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Attorneys for Plaintiff
13 LINFO IP, LLC,

14
15 **IN THE UNITED STATES DISTRICT COURT**
FOR THE CENTRAL DISTRICT OF CALIFORNIA
16 **WESTERN DIVISION**

17 LINFO IP, LLC,
18 Plaintiff,
19 v.
20 BOB'S DISCOUNT FURNITURE,
21 LLC
22 Defendant.

Case No.: 2:24-cv-03112

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

(35 U.S.C. § 271)

JURY TRIAL DEMANDED

23
24
25 **PLAINTIFF'S ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT**

26 Plaintiff Linfo IP, LLC ("Linfo") files this Original Complaint and demand for jury
27 trial seeking relief from patent infringement of the claims of U.S. Patent No.
28

1 9,092,428 (“the ’428 patent”) (referred to as the “Patent-in-Suit”) by Bob's Discount
2 Furniture, LLC, (“Defendant” or “Bob’s Discount”).
3

4 **I. THE PARTIES**

5 1. Plaintiff, Linfo IP, LLC is a Texas limited liability corporation with its principal
6 place of business located in Austin, Texas.
7

8 2. On information and belief, Defendant is a corporation organized and existing
9 under the laws of the State of Massachusetts.
10

11 3. Defendant has a regular and established place of business located at 3060
12 Baldwin Park Blvd, Baldwin Park, CA, 91706. On information and belief, Defendant
13 sells and offers to sell products and services throughout California, including in this
14 judicial district, and introduces products and services that perform infringing methods
15 or processes into the stream of commerce knowing that they would be sold in
16 California and this judicial district.
17

18 4. Defendant can be served with process through their registered agent, The
19 Corporation Trust Company, Corporation Trust Center, 1209 Orange Street,
20 Wilmington, Delaware 19801, at its place of business, or anywhere else it may be
21 found.
22

23 **II. JURISDICTION AND VENUE**

24 5. This Court has original subject-matter jurisdiction over the entire action
25 pursuant to 28 U.S.C. §§ 1331 and 1338(a) because Plaintiff’s claim arises under an
26 Act of Congress relating to patents, namely, 35 U.S.C. § 271.
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1 6. This Court has personal jurisdiction over Defendant because: (i) Defendant is
2 present within or has minimum contacts within the State of California and this judicial
3 district; (ii) Defendant has purposefully availed itself of the privileges of conducting
4 business in the State of California and in this judicial district; and (iii) Plaintiff's cause
5 of action arises directly from Defendant's business contacts and other activities in the
6 State of California and in this judicial district.
7

8
9 7. Venue is proper in this district under 28 U.S.C. §§ 1391(b) and 1400(b).
10 Defendant has committed acts of infringement and has a regular and established place
11 of business in this District. Further, venue is proper because Defendant conducts
12 substantial business in this forum, directly or through intermediaries, including: (i) at
13 least a portion of the infringements alleged herein; and (ii) regularly doing or
14 soliciting business, engaging in other persistent courses of conduct and/or deriving
15 substantial revenue from goods and services provided to individuals in California and
16 this District.
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20 **III. Infringement of the '428 Patent**

21 8. On July 28, 2015, U.S. Patent No. 9,092,428 ("the '428 patent", included as
22 Exhibit A and part of this complaint) entitled "System, methods and user interface for
23 discovering and presenting information in text content" was duly and legally issued
24 by the U.S. Patent and Trademark Office. Plaintiff owns the '428 patent by
25 assignment.
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1 9. The '428 patent relates to system and methods for discovering information in a
2 text content and provides users with interface objects to act on the discovered
3 information, such as extracting, displaying or hiding, or highlighting or un-
4 highlighting words or phrases in a text content.
5

6 10. Defendant maintains, operates, and administers a system with methods and user
7 interface for discovering information in a text content and extracting and presenting
8 the information that infringes one or more of claims of the '428 patent, including one
9 or more of claims 1-20, literally or under the doctrine of equivalents. Defendant puts
10 the inventions claimed by the '428 Patent into service (i.e., used them); but for
11 Defendant's actions, the claimed-inventions embodiments involving Defendant's
12 products and services would never have been put into service. Defendant's acts
13 complained of herein caused those claimed-invention embodiments as a whole to
14 perform, and Defendant's procurement of monetary and commercial benefit from it.
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19 11. Support for the allegations of infringement may be found in the preliminary
20 exemplary table attached as Exhibit B. These allegations of infringement are
21 preliminary and are therefore subject to change.
22

23 12. Defendant has and continues to induce infringement. Defendant has actively
24 encouraged or instructed others (e.g., its customers and/or the customers of its related
25 companies), and continues to do so, on how to use its products and services (e.g.,
26 discovering information in a text content and extracting and presenting the
27 information) such as to cause infringement of one or more of claims 1-20 of the '428
28

1 patent, literally or under the doctrine of equivalents. Moreover, Defendant has known
2 of the '428 patent and the technology underlying it from at least the filing date of the
3 lawsuit.¹ For clarity, direct infringement is previously alleged in this complaint.
4

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

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knowledge.

1 **IV. CONDITIONS PRECEDENT**

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3 15. Plaintiff is a non-practicing entity, with no products to mark. Plaintiff has pled
4 all statutory requirements to obtain pre-suit damages. Further, all conditions
5 precedent to recovery are met.

6 **V. PRAYER FOR RELIEF**

7
8 WHEREFORE, Plaintiff prays for relief as follows:

- 9 a. enter judgment that Defendant has infringed the claims of the '428 patent;
- 10
11 b. award Plaintiff damages in an amount sufficient to compensate it for
12 Defendant's infringement of the Patent-in-Suit in an amount no less than a
13 reasonable royalty or lost profits, together with pre-judgment and post-
14 judgment interest and costs under 35 U.S.C. § 284;
- 15
16 c. award Plaintiff an accounting for acts of infringement not presented at trial and
17 an award by the Court of additional damage for any such acts of infringement;
- 18
19 d. declare this case to be "exceptional" under 35 U.S.C. § 285 and award Plaintiff
20 its attorneys' fees, expenses, and costs incurred in this action;
- 21
22 e. provided discovery reveals that Defendant knew (1) knew of the patent-in-suit
23 prior to the filing date of the lawsuit; (2) after acquiring that knowledge, it
24 infringed the patent; and (3) in doing so, it knew, or should have known, that
25 its conduct amounted to infringement of the patent, declare Defendants'
26 infringement to be willful and treble the damages, including attorneys' fees,
27
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1 expenses, and costs incurred in this action and an increase in the damage award
2 pursuant to 35 U.S.C. § 284;

3
4 f. a decree addressing future infringement that either (i) awards a permanent
5 injunction enjoining Defendant and its agents, servants, employees, affiliates,
6 divisions, and subsidiaries, and those in association with Defendant from
7 infringing the claims of the Patent-in-Suit, or (ii) awards damages for future
8 infringement in lieu of an injunction in an amount consistent with the fact that
9 for future infringement the Defendant will be an adjudicated infringer of a valid
10 patent, and trebles that amount in view of the fact that the future infringement
11 will be willful as a matter of law; and

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14 g. award Plaintiff such other and further relief as this Court deems just and proper.
15

16 Dated: April 16, 2024

Respectfully submitted,

17 **RAMEY LLP**

18
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LINFO IP, LLC

DEMAND FOR JURY TRIAL

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

Dated: April 16, 2024

Respectfully submitted,

RAMEY LLP

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