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9 *Attorneys for Plaintiff*
10 LINFO IP LLC,

11 **IN THE UNITED STATES DISTRICT COURT**
12 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
13 **SAN FRANCISCO DIVISION**

14 LINFO IP, LLC,
15 Plaintiff,
16 v.
17 THIRD LOVE, INC.,
18 Defendant,

Case No.: 3:24-cv-02195

**PLAINTIFF’S ORIGINAL
COMPLAINT FOR PATENT
INFRINGEMENT**

(35 U.S.C. § 271)

JURY TRIAL DEMANDED

21 **PLAINTIFF’S ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT**

22
23 Plaintiff Linfo IP, LLC (“Linfo”) files this Original Complaint and demand for
24 jury trial seeking relief from patent infringement of the claims of U.S. Patent No.
25 9,092,428 (“the ’428 patent”) (referred to as the “Patent-in-Suit”) by Third Love, Inc.
26 (“Defendant” or “Third Love”).
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1 **I. THE PARTIES**

2 1. Plaintiff Linfo IP, LLC is a Texas limited liability corporation with its principal
3 place of business located in Austin, Texas.

4
5 2. On information and belief, Defendant is a limited liability company organized
6 and existing under the laws of the State of Delaware, with a principal and a regular
7 and established place of business located at 2033 Fillmore St., San Francisco, CA
8 94115. On information and belief, Defendant sells and offers to sell products and
9 services throughout California, including in this judicial district, and introduces
10 products and services that perform infringing methods or processes into the stream of
11 commerce knowing that they would be sold in California and this judicial district.
12 Defendant can be served with process through their registered agent, Corporation
13 Service Company, 251 Little Falls Drive, Wilmington, Delaware 19808, at its place
14 of business, or anywhere else it may be found.

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18 **II. JURISDICTION AND VENUE**

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20 3. This Court has original subject-matter jurisdiction over the entire action
21 pursuant to 28 U.S.C. §§ 1331 and 1338(a) because Plaintiff's claim arises under an
22 Act of Congress relating to patents, namely, 35 U.S.C. § 271.

23
24 4. This Court has personal jurisdiction over Defendant because: (i) Defendant is
25 present within or has minimum contacts within the State of California and this judicial
26 district; (ii) Defendant has purposefully availed itself of the privileges of conducting
27 business in the State of California and in this judicial district; and (iii) Plaintiff's cause
28

1 of action arises directly from Defendant’s business contacts and other activities in the
2 State of California and in this judicial district.

3
4 5. Venue is proper in this district under 28 U.S.C. §§ 1391(b) and 1400(b).
5 Defendant has committed acts of infringement and has a regular and established place
6 of business in this District. Further, venue is proper because Defendant conducts
7
8 substantial business in this forum, directly or through intermediaries, including: (i) at
9 least a portion of the infringements alleged herein; and (ii) regularly doing or
10 soliciting business, engaging in other persistent courses of conduct and/or deriving
11
12 substantial revenue from goods and services provided to individuals in California and
13 this District.

14 **III. INFRINGEMENT**

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16 **A. Infringement of the ’428 Patent**

17 6. On July 28, 2015, U.S. Patent No. 9,092,428 (“the ’428 patent”, included as
18 Exhibit A and part of this complaint) entitled “System, methods and user interface for
19 discovering and presenting information in text content” was duly and legally issued
20 by the U.S. Patent and Trademark Office. Plaintiff owns the ’428 patent by
21
22 assignment.

23
24 7. The ’428 patent relates to system and methods for discovering information in a
25 text content, and provides users with interface objects to act on the discovered
26 information, such as extracting, displaying or hiding, or highlighting or un-
27
28 highlighting words or phrases in a text content.

1 8. Defendant maintains, operates, and administers a system with methods and user
2 interface for discovering information in a text content and extracting and presenting
3 the information that infringes one or more of claims of the '428 patent, including one
4 or more of claims 1-20, literally or under the doctrine of equivalents. Defendant puts
5 the inventions claimed by the '428 Patent into service (i.e., used them); but for
6 Defendant's actions, the claimed-inventions embodiments involving Defendant's
7 products and services would never have been put into service. Defendant's acts
8 complained of herein caused those claimed-invention embodiments as a whole to
9 perform, and Defendant's procurement of monetary and commercial benefit from it.

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13 9. Support for the allegations of infringement may be found in the preliminary
14 exemplary table attached as Exhibit B. These allegations of infringement are
15 preliminary and are therefore subject to change.

16
17 10. Defendant has and continues to induce infringement. Defendant has actively
18 encouraged or instructed others (e.g., its customers and/or the customers of its related
19 companies), and continues to do so, on how to use its products and services (e.g.,
20 discovering information in a text content and extracting and presenting the
21 information) such as to cause infringement of one or more of claims 1-20 of the '428
22 patent, literally or under the doctrine of equivalents. Moreover, Defendant has known
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1 of the '428 patent and the technology underlying it from at least the filing date of the
2 lawsuit.¹ For clarity, direct infringement is previously alleged in this complaint.
3

4 11. Defendant has and continues to contributorily infringe. Defendant has actively
5 encouraged or instructed others (e.g., its customers and/or the customers of its related
6 companies), and continues to do so, on how to use its products and services (e.g.,
7 discovering information in a text content and extracting and presenting the
8 information) and related services such as to cause infringement of one or more of
9 claims 1-20 of the '428 patent, literally or under the doctrine of equivalents.
10 Moreover, Defendant has known of the '428 patent and the technology underlying it
11 from at least the filing date of the lawsuit.² For clarity, direct infringement is
12 previously alleged in this complaint.
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16 12. Defendant has caused and will continue to cause Plaintiff damage by direct and
17 indirect infringement of (including inducing infringement of) the claims of the '428
18 patent.
19

20 **IV. CONDITIONS PRECEDENT**

21 13. Plaintiff is a non-practicing entity, with no products to mark. Plaintiff
22 has pled all statutory requirements to obtain pre-suit damages. Further, all conditions
23 precedent to recovery are met.
24
25

26 _____
27 ¹ Plaintiff reserves the right to amend if discovery reveals an earlier date of
knowledge.

28 ² Plaintiff reserves the right to amend if discovery reveals an earlier date of
knowledge.

1 **V. JURY DEMAND**

2 Plaintiff hereby requests a trial by jury on issues so triable by right.

3
4 **VI. PRAYER FOR RELIEF**

5 WHEREFORE, Plaintiff prays for relief as follows:

- 6 a. enter judgment that Defendant has infringed the claims of the '428 patent;
- 7
- 8 b. award Plaintiff damages in an amount sufficient to compensate it for
- 9 Defendant's infringement of the Patent-in-suit in an amount no less than a
- 10 reasonable royalty or lost profits, together with pre-judgment and post-
- 11 judgment interest and costs under 35 U.S.C. § 284;
- 12
- 13 c. award Plaintiff an accounting for acts of infringement not presented at trial and
- 14 an award by the Court of additional damage for any such acts of infringement;
- 15
- 16 d. declare this case to be "exceptional" under 35 U.S.C. § 285 and award Plaintiff
- 17 its attorneys' fees, expenses, and costs incurred in this action;
- 18
- 19 e. provided discovery reveals that Defendant knew (1) knew of the patent-in-suit
- 20 prior to the filing date of the lawsuit; (2) after acquiring that knowledge, it
- 21 infringed the patent; and (3) in doing so, it knew, or should have known, that
- 22 its conduct amounted to infringement of the patent, declare Defendants' pre-
- 23 lawsuit infringement to be willful and treble the damages, including attorneys'
- 24 fees, expenses, and costs incurred in this action and an increase in the damage
- 25 award pursuant to 35 U.S.C. § 284;
- 26
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- 1 f. declare Defendant's post lawsuit infringement to be willful and treble the
2 damages, including attorneys' fees, expenses, and costs incurred in this action
3 and an increase in the damage award pursuant to 35 U.S.C. § 284;
4
5 g. a decree addressing future infringement that either (if) awards a permanent
6 injunction enjoining Defendant and its agents, servants, employees, affiliates,
7 divisions, and subsidiaries, and those in association with Defendant from
8 infringing the claims of the Patent-in-suit, or (ii) awards damages for future
9 infringement in lieu of an injunction in an amount consistent with the fact that
10 for future infringement the Defendant will be an adjudicated infringer of a valid
11 patent, and trebles that amount in view of the fact that the future infringement
12 will be willful as a matter of law; and
13
14 award Plaintiff such other and further relief as this Court deems just and proper.
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17 Dated: April 12, 2024

Respectfully submitted,

18 RAMEY LLP

19 /s/ Susan S.Q. Kalra

20 Susan S.Q. Kalra (CA State Bar No. 16740)

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