of a whiteboard. The whiteboard has handwritten text in red and black ink. The text on the whiteboard includes: 'GrubHub Tips & Tricks 2019', 'Know Your Market!! (Cust. app, time) (Distance, # areas)', 'Trouble Spots ("No Fly List")', 'Lead To \$\$\$ (Not Live Data)', 'Check "Order Placed" Time (Pick-up)', 'LOW TIP OFFERS!!', 'ON Block (Peak vs. Non-peak)', and 'PATIENT, Polite, & ON TIME!!'. The video player interface shows a Panda Express menu overlay on the left side. The menu items are: 'Family Feast' for \$40.25+, 'Plate' for \$9.10+, 'Bigger Plate' for \$10.80+, and 'Bowl' for \$7.50+. The video title is 'GrubHub Tips & Tricks 2019 Part 1' by 'Gig Coach Jake' (10.6K subscribers). The video has 17,188 views and premiered on Jan 21, 2019.

(E.g., <https://www.youtube.com/watch?app=desktop&v=GfwnygXn-A0>).



The screenshot shows a YouTube video player with a video of a man in a plaid shirt. The video content is a screen recording of a GrubHub website search for 'Pizza, sushi, chinese' in New York, NY. Three restaurant listings are highlighted with red boxes: '5 Napkin Burger', 'Abitino's Pizza & Italia...', and 'Ponche Taqueria & Co...'. A network developer tool is open at the bottom of the browser window, displaying a list of XHR requests. The video title is 'Scrape GrubHub Restaurant & Menu Data' by 'Stevesie Data' (8.74K subscribers), with 79 likes and 5,416 views from Nov 12, 2019.

Name	Status	Type	Initiator	Size	Time	Waterfall
search?orderMethod=deliver...	200	xhr	Other	17.2 KB	866 ms	
static-content?contentOnly=1	200	xhr	search?order...	15.9 KB	60 ms	
search_listing?orderMethod=...	200	xhr	Other	8.8 KB	331 ms	
site-2500bb38-host.json	200	xhr	Other	7.7 KB	32 ms	
1400931?hideChoiceCategor...	200	xhr	search?order...	2.5 KB	146 ms	
search?orderMethod=deliver...	200	xhr	Other	2.4 KB	319 ms	

(E.g., <https://www.youtube.com/watch?v=4I0SgTAPf5U>).

The screenshot shows a web browser window with the address bar displaying "lifewire.com/how-does-seamless-delivery-work-4628129". The Lifewire logo is at the top left, with the tagline "TECH FOR HUMANS". Navigation links for "NEWS", "HOW TO", "FEATURES", and "ABOUT US" are in the top center. A link for "Best Gaming..." is on the top right. A sidebar on the left lists "IN THIS ARTICLE" with items: "What Is Seamless?", "Seamless History" (highlighted with an orange arrow), "Seamless vs. Grubhub", "How Seamless Delivery Works", and "Common Questions". The main content area has a heading "Seamless: A Brief History" followed by two paragraphs of text. A red-bordered box highlights a section titled "Seamless vs. Grubhub" with two paragraphs of text.

Lifewire
TECH FOR HUMANS

NEWS HOW TO FEATURES ABOUT US [Best Gaming...](#)

IN THIS ARTICLE

- What Is Seamless?
- > Seamless History
- Seamless vs. Grubhub
- How Seamless Delivery Works
- Common Questions

Seamless: A Brief History

Seamless Web began its journey towards multi-million dollar status in 1999 when the service was offered to corporate clients, such as lawyers, who worked around the clock. Seamless was acquired by Aramark in 2006 when it was immediately met with rising competition.

In 2011, Seamless was released by Aramark and refinanced with another goal in mind: reaching the average consumer. During the process, Seamless dropped the "web" from its name, hoping to help differentiate the brand in the new market. Through various app updates, marketing tactics, and a new strategy, Seamless became successful in the consumer market, bringing in \$85 million in revenue by the end of 2012.

Now, Seamless offers delivery services in hundreds of cities around the United States and London and sees millions of orders each year.

Seamless vs. Grubhub

Both Seamless and Grubhub are part of Grubhub, Inc. Although the two services are separate, there are similarities.

For example, Seamless and Grubhub offer about the same type of mobile experience with almost identical design. Pricing is the same for both services, and both cover the same service areas. Whether you choose to order using Seamless or GrubHub, these services are essentially the same.

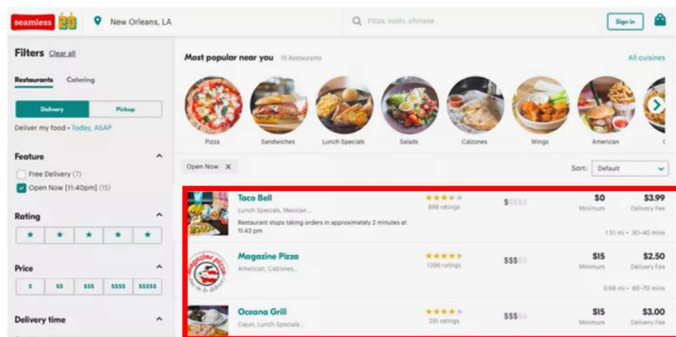
(E.g., <https://www.lifewire.com/how-does-seamless-delivery-work-4628129>).

- IN THIS ARTICLE**
- What Is Seamless?
 - Seamless History
 - > Seamless vs. Grubhub
 - How Seamless Delivery Works
 - Common Questions

essentially the same.

How Does Seamless Delivery Work?

Seamless offers in-app ordering and desktop ordering, depending on your access. Regardless of the device you use, Seamless makes ordering your favorite food simple. Start by entering your delivery address.



Seamless offers many types of cuisine, including Italian, Chinese, American, and more. The service allows you to see a list of restaurants offering online ordering in your area, close to the address you chose.

Note: No restaurants in your local area yet? Don't worry. Seamless is always updating and adding new places to eat to ensure everyone has access to the service.

(E.g., <https://www.lifewire.com/how-does-seamless-delivery-work-4628129>).

The screenshot shows a browser window with the URL w3techs.com/sites/info/Grubhub.com. The page header includes the W3Techs logo and navigation links: Home, Technologies, Reports, API, Sites, Quality, Users, Blog, Forum. Below the header is a yellow banner for 'Featured products and services' with logos for WordPress and DesignBombs. The main content area is titled 'Site Info - Grubhub.com' and provides an overview of technologies used. It includes a search bar for 'lookup another site:' and a 'Site Info' link. The technologies are listed in several categories:

- Website Background:** Description on Homepage (Food Delivery | Restaurant Takeout | Order Food Online | Grubhub), Popularity rank (Top 100k among all websites).
- Content Management Systems:** WordPress (used on a subdomain), Elementor (used on a subdomain).
- Server-side Programming Languages:** ASP.NET, PHP (used on a subdomain).
- Client-side Programming Language:** JavaScript.
- JavaScript Libraries:** Polyfill.io (used on inner pages), Angular 1.8.2 (version 1.6.4 used until recently, used on inner pages), jQuery 3.6.4 (33% of sites use a newer version, used on a subdomain).
- Web Servers:** Nginx 1.6.0 (99% of sites use a newer version), Cloudflare Server (used on a subdomain).
- Web Hosting Provider:** WP Engine (used on a subdomain).

At the bottom right of the page, it says 'hosting info partly based on data from ipinfo.io'.

(E.g., <https://w3techs.com/sites/info/Grubhub.com>).

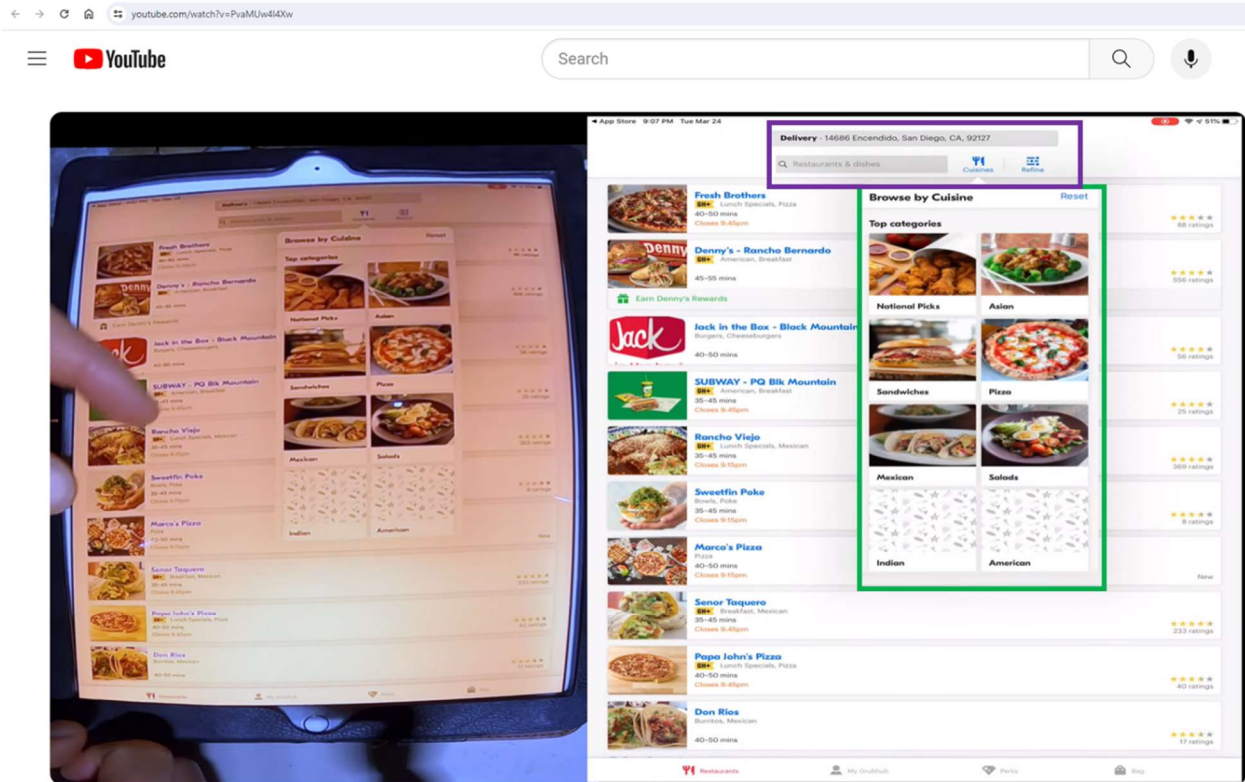
46. The Accused Instrumentality electronically retrieves a plurality of electronic media submissions from an electronic media submissions database on a non-transitory medium, for example multimedia content pertaining to building a virtual restaurant on the Accused

Instrumentality. The submissions include a virtual menu (a listing of the food offered for sale), a title and/or description of the food offered, a restaurant logo and a cover page. Individual user-restauranters can sign up and create virtual restaurants on Grubhub's Accused Instrumentality, which is stored on a user database. Such user database is stored in memory available through the Accused Instrumentality, for example as discussed above. The user attributes of user-restauranters who create virtual restaurant may include *e.g.*, a food category or food categories of the virtual restaurant, the physical location of the restaurant, whether the virtual restaurant offers pick-up or delivery, and the offering of promotions or coupons by the virtual restaurant and the like as shown in the examples below. Grubhub's 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.*, virtual restaurants with associated photo content and textual content) 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 Grubhub is based at least in part on at least one of the one or more user attributes, (*e.g.*, based on, *inter alia*, a food category or food categories of the virtual restaurant, the physical location of the restaurant, whether the virtual restaurant offers pick-up or delivery, and the offering of promotions or coupons by the virtual restaurant) which in turn affect which electronic media submissions, *e.g.*, virtual restaurants and associated media, appear to the user as shown and discussed for example below. As shown below, the Accused Instrumentality utilizes the same electronic content filter as the Accused Instrumentality, and is based on at least in part on at least one of the one or more user attributes, (*e.g.*, based on, *inter alia*,

a food category or food categories of the virtual restaurant, the physical location of the restaurant, and whether the virtual restaurant offers pick-up or delivery) which in turn affect which electronic media submissions, e.g., virtual restaurants and associated media, appear to the user as shown and discussed for example below. Grubhub uses function-specific subsystems, for example as discussed below.

The image is a screenshot of a YouTube video player. At the top, the browser address bar shows the URL [youtube.com/watch?v=silrprSHpc4](https://www.youtube.com/watch?v=silrprSHpc4). The YouTube logo and a search bar are visible. The video content is a promotional advertisement for Grubhub. It features the large red text "GRUBHUB" at the top. Below it, the text reads "Add FIU as a campus affiliation under your Grubhub settings". Underneath that, a navigation path is shown: "My Grubhub > Settings > Campus Dining > Find your campus". A QR code is displayed on the left side of the ad. To the right of the QR code is a dark blue banner with the text "Visit grubhub.com to download the app". Below the banner, the text "Grubhub FIU Affiliation" is shown, followed by a "shopFIU" logo with "9 subscribers" and a "Subscribe" button. On the right side of the video player, there are icons for likes (0), comments, share, save, and a menu. At the bottom left of the video player, it shows "632 views Nov 4, 2020". On the right side of the video player, there is a smartphone displaying the Grubhub app interface. The app screen shows a grid of food categories: "Lunch & Dinner", "Lunch & Dinner Com...", "Nugget Tray", "Wraps & Salads", "Side Items", and "Desserts". The app's bottom navigation bar includes icons for "Restaurants", "My Grubhub", "Track", and "Shop".

(E.g., <https://www.youtube.com/watch?v=silrprSHpc4>).



GRUBHUB TUTORIAL

Nick C. 1.22K subscribers [Join] [Subscribe]

[Like] 1 [Comment] [Share] [Save] [More]

473 views Apr 2, 2020

(E.g., <https://www.youtube.com/watch?v=PvaMUw414Xw>).

The screenshot shows a YouTube video player with a browser window overlaid. The browser window displays the GrubHub website for New York, NY, with a search for "Pizza, sushi, chinese". The developer console is open, showing a network request to search_listing?orderMethod=... with a JSON response containing restaurant details. The video title is "Scrape GrubHub Restaurant & Menu Data" by "Stevesie Data" (8.74K subscribers), with 5,416 views as of Nov 12, 2019.

Search Results
grubhub.com/search?orderMethod=delivery&locationMode=DELIVERY&facetSet=umamv2&page=20...
New York, NY | Pizza, sushi, chinese | Get Perks | Sign in

As an added treat, enjoy FREE DELIVERY on your first order. **Get deal**

Filters Clear all
Restaurants Catering
Delivery Pickup
Deliver my food • Today, ASAP

Feature
 Coupons (14)
 New (91)
 Order Tracking (665)
 Open Now (8:03pm) (859)

Most popular near you 720 Restaurants | All cuisines
Lunch Specials Sandwiches Salads Breakfast Asian

Open Now X Sort: Default

Lucky's Famous Burge... 3295 ratings \$55 \$15 minimum

Network
Filter: Hide data URLs
Name: search_listing?orderMethod=...
Preview: {listing_id: "6c5f0c52-05b1-11ea-826c-15e8e1cab44c", intent_search_context: null, listing_id: "6c5f0c52-05b1-11ea-826c-15e8e1cab44c", market_context: {market_size: "LARGE", geohash: "dr5ruk", adjust: {total_pages: 36, current_page: 2}}, results: [{restaurant_id: "78888", restaurant_hash: "bee426643aa", rewrite_context: null, sponsored_result: null}], stats: {total_results: 720, result_count: 20, page_size: 20, tot...

Scrape GrubHub Restaurant & Menu Data
Stevesie Data 8.74K subscribers **Subscribe**
79 likes 79 shares 79 saves 79...
5,416 views Nov 12, 2019

(E.g., <https://www.youtube.com/watch?v=4I0SgTAPf5U>).

The screenshot displays the Seamless website interface. At the top, the Lifewire logo and navigation menu are visible. The main content area features a search bar with the text "Pizza, sushi, chinese" and a location pin for "New Orleans, LA". A "Filters" sidebar is on the left, and a "Most popular near you" section shows a carousel of food items. Below the carousel, a list of restaurants is displayed, including Taco Bell, Magazine Pizza, and Oceana Grill, with their respective ratings, prices, and delivery fees.

Seamless offers many types of cuisine, including Italian, Chinese, American, and more. The service allows you to see a list of restaurants (E.g., <https://www.lifewire.com/how-does-seamless-delivery-work-4628129>).

47. 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-restaurateurs, for example content pertaining to their respective electronic media submissions/virtual restaurant on the Accused Instrumentality, as well as multimedia content to be displayed on one or both of the user-restaurateur's profile and the virtual restaurant, as discussed and shown for example in connection with the above discussion. The submissions include a virtual menu (a listing of the food offered for sale), a title and/or description of the food

offered, a restaurant logo and a cover page. The submissions are provided to the 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 submitters (*e.g.*, user-restauranteurs) 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 the Accused Instrumentality.

Get more orders

Ready to increase your takeout sales and reach new hungry customers? Become a Grubhub partner today!

First name*

Last name*

Email*

Phone*


Restaurant name*


Restaurant zip code*


Get started


This site is protected by reCAPTCHA and the Google Privacy Policy and Terms of Service apply.

Boost your takeout revenue by up to 30%

 **More orders**
After joining Grubhub, restaurants' takeout order volume increases by more than 20%.

 **Proven ROI with no upfront cost**
Restaurants who join Grubhub see up to 6x growth in monthly takeout revenue versus non-Grubhub restaurants.

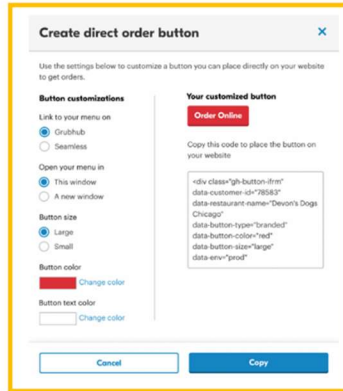
 **New customers**
Tap into direct, peer-to-peer promotion and promote your restaurant.

 **Easy-to-use technology**
Streamline your takeout business with our simple

(E.g., <https://web.archive.org/web/20200402052340/https://get.grubhub.com/>).



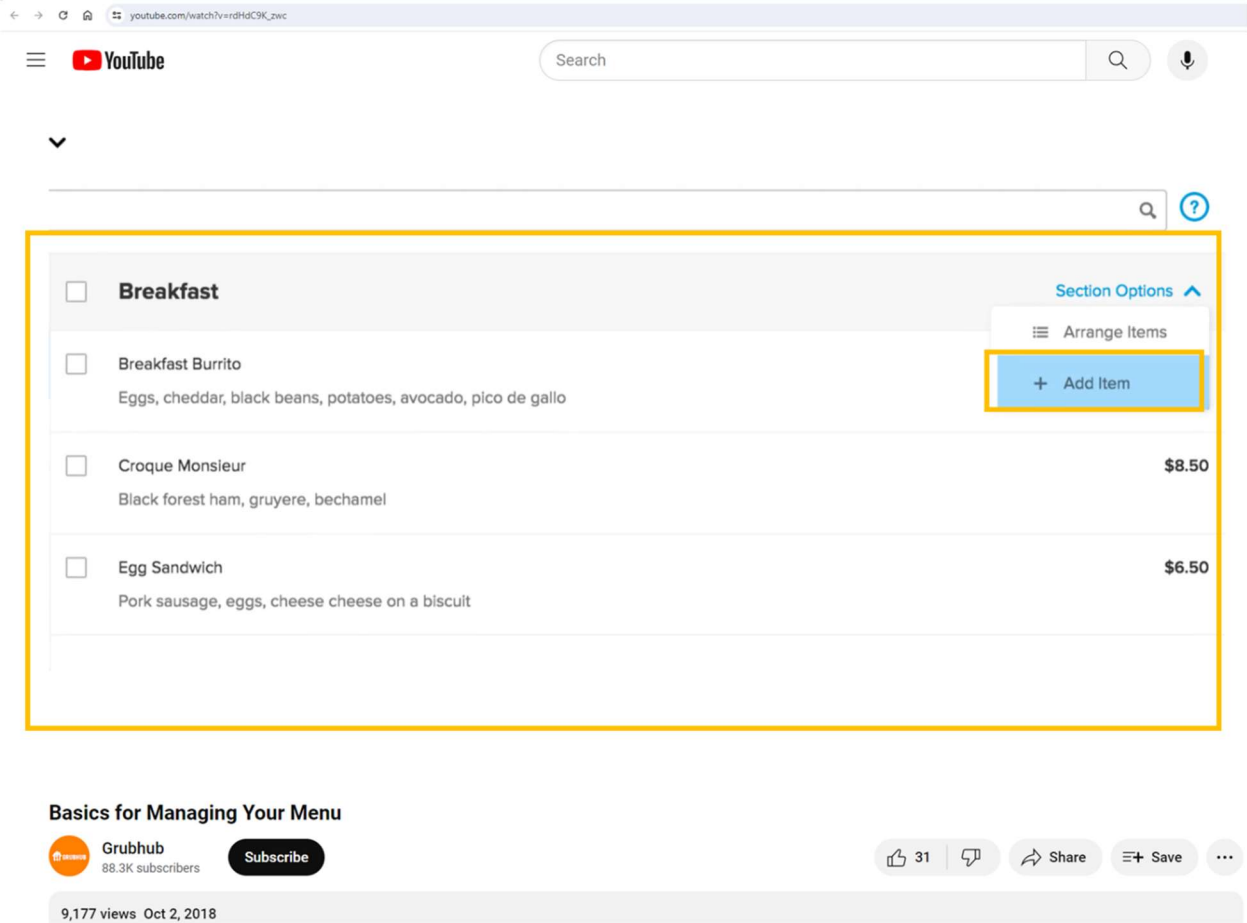
Priebatsch, Grubhub's chief revenue officer. "The Direct Order Toolkit delivers on that commitment and makes it easy for restaurant owners to offer takeout and delivery on their own channels by adding these commission-free online ordering capabilities."



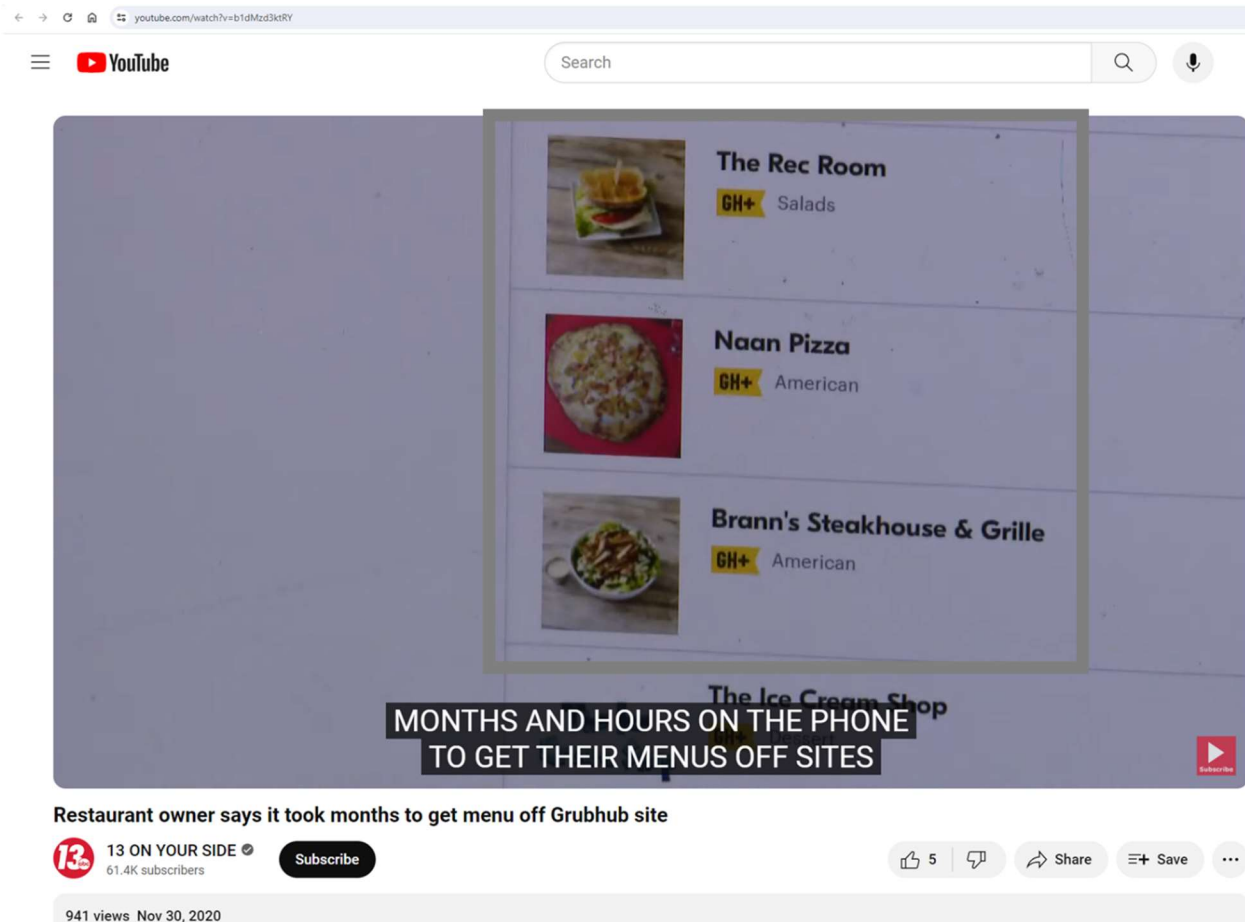
Above left: Customizations for the Direct Order Button. Above right: Download options for the Direct Order QR Code

The Direct Order Toolkit is available to restaurants directly on their Grubhub for Restaurants Dashboard. These solutions improve upon Grubhub's previous online ordering link solutions, offered since 2013 and used for millions of marketing commission-free orders to restaurants.

(E.g., <https://about.grubhub.com/news/grubhub-gives-restaurants-expanded-commission-free-ordering-solutions>).



(E.g., https://www.youtube.com/watch?v=rdHdC9K_zwc).



(E.g., <https://www.youtube.com/watch?v=b1dMzd3ktRY>).

48. The electronic media submissions database of the Accused Instrumentality used by Grubhub which stores the submissions further stores data identifying the submitter and data indicating content for each electronic media submission/virtual restaurant. As shown below, data identifying the user-restaurateur includes *e.g.*, a name, logo and a profile photo. Data indicating content for each electronic media submission includes the menu as well as images and textual content pertaining to food offered for sale. As shown below, data identifying the submitter and data indicating content for each electronic media submission/virtual restaurant also appears on Seamless in the same manner.

Verizon LTE 3:11 PM 67%

Back Menu

Search menu items

Panda Express
4.5 stars 217 ratings

Delivery, ASAP (40-50 mins)
\$0.00 minimum - \$1.99 delivery fee, additional fees apply at Panda Express

About **Reviews (550)**

Regular Menu

Family Feast Choose Any 2 Large Sides & 3 Large Entrees	\$40.25+
Plate Choose Any 1 Side & 2 Entrees	\$9.10+
Bigger Plate Choose Any 1 Side & 3 Entrees	\$10.80+
Bowl Choose Any 1 Side & 1 Entree	\$7.50+

Restaurants My Grubhub Bag

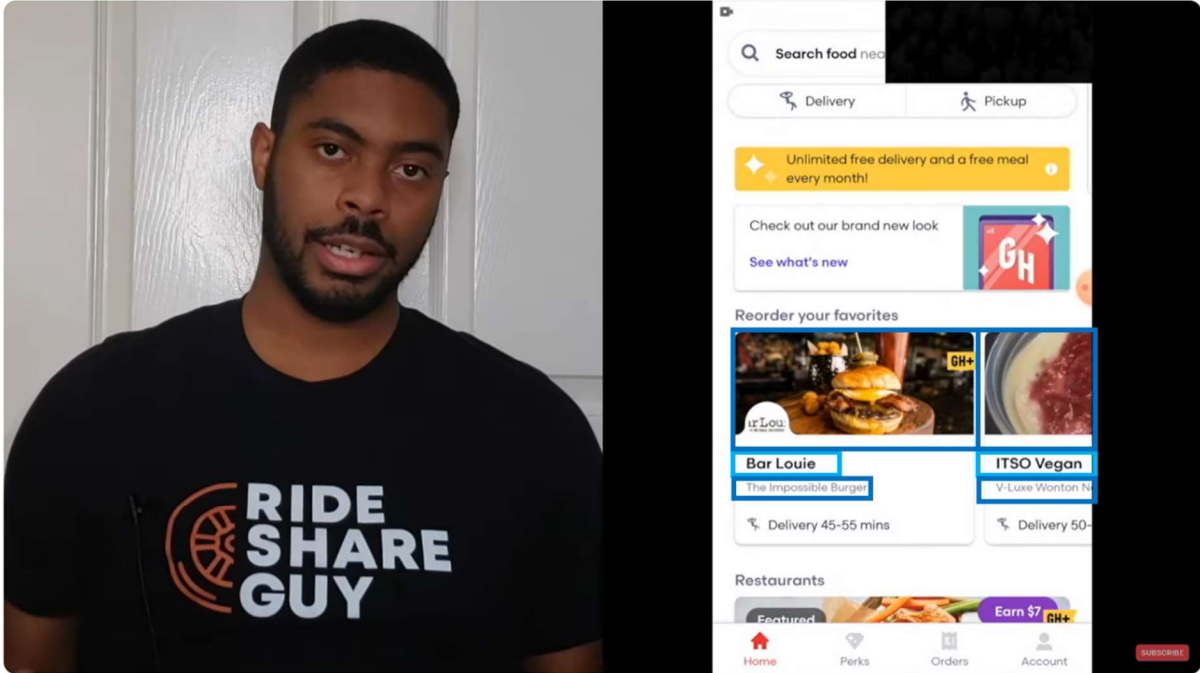
GrubHub Tips & Tricks 2019 Part 1

Gig Coach Jake
10.6K subscribers

412 412 412 Share Save

17,188 views Premiered Jan 21, 2019

(E.g., <https://www.youtube.com/watch?app=desktop&v=GfwngXn-A0>).



The image shows a YouTube video player. On the left, a man with a beard and short hair is wearing a black t-shirt with the text "RIDE SHARE GUY" and a wheel icon. On the right, a screenshot of the Grubhub mobile app is displayed. The app interface includes a search bar, "Delivery" and "Pickup" options, a promotional banner for "Unlimited free delivery and a free meal every month!", a "Check out our brand new look" section with a "See what's new" link, a "Reorder your favorites" section with items like "Bar Louie" and "ITSO Vegan", and a "Restaurants" section with a featured item and an "Earn \$7" badge. The bottom navigation bar shows "Home", "Perks", "Orders", and "Account".

How To Use Grubhub App to Order Food in 2021: How Does It Work?

The Rideshare Guy
168K subscribers

Join **Subscribe**

783 Share Save

49,208 views Nov 29, 2020 #Grubhub

(E.g., <https://www.youtube.com/watch?v=-W9Wwzh8ovk>).

The screenshot shows the Seamless app interface for New Orleans, LA. The search bar contains "Pizza, sushi, chinese". The filters section on the left includes options for "Delivery" and "Pickup", and a "Feature" section with "Open Now [11-40pm] (15)" selected. The main content area displays "Most popular near you" with 15 restaurants. Three restaurants are highlighted with blue boxes:

Restaurant	Rating	Price	Minimum	Delivery Fee
Taco Bell	4.5 stars (698 ratings)	\$\$\$\$	\$0	\$3.99
Magazine Pizza	4.5 stars (1396 ratings)	\$\$\$	\$15	\$2.50
Oceana Grill	4.5 stars (291 ratings)	\$\$\$	\$15	\$3.00

Seamless offers many types of cuisine, including Italian, Chinese, American, and more. The service allows you to see a list of restaurants (E.g., <https://www.lifewire.com/how-does-seamless-delivery-work-4628129>).

49. The Accused Instrumentality electronically generates multimedia files 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, such data identifying the user-restaurateur includes, e.g., a name.

Verizon LTE 3:11 PM 67%

YouTube Search

Back Menu

Search menu items Categories

Panda Express
998 E Indian School Rd, Phoenix, AZ
★★★★☆ 2117 ratings

Delivery, ASAP (40-50 mins)
\$0.00 minimum - \$1.99 delivery fee, additional fees apply at Panda Express

About **Reviews (550)** Change

Regular Menu

Family Feast Choose Any 2 Large Sides & 3 Large Entrees	\$40.25+
Plate Choose Any 1 Side & 2 Entrees	\$9.10+
Bigger Plate Choose Any 1 Side & 3 Entrees	\$10.80+
Bowl Choose Any 1 Side & 1 Entree	\$7.50+

Restaurants My Grubhub Bag

GrubHub Tips & Tricks 2019 Part 1

Gig Coach Jake 10.6K subscribers **Subscribe**

412 Share Save

17,188 views Premiered Jan 21, 2019

(E.g., <https://www.youtube.com/watch?app=desktop&v=GfwngXn-A0>).

The image shows a YouTube video player. On the left, a man with a beard and short hair is wearing a black t-shirt with the text "RIDE SHARE GUY" and a wheel icon. On the right, a screenshot of the Grubhub app is displayed. The app interface includes a search bar, "Delivery" and "Pickup" options, a promotional banner for "Unlimited free delivery and a free meal every month!", a "Check out our brand new look" section with a "See what's new" link, and a "Reorder your favorites" section featuring "Bar Louie" (The Impossible Burger, Delivery 45-55 mins) and "ITSO Vegan" (V-Luxe Wonton N, Delivery 50-). Below the app screenshot, the video title "How To Use Grubhub App to Order Food in 2021: How Does It Work?" is visible, along with the channel name "The Rideshare Guy" (168K subscribers), a "Join" button, a "Subscribe" button, and engagement icons for likes (783), comments, shares, and saves. The video has 49,208 views and was posted on Nov 29, 2020.

(E.g., <https://www.youtube.com/watch?v=-W9Wwzh8ovk>).

The screenshot shows the Seamless website interface for New Orleans, LA. The top navigation bar includes the Lifewire logo and links for NEWS, HOW TO, FEATURES, ABOUT US, and Best Gamir. A 'JUMP TO A SECTION' dropdown menu is visible. The main content area displays a search for 'Pizza, sushi, chinese' and a list of restaurants. The 'Filters' sidebar on the left includes options for 'Restaurants' and 'Catering', with 'Delivery' selected. The 'Feature' section shows 'Open Now [11-40pm] (15)' selected. The 'Rating' section shows a 5-star rating. The 'Price' section shows a range from \$ to \$\$\$\$\$. The 'Delivery time' section is also visible. The main list of restaurants includes 'Taco Bell', 'Magazine Pizza', and 'Oceana Grill', each with a rating, price range, and delivery fee.

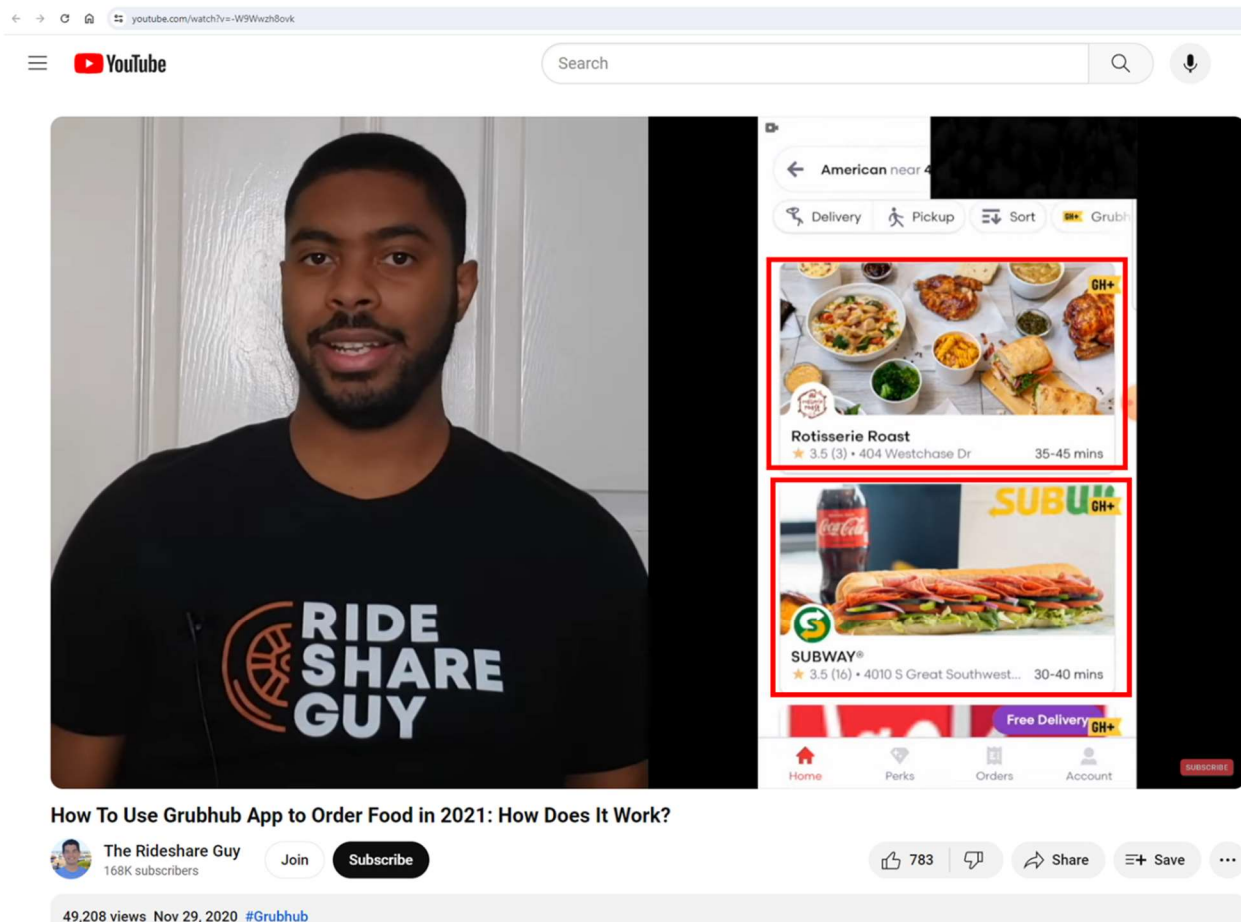
Restaurant	Rating	Price Range	Minimum	Delivery Fee
Taco Bell	4.5 stars (698 ratings)	\$\$\$\$	\$0	\$3.99
Magazine Pizza	4.5 stars (1396 ratings)	\$\$\$\$	\$15	\$2.50
Oceana Grill	4.5 stars (291 ratings)	\$\$\$\$	\$15	\$3.00

Seamless offers many types of cuisine, including Italian, Chinese, American, and more. The service allows you to see a list of restaurants

(E.g., <https://www.lifewire.com/how-does-seamless-delivery-work-4628129>).

50. The Accused Instrumentality, in order to distribute its multimedia file to a geographically distributed userbase, electronically transmits the multimedia file to a plurality of publicly accessible web servers, so as to make electronically available multimedia profiles and/or postings of foods with associated photo, profile picture, and textual content to other users, configured to make 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 the virtual restaurant 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 the Accused

Instrumentality. In the same manner, multimedia content associated with the virtual restaurant 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 the Accused Instrumentality. Grubhub uses function-specific subsystems, for example as discussed below.



(E.g., <https://www.youtube.com/watch?v=-W9Wwzh8ovk>).

The video content includes the following handwritten notes on the whiteboard:

- GrubHub Tips & Tricks 2019
- Know Your Market !! (Cust. app, time, Distance, # areas)
- Problem Spots ("No Fly List")
- Lead To \$\$\$ (Not Live Data)
- Check "Order Placed" Time (Pick-Up)
- LOW TIP OFFERS !!
- ON Block (Peak vs. Non-Peak)
- PATIENT, Polite, & ON TIME !!

The inset shows the GrubHub app interface for Panda Express with the following details:

- Restaurant: Panda Express, 908 E Indian School Rd, Phoenix, AZ, 4.5 stars, 2117 ratings.
- Delivery: ASAP (40-50 mins), \$0.00 minimum - \$1.99 delivery fee.
- Menu items and prices:

Item	Description	Price
Family Feast	Choose Any 2 Large Sides & 3 Large Entrees	\$40.25+
Plate	Choose Any 1 Side & 2 Entrees	\$9.10+
Bigger Plate	Choose Any 1 Side & 3 Entrees	\$10.80+
Bowl	Choose Any 1 Side & 1 Entree	\$7.50+

(E.g., <https://www.youtube.com/watch?app=desktop&v=GfwngXn-A0>).

The screenshot shows a YouTube video player with a video of a man in a plaid shirt. The video content is a screen recording of a GrubHub website search for 'Pizza, sushi, chinese' in New York, NY. Three restaurant listings are highlighted with red boxes: '5 Napkin Burger', 'Abitino's Pizza & Italia...', and 'Ponche Taqueria & Co...'. A network developer tool is open at the bottom of the browser window, displaying a list of XHR requests. The video title is 'Scrape GrubHub Restaurant & Menu Data' by 'Stevesie Data' (8.74K subscribers), with 79 likes and 5,416 views from Nov 12, 2019.

Name	Status	Type	Initiator	Size	Time	Waterfall
search?orderMethod=deliver...	200	xhr	Other	17.2 KB	866 ms	
static-content?contentOnly=1	200	xhr	search?order...	15.9 KB	60 ms	
search_listing?orderMethod=...	200	xhr	Other	8.8 KB	331 ms	
site-2500bb38-host.json	200	xhr	Other	7.7 KB	32 ms	
1400931?hideChoiceCategor...	200	xhr	search?order...	2.5 KB	146 ms	
search?orderMethod=deliver...	200	xhr	Other	2.4 KB	319 ms	

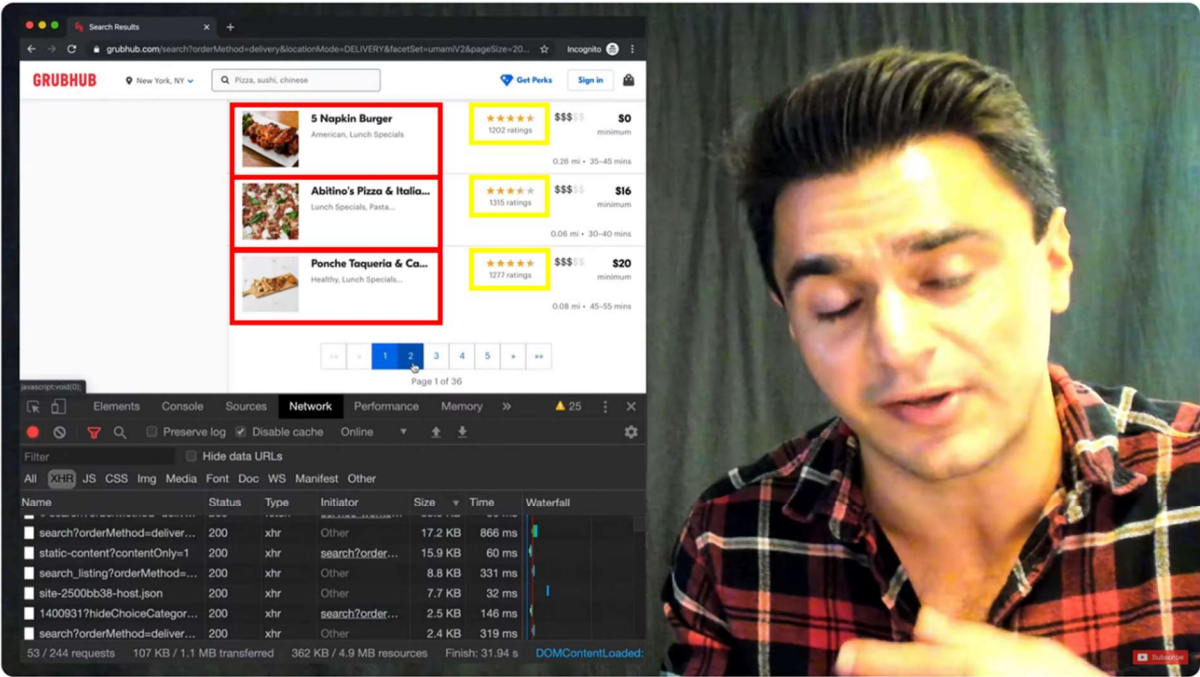
(E.g., <https://www.youtube.com/watch?v=4I0SgTAPf5U>).

The screenshot displays the Seamless app interface. At the top, the Lifewire logo and navigation menu are visible. Below the navigation is a 'JUMP TO A SECTION' dropdown. The main content area shows the Seamless app interface for New Orleans, LA. It features a search bar with 'Pizza, sushi, chinese', a 'Sign in' button, and a 'Filters' sidebar on the left. The sidebar includes options for 'Restaurants' (Delivery/Pickup), 'Feature' (Free Delivery, Open Now), 'Rating' (1-5 stars), 'Price' (\$-\$\$\$\$), and 'Delivery time'. The main display shows 'Most popular near you' with categories like Pizza, Sandwiches, Lunch Specials, Salads, Calzones, Wings, and American. Below this is a list of restaurants: Taco Bell (4.5 stars, 698 ratings, \$5-\$5.5, \$0-\$3.99), Magazine Pizza (4.5 stars, 1396 ratings, \$5-\$5.5, \$15-\$2.50), and Oceana Grill (4.5 stars, 291 ratings, \$5-\$5.5, \$15-\$3.00). The restaurant cards for Taco Bell, Magazine Pizza, and Oceana Grill are highlighted with a red border.

Seamless offers many types of cuisine, including Italian, Chinese, American, and more. The service allows you to see a list of restaurants (E.g., <https://www.lifewire.com/how-does-seamless-delivery-work-4628129>).

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 transmit data indicating a vote for or rating of (e.g., by the user's choices with respect to a selection of one or more Stars and textual content in the form of a Review) an electronically available multimedia content (e.g., a multimedia virtual restaurant provided by a user-restaurateur). In the same manner, the Accused Instrumentality also 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 transmit data indicating a vote for or rating of (e.g., by the user's choices with respect to a selection of one or more Stars and textual content in the form of a Review) an electronically available multimedia content (e.g., a multimedia virtual restaurant provided by a user-restaurateur). Grubhub uses function-specific subsystems, for example as discussed below.



The screenshot shows a YouTube video player with a video of a man in a plaid shirt. The video content is a screen recording of a GrubHub website search results page. The search results show three restaurant listings: '5 Napkin Burger', 'Abitino's Pizza & Italia...', and 'Ponche Taqueria & Co...'. The ratings and prices are highlighted with yellow boxes. A developer console is open at the bottom, showing network requests for the search results page. The video title is 'Scrape GrubHub Restaurant & Menu Data' by 'Stevesie Data'.

Scrape GrubHub Restaurant & Menu Data

Stevesie Data
8.74K subscribers

79 | Share | Save

5,416 views Nov 12, 2019

(E.g., <https://www.youtube.com/watch?v=4I0SgTAPf5U>).

The screenshot shows a web browser window with the URL blog.grubhub.com/can-you-trust-restaurant-reviews. The page header includes the Grubhub logo and navigation links: Restaurant Stories, Delivery 101, What To Eat, COVID-19, and an Order On Grubhub button. The author is identified as Grubhub Staff, updated on March 14th, 2018. There are buttons for 'How To' and 'Reviews'. The main text discusses the reliability of restaurant ratings and reviews, stating that Grubhub is dedicated to making the feature functional and trustworthy. Below the text is a red graphic with a white illustration of a woman's head, a clock, a dollar sign, and a star, with the text 'filter your results'. To the right of the graphic are social media icons for Facebook, Twitter, Pinterest, and Email. Below these is an email subscription form with the text 'Want more? Let us feed your inbox with sweet deals and recommendations.' and a 'Submit' button. A yellow box highlights a pro-tip: 'Filter your search by price range, distance from your address, and quality. Pro-tip: Compare the star rankings to the number of reviews a restaurant has received – if a restaurant has five stars with over a thousand reviews logged, there's a good chance it's pretty tasty!'

Grubhub Staff
Updated March 14th, 2018

How To Reviews

It used to be that everyone just had an opinion. Now everyone has a platform, too. Knowing how much you can trust a ratings and reviews section can be tricky, but at Grubhub, we believe that ratings and reviews should work for you, so you can always find a meal that hits the spot. Bottom line, we're dedicated to making our Ratings and Reviews feature functional and trustworthy. Here are some pro-tips for making the most out of your search for the perfect bite.

filter your results

Want more?
Let us feed your inbox with sweet deals and recommendations.

Enter your email

Submit

Filter your search by price range, distance from your address, and quality. Pro-tip: Compare the star rankings to the number of reviews a restaurant has received – if a restaurant has five stars with over a thousand reviews logged, there's a good chance it's pretty tasty!

(E.g., <https://blog.grubhub.com/can-you-trust-restaurant-reviews>).

The screenshot displays the Seamless app interface. At the top, the Lifewire logo and navigation menu are visible. Below the navigation is a 'JUMP TO A SECTION' dropdown. The main content area shows the Seamless app interface for New Orleans, LA, with a search bar and filters. A 'Most popular near you' section displays various food categories like Pizza, Sandwiches, Lunch Specials, Salads, Calzones, Wings, and American. Three restaurant listings are highlighted with red boxes: Taco Bell (698 ratings, \$3.99 delivery fee), Magazine Pizza (1396 ratings, \$2.50 delivery fee), and Oceana Grill (291 ratings, \$3.00 delivery fee).

Seamless offers many types of cuisine, including Italian, Chinese, American, and more. The service allows you to see a list of restaurants (E.g., <https://www.lifewire.com/how-does-seamless-delivery-work-4628129>).

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.

January 25, 2024

Respectfully Submitted,

/s/Steven G. Kalberg

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