**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

ENTANGLED MEDIA, LLC,	**)** **Civil Action No. 1:22-cv-01324**
Plaintiff,	**)**
	)
v.	**)** **JURY TRIAL DEMANDED**
	)
DROPBOX, INC.,	**)**
	)
Defendant.	**)**
	)

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Entangled Media LLC ("Entangled Media" or "Plaintiff") brings this action for patent infringement under 35 U.S.C. § 1, *et seq.,* against Dropbox, Inc. ("Dropbox" or "Defendant") and alleges the following:

THE PARTIES

1.   Entangled Media is a Delaware limited liability company, with a registered address at 1209 Orange Street, Corporation Trust Center, Wilmington, County of New Castle, 19801.

2.   Dropbox is a corporation organized under the laws of Delaware. Dropbox has a regular and established physical place of business in this District, including an office located at 501 Congress Avenue, Austin, Texas 78701. Dropbox's registered agent for Service of Process is located at Corporation Service Company d/b/a CSC, 211 E. 7th Street, Suite 620, Austin, Texas 78701.

JURSIDICTION AND VENUE

3.   This is an action for patent infringement arising under the provisions of the Patent Laws of the United States of America, Title 35, U.S.C., § 1 *et seq.*

4.   This Court has subject matter jurisdiction over Entangled Media's claims under 28 U.S.C. §§ 1331 and 1338(a).

5.   This Court has personal jurisdiction over Dropbox in this action because Dropbox has committed acts within the Western District of Texas giving rise to this action and has established minimum contacts with this forum through at least its office at 501 Congress Avenue in Austin, such that the exercise of jurisdiction over Dropbox would not offend traditional notions of fair play and substantial justice. Dropbox, directly and through subsidiaries or intermediaries, has committed and continues to commit acts of infringement in this District by, among other things, offering to sell and selling products and/or services that infringe the asserted patents.

6.   Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391 and 1400 because Dropbox has committed infringing acts in this District and has a place of business in this District. For example, Dropbox has an office at 501 Congress Ave., Austin, Texas 78701. Dropbox chose Austin for its second U.S. location as "an obvious choice" and has stated that in Austin, they are building out its "sales and channel, customer experience and people teams for the Americas." (https://www.dropbox.com/jobs/locations/austin; last visited November 27, 2022). Dropbox has had developer build days in its Austin office. (https://dbxbuildatx.splashthat.com/; last visited November 27, 2022). Upon information and belief, Dropbox's Austin office is over 50,000 square feet. (https://www.rosemaryscatering.com/news/tour-dropboxs-luxe-austin-office, last visited November 27, 2022). Dropbox uses and maintains a data center in Texas, and when Dropbox filed its pre-IPO S-1 filing with the SEC on February 23, 2018, it specifically identified six marquee customers as "case studies." One of these six marquee customers is the Brandt company, one of Texas's largest construction services contractors and which has significant offices in every major city in Texas (including in both Waco and Austin).

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(https://www.sec.gov/Archives/edgar/data/1467623/000119312518055809/d451946ds1.htm, last visited November 27, 2022). Further, according to public sources, Drew Houston, the CEO of Dropbox, is reported to live in Austin, Texas. *See* https://austonia.com/dropbox-ceo-austin (last visited November 27, 2022). Dropbox transacts business within this District, and offers for sale in this District, products that infringe the asserted patents.

THE ENTANGLED MEDIA PATENTS-IN-SUIT

7.   United States Patent No. 8,296,338 ("the '338 Patent") is titled "Method For a Cloud-Based Meta-File System to Virtually Unify Remote and Local Files Across a Range of Devices' Local File Systems." The '338 Patent issued on October 23, 2012. A true and correct copy of the '338 Patent is attached as Exhibit 1.

8.   United States Patent No. 8,484,260 ("the '260 Patent") is titled "Method For a Cloud-Based Meta-File System to Virtually Unify Remote and Local Files Across a Range of Devices' Local File Systems." The '260 Patent issued on July 9, 2013. A true and correct copy of the '260 Patent is attached as Exhibit 2.

9.   Messrs. Erik Caso and Michael Abraham are the named inventors on both the '338 and '260 Patents (collectively, the "Entangled Media Patents-in-Suit").

10.   Entangled Media owns all rights, title, and interest in the Entangled Media Patents-in-Suit by assignment, and has the exclusive right to sue and collect remedies for past, present, and future infringement.

BACKGROUND

11.   Inventor Erik Caso founded Entangled Media Corp. in 2010 and acted as its CEO from the company's inception. Inventor Michael Abraham served as Entangled Media's Chief Technology Officer from the company's inception. Entangled Media developed the YOUNITY

app that allowed users to access all of their digital content (such as their music, photos, videos and documents) across multiple electronic devices regardless of storage, capacity or cost. As a technology start-up company, the inventors unconventional approach to cloud based file systems raised millions of dollars in funding from a well-known syndicate of investors, and was featured in Forbes, PC World, and numerous other outlets.

12.   The Entangled Media Patents-in-Suit claim methods for establishing a unified file system across multiple devices of a user. At the time of the patent filing, there existed a need to facilitate access to electronic content that physically resides on any one of multiple user devices (*e.g.*, a laptop, desktop, smartphone or the like) without the need to physically store all content on every device. *See* '338 Patent at col. 2:3-11. The patented solution creates a unified representation of all data on all registered devices -- ensuring that all a user's devices appear to share one single native file system containing all the user's files across all devices. *Id.* at col. 2:12-18.

13.   Entangled Media's patented innovations have become essential to the development of modern storage and syncing technology. The Entangled Media Patents-in-Suit have been cited as pertinent prior art against later patent applications from leading technology companies such as IBM, Google, Microsoft, Dell, and Samsung on more than 75 occasions, including during the prosecution of at least eight different patent applications filed by Dropbox. *See, e.g.,* U.S. Patent Nos. 9,870,422; 9,922,201; 10,685,038; 10,691,718; 10,817,472; 10,819,559; 10,963,430; and 11,290,531.

14.   The Entangled Media Patents-in-Suit address, among other things, a specific improvement to virtually unify remote and local electronic files across a range of devices. The Entangled Media Patents-in-Suit claim processes for establishing a single file system across multiple devices, including the use of a server and at least one software client plug-in, where the

client plug-in scans the devices to inventory files. The patented invention creates a meta-index for the inventoried data, and includes individual software clients that facilitate storage of the data within each of the multiple devices in accordance with the single meta-data index, among other system features. The claims specify, for example, processes that solve the technical problem of how to establish a single electronic file system across multiple devices. The technological improvements described and claimed in the Entangled Media Patents-in-Suit were not conventional, well-known, or routine at the time of their respective inventions but rather involved novel and non-obvious approaches to problems and shortcomings prevalent in the art at the time. *See, e.g.*, '338 patent at col. 1:50-col. 2:55. Indeed, after a detailed examination that evaluated copious prior art, the Examiner's Reasons for Allowance of Entangled Media's Patents-in-Suit expressly found that the prior art does not teach or even suggest the inventions disclosed in claim 1 of each Patent-in-Suit.

DROPBOX INFRINGES THE ENTANGLED MEDIA PATENTS-IN-SUIT

15.   Dropbox makes, uses, sells, offers for sale, and/or imports, infringing products and services that include, by way of example and without limitation, Dropbox Plus, Family, Professional, Business (Standard, Advanced, Enterprise), and all versions and variations thereof that contain Smart Sync (also known as "online-only") functionality (collectively, the "Accused Products").

16.   Dropbox had actual notice of the Entangled Media Patents-in-Suit since no later than March 2017 when Mr. Caso identified them in writing to at least Morgan Kyauk, a senior executive on the Dropbox corporate development team. Over the course of several discussions, Mr. Caso disclosed the Entangled Media Patents-in-Suit to Dropbox and explained that Dropbox's core technology infringed the claims of the Entangled Media Patents-in-Suit. After a few

discussions between Mr. Caso and Dropbox, Dropbox decided not to license the technology developed by Entangled Media. Dropbox introduced Smart Sync, which incorporated the claimed technology.

17.   Entangled Media has, to the extent required, complied with the marking statute, 35 U.S.C. § 287.

18.   As set forth below, the Accused Products incorporate, without any license or permission from Entangled Media, technology protected by the Entangled Media Patents-in-Suit.

COUNT I: INFRINGEMENT OF US PATENT NO. 8,296,338

19.   Entangled Media reasserts and incorporates herein by reference the allegations of all preceding paragraphs of this Complaint as if fully set forth herein.

20.   Dropbox has infringed and continues to infringe at least claim 1 of the '338 Patent under 35 U.S.C. § 271(a), literally or under the doctrine of equivalents, by making, using, selling, and/or offering for sale in the United States, and/or importing into the United States, the Accused Products.

21.   Set forth below with claim language in italics is a description of infringement of claim 1 of the '338 Patent (Entangled Media reserves the right to modify this description, including based on information it obtains during discovery): *a process for establishing a singular file system across multiple devices comprising*:. To the extent the preamble is limiting, Dropbox, via Smart Sync as one example, performs a process for establishing a single file system across multiple devices.
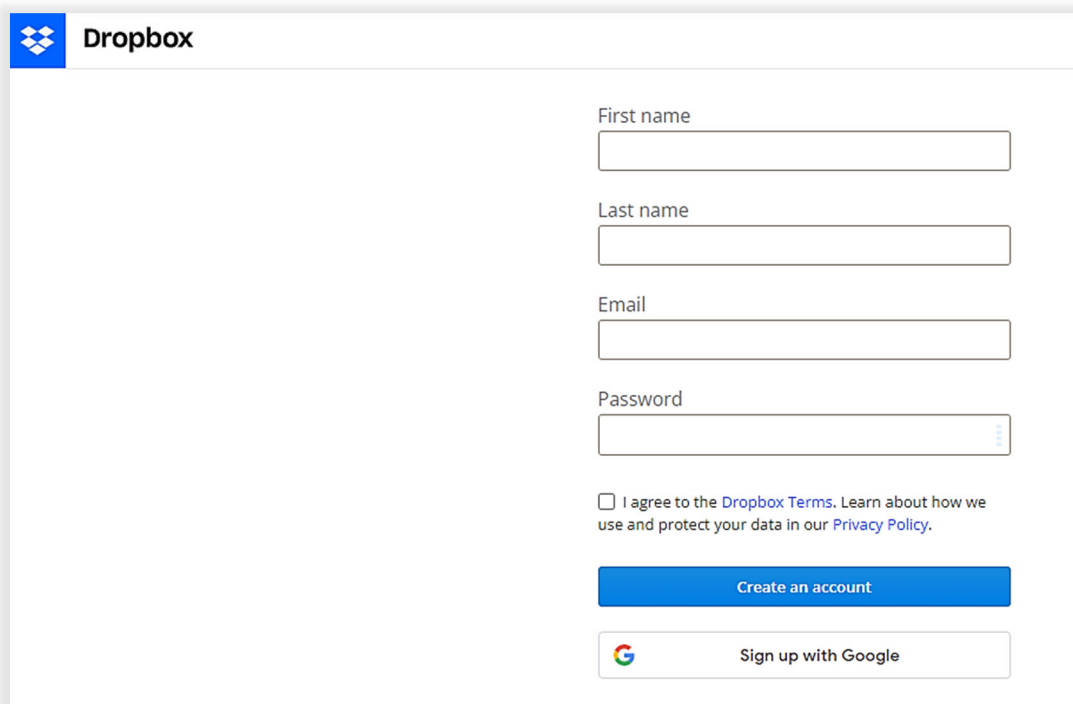
Sync files across devices and platforms

It's easy to make your files accessible on your daily commute to work or on vacation. Save a file to the Dropbox folder on your computer, and it will synchronize automatically to your mobile device. Cloud file sync is available on multiple devices and platforms, from Windows and Mac to mobile devices like iPhone, iPad and Android via the Dropbox mobile app.

Newly saved or updated files are automatically synced everywhere, so you don't have to spend time emailing the newest versions to collaborators. And you can be reassured that all your important files are completely synced by looking for the green checkmark.

See https://www.dropbox.com/features/sync

22.   Dropbox performs the process of *receiving user information to open an account for establishing a singular file system across multiple devices via a web-based system that includes at least one server.* The Dropbox server receives registration information via a web page to set up an account. The registration information includes username, e-mail address, password and other personal information.

See https://www.dropbox.com/register

23.   Dropbox performs the process of *installing an individual software client on each of the multiple devices via the web-based system.* The Dropbox software client is installed on each device.

See https://www.dropbox.com/install
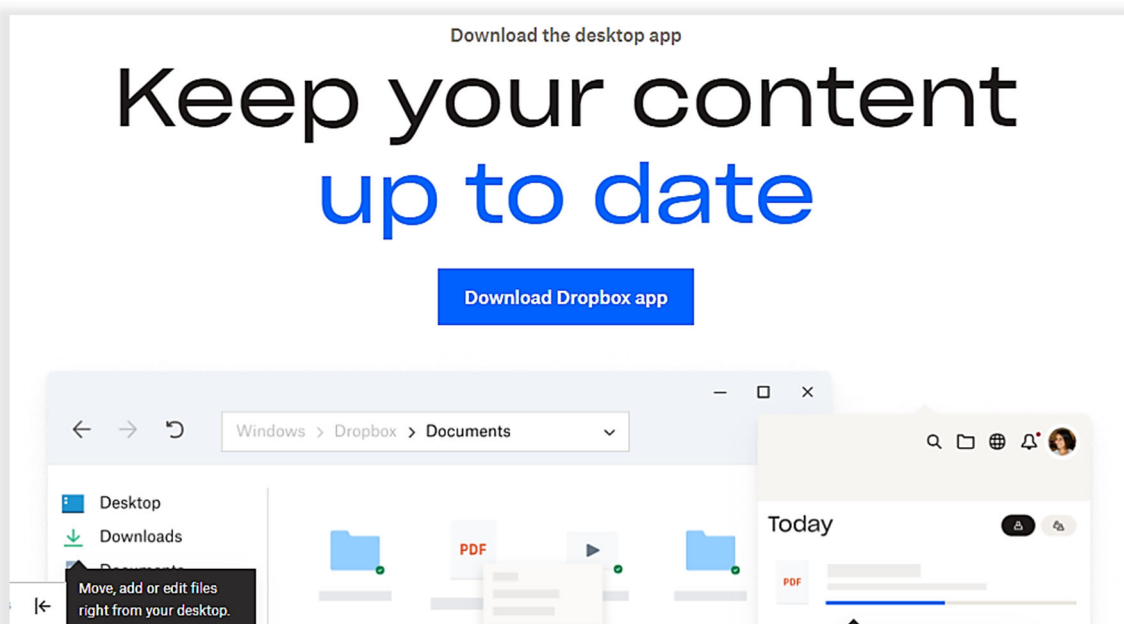
24.   Dropbox performs the process of *accepting registration of multiple devices via the web-based system.* The Dropbox server registers the devices.

> **How do I sync files and folders in Dropbox?**
>
> You can sync Dropbox files and folders across devices with the Dropbox app. Sign in to your Dropbox account on each device, then add your files and folders to the Dropbox folder on your computer, phone, or tablet. The latest version of all your files and folders will be available across every device.

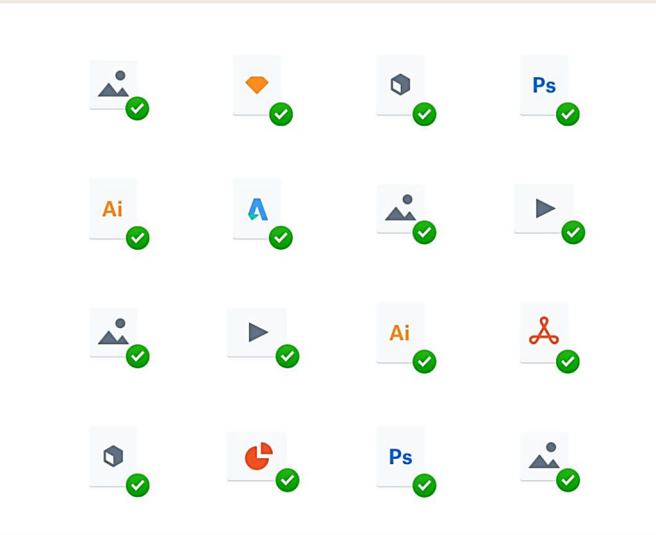*See* https://www.dropbox.com/features/sync

25.   Dropbox performs the process of *scanning each of the multiple devices by each of the individual software clients to inventory data on each of the multiple devices and create a meta-index of the files for the inventoried data.* Dropbox is downloaded on each of the user's multiple devices. The Dropbox software client scans and inventories the data available on each user device. Dropbox collects and stores the inventories, including through the use of Dropbox Backup, as another example.

Sync files across devices and platforms

It's easy to make your files accessible on your daily commute to work or on vacation. Save a file to the Dropbox folder on your computer, and it will synchronize automatically to your mobile device. Cloud file sync is available on multiple devices and platforms, from Windows and Mac to mobile devices like iPhone, iPad and Android via the Dropbox mobile app.

Newly saved or updated files are automatically synced everywhere, so you don't have to spend time emailing the newest versions to collaborators. And you can be reassured that all your important files are completely synced by looking for the green checkmark.

See https://www.dropbox.com/features/sync

Back up any file— anywhere, anytime

Whether you're trying to back up an image collection, a large video, a CAD file, or entire folders you can store all your important files safely in your Dropbox account. With access to your Dropbox files from any device, operating system, or platform, you can work and collaborate on projects with ease. No internet connection? No problem.

With Dropbox, you can work on files while offline, from your desktop computer, Android, iPhone, or iPad. Once you get back online, your files and folders will automatically sync with any edits you made when you weren't connected.

See https://www.dropbox.com/features/cloud-storage/file-backup

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26.   Dropbox performs the process of *providing by the individual software clients via the multiple devices individual meta-indices of the inventoried data for each of the multiple devices to the at least one server.* The Dropbox software clients report file data to the server.

File sync

Dropbox offers industry-recognized, best-in-class file sync. Our sync mechanisms ensure fast, responsive file transfers and enable anywhere access to data across devices. Dropbox sync is also resilient. In the event of a failed connection to the Dropbox service, a client will gracefully resume operation when a connection is reestablished. Files will only be updated on the local client if they have synchronized completely and successfully validated with the Dropbox service. Load balancing across multiple servers ensures redundancy and a consistent synchronization experience for the end user.

Delta sync

Using this sync method, only modified portions of files are downloaded/uploaded. Dropbox stores each uploaded file in discrete, encrypted blocks and only updates the blocks that have changed.
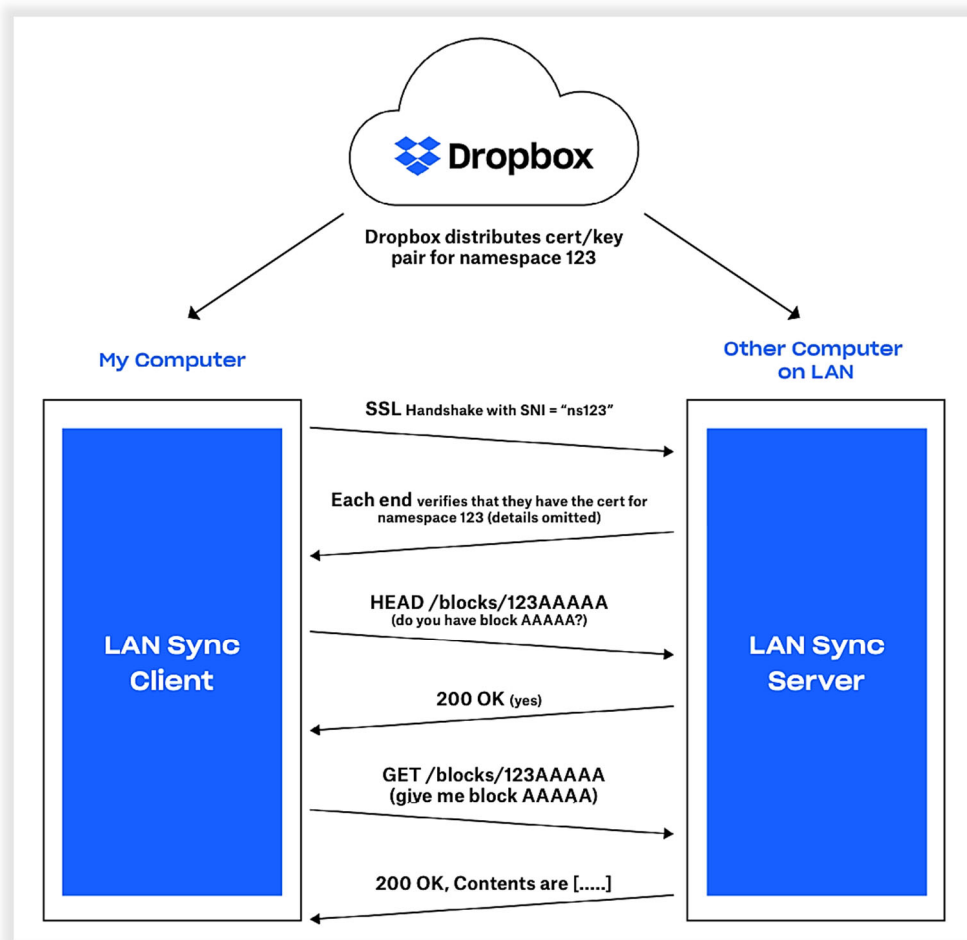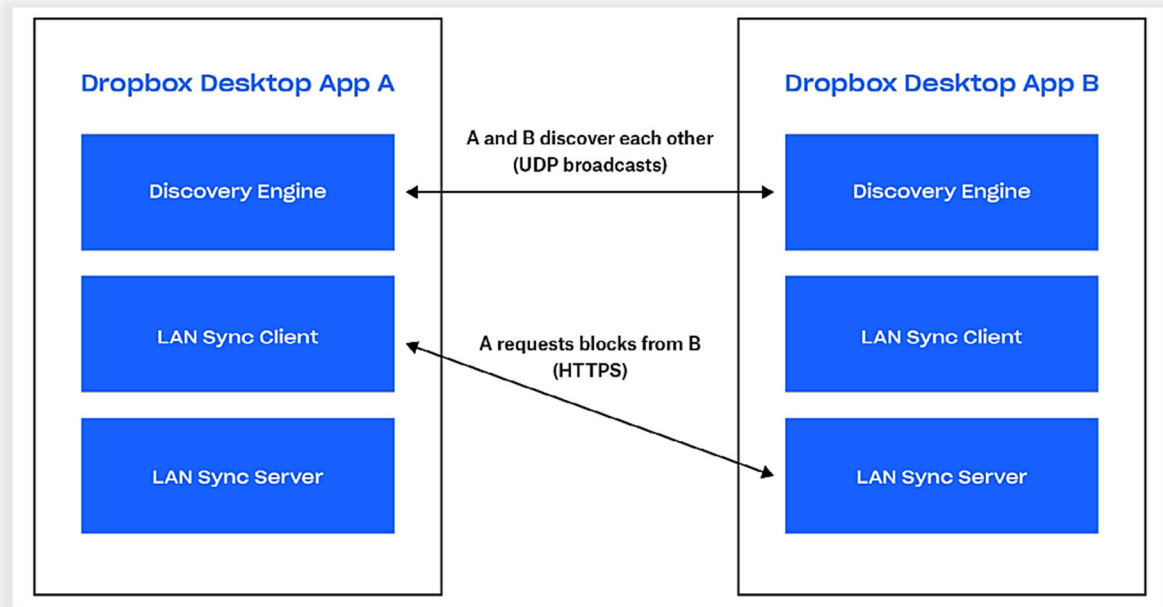
Streaming sync

Instead of waiting for a file upload to complete, streaming sync will begin downloading synced blocks to a second device before all of the blocks have finished uploading from the first device. This is automatically employed when separate computers are linked to the same Dropbox account or when different Dropbox accounts share a folder.
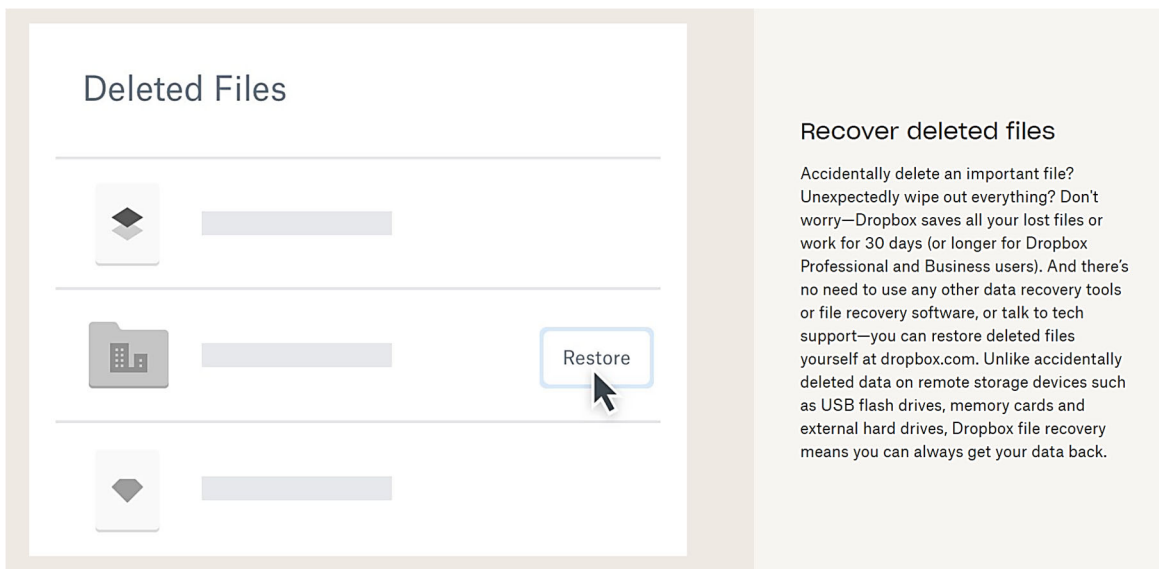
Smart Sync

This feature can free up storage space on a user's computer by syncing only the files they want to their hard drives. Smart Sync frees up computer space by moving files and folders off the local hard drive while keeping everything in the cloud in the user's dropbox.com account. Smart Sync also moves files and folders that haven't been accessed in a while off the user's hard drive automatically to free up additional storage space.

LAN sync

When enabled, this feature downloads new and updated files from other computers on the same Local Area Network (LAN), saving time and bandwidth compared to downloading the files from Dropbox servers.

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See https://assets.dropbox.com/www/en-

us/business/solutions/solutions/dfb_security_whitepaper.pdf

12

See https://www.dropbox.com/features/cloud-storage/file-recovery-and-history
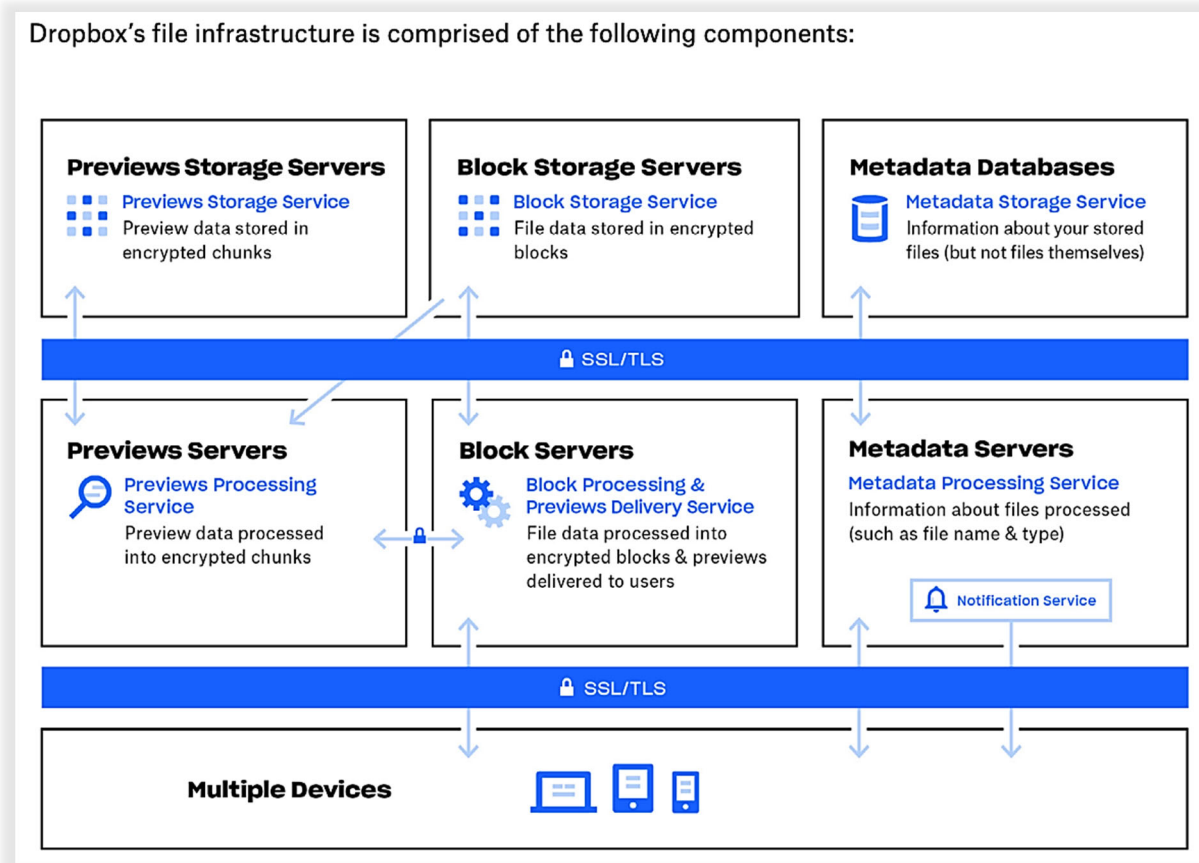
27.   Dropbox performs the process of *integrating by the at least one server the individual meta-indices to create a single master meta-index.* The Dropbox server integrates all individual meta-indices into a master index of metadata.

See https://www.dropbox.com/features/cloud-storage
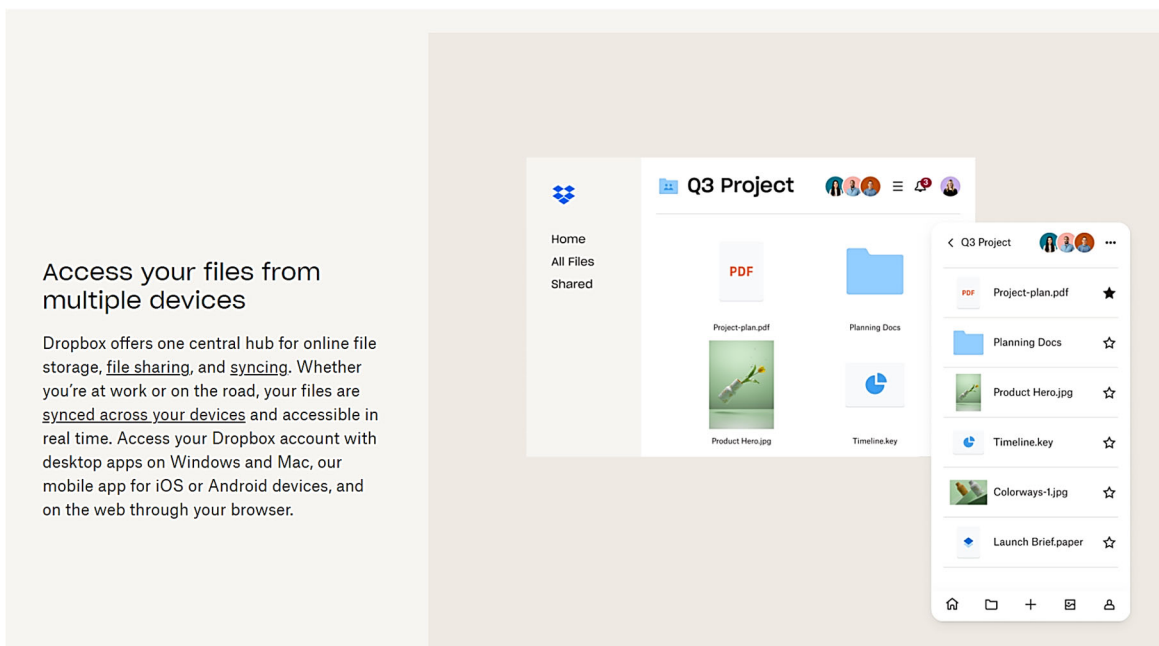
See https://assets.dropbox.com/www/en-

us/business/solutions/solutions/dfb_security_whitepaper.pdf

28.   Dropbox performs the process of *providing by the at least one server the single master meta-index and meta-indices for each of the other multiple devices to each of the multiple devices via the individual software clients.* The Dropbox server provides the master index of metadata and meta-indicies for each of the other multiple devices to each of the corresponding registered devices.

- **Metadata Servers**

  Certain basic information about user data, called metadata, is kept in its own discrete storage service and acts as an index for the data in users' accounts. Metadata includes basic account and user information, like email address, name, and device names. Metadata also includes basic information about files, including file names and types, that helps support features like version history, recovery, and sync.
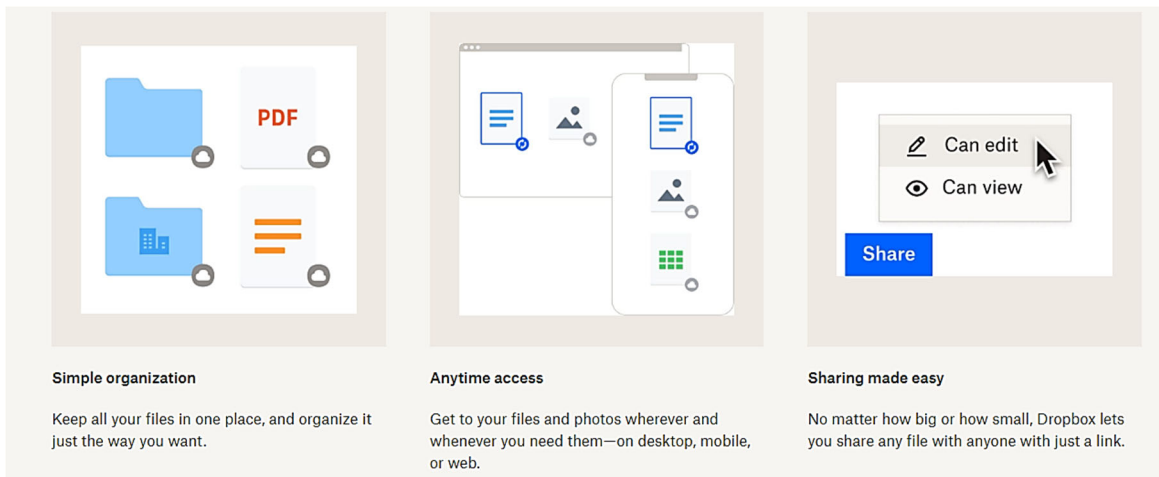
- **Metadata Databases**

  File metadata is stored in a MySQL-backed database service, and is sharded and replicated as needed to meet performance and high availability requirements.

- **Block Servers**

  By design, Dropbox provides a unique security mechanism that goes beyond traditional encryption to protect user data. Block Servers process files from the Dropbox applications by splitting each into blocks, encrypting each file block using a strong cipher, and synchronizing only blocks that have been modified between revisions. When a Dropbox application detects a new file or changes to an existing file, the application notifies the Block Servers of the change, and new or modified file blocks are processed and transferred to the Block Storage Servers. In addition, Block Servers are used to deliver files and previews to users. For detailed information on the encryption used by these services both in transit and at rest, please see the Encryption section below.

See https://assets.dropbox.com/www/en-

us/business/solutions/solutions/dfb_security_whitepaper.pdf

Simple organization

Keep all your files in one place, and organize it just the way you want.

Anytime access

Get to your files and photos wherever and whenever you need them—on desktop, mobile, or web.

Sharing made easy

No matter how big or how small, Dropbox lets you share any file with anyone with just a link.

See https://www.dropbox.com/dropbox

29.   Dropbox performs the process of *integrating metadata from the meta-indices of each of the other multiple devices into a local file system of each of the multiple devices to generate virtual files stored in the same locations as local files of the local file system, the virtual files*

indistinguishable from the local files by the local file system at each of the multiple devices. The

Dropbox software client integrates metadata from remote device indices into the local device file

system. For example, Dropbox Smart Sync shows virtual files along with physical files. As

another example, Dropbox supports LAN Sync, which will transfer the file peer-to-peer, but if

LAN Sync is off (user option), or unavailable, and as an alternative, Dropbox can transfer the file

from the Dropbox server instead. The Dropbox virtual files are indistinguishable in terms of their

operation and are indistinguishable from the local files by the local file system, but they are

visually distinguishable to the user via a decorator icon on the file in Finder or Windows Explorer.

Save space

Dropbox lets you free up precious hard drive space by sending files to online-only storage in the cloud. Even though they are cloud synced and stored, you'll still be able to view every folder and file from your desktop. And when you want to access them, the files will sync automatically to your hard drive—but only when you need it.

See https://www.dropbox.com/features/sync
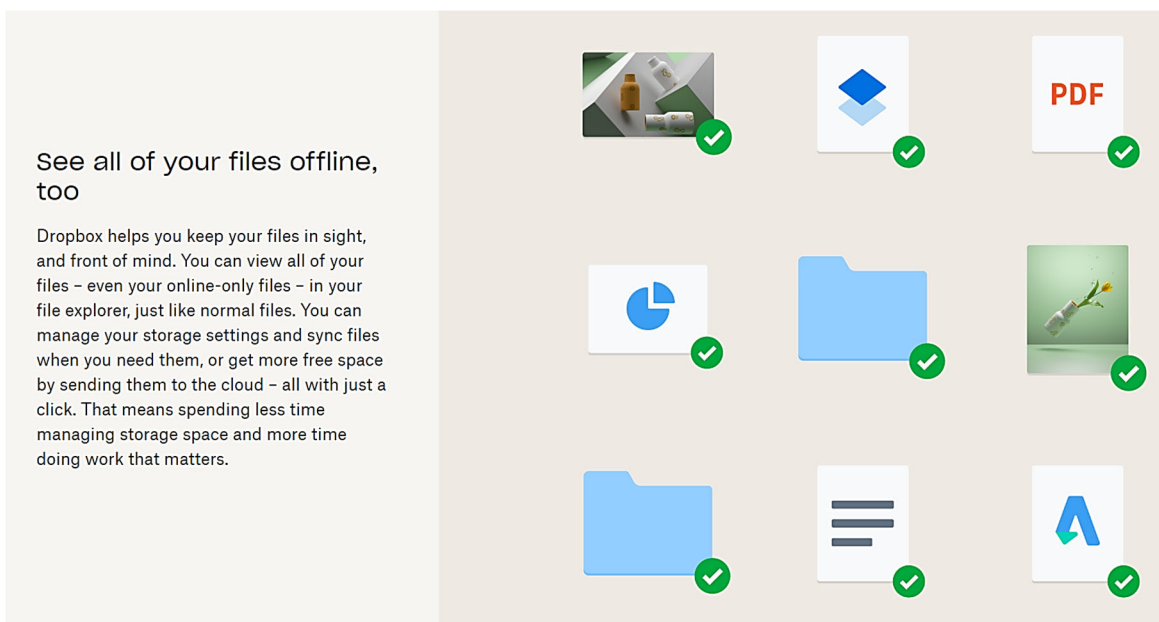
See https://www.dropbox.com/features/sync/save-space

30.   Dropbox performs the process of *continually updating the single master metaindex on the at least one server and each of the multiple devices in response to changes to the data indexed thereon.* Updates regarding an operation performed on a local file by the local client device are reflected in an updated meta-index of the local device located on the server.

See https://assets.dropbox.com/www/en-

us/business/solutions/solutions/dfb_security_whitepaper.pdf

Sync files across devices and platforms

It's easy to make your files accessible on your daily commute to work or on vacation. Save a file to the Dropbox folder on your computer, and it will synchronize automatically to your mobile device. Cloud file sync is available on multiple devices and platforms, from Windows and Mac to mobile devices like iPhone, iPad and Android via the Dropbox mobile app.

Newly saved or updated files are automatically synced everywhere, so you don't have to spend time emailing the newest versions to collaborators. And you can be reassured that all your important files are completely synced by looking for the green checkmark.

See https://www.dropbox.com/features/sync

With Dropbox, you can work on files while offline, from your desktop computer, Android, iPhone, or iPad. Once you get back online, your files and folders will automatically sync with any edits you made when you weren't connected.

See https://www.dropbox.com/features/cloud-storage/file-backup

31.   Dropbox performs the claimed method to establish a single file system across multiple devices *wherein the individual software clients facilitate storage of the data within each of the multiple devices in accordance with the single meta-data index by modifying file systems of each of the multiple devices to include virtual files for data from the single meta-data index that is*
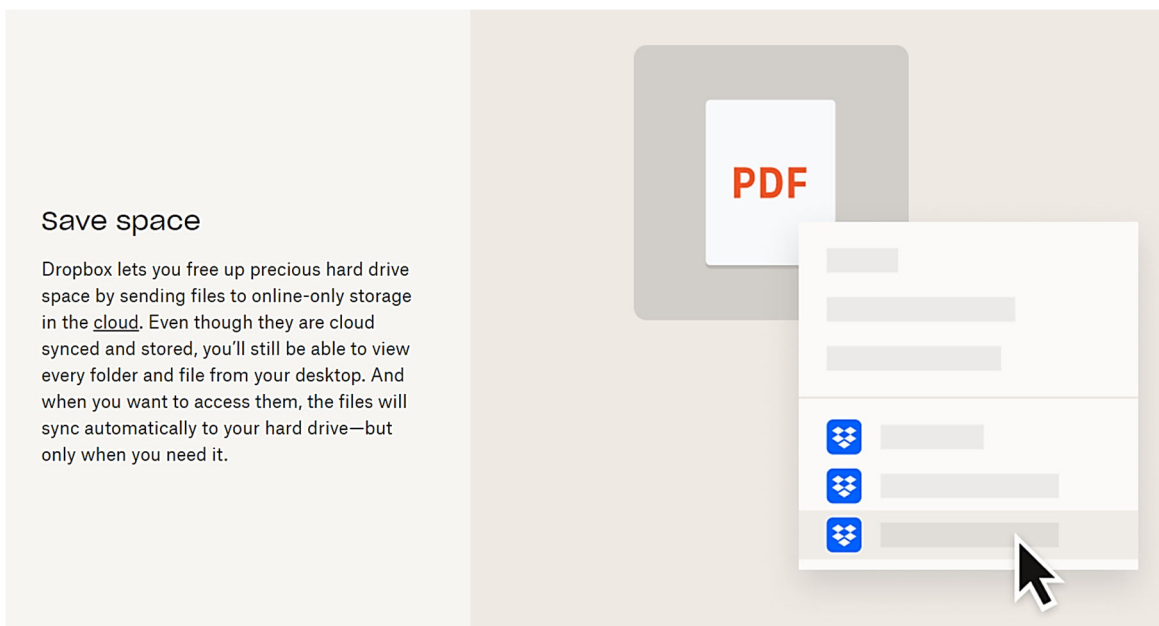
not local to a multiple device. The Dropbox client devices receive updates from the server with

remote changes. Changes are sent back to the remote client device.

Sync files across devices and platforms

It's easy to make your files accessible on your daily commute to work or on vacation. Save a file to the Dropbox folder on your computer, and it will synchronize automatically to your mobile device. Cloud file sync is available on multiple devices and platforms, from Windows and Mac to mobile devices like iPhone, iPad and Android via the Dropbox mobile app.

Newly saved or updated files are automatically synced everywhere, so you don't have to spend time emailing the newest versions to collaborators. And you can be reassured that all your important files are completely synced by looking for the green checkmark.

See https://www.dropbox.com/features/sync

See https://www.dropbox.com/features/sync

32.   In the event Dropbox itself does not perform the entire process, the infringement of

claim 1 is attributable to Dropbox, because Dropbox directs and controls the users of the Accused

Products to perform acts that result in infringement of claim 1, and Dropbox receives benefit from

its infringement.

33.   Dropbox has willfully infringed the '338 Patent in that Dropbox had actual notice

of the Entangled Media Patents-in-Suit since at least March 2017 when Mr. Caso communicated

with Morgan Kyauk, a senior executive on the Dropbox corporate development team. Over the

course of several discussions, Mr. Caso disclosed the Entangled Media Patents-in-Suit to Dropbox

and explained that Dropbox's core technology infringed the claims of the Entangled Media

Patents-in-Suit. Dropbox introduced Smart Sync, which incorporated the claimed technology.

Dropbox knew or should have known that its actions would cause direct infringement of the '338

Patent. On information and belief, Dropbox acted with objective recklessness by proceeding

despite a high likelihood that its actions constituted infringement of a valid patent, where such

action constitutes egregious misconduct.

34.   Dropbox will continue to infringe unless this Court enjoins Dropbox and its agents, servants, employees, representatives and all others acting in active concert with it from infringing the '338 Patent.

35.   Entangled Media has been damaged from Dropbox's infringing conduct. Dropbox is liable to Entangled Media in an amount that adequately compensates Entangled Media for Dropbox's infringement, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

COUNT II: INFRINGEMENT OF U.S. PATENT NO. 8,484,260

36.   Entangled Media reasserts and incorporates herein by reference the allegations of paragraphs 1-18 of this Complaint as if fully set forth herein.

37.   Dropbox has infringed and continues to infringe at least claim 1 of the '260 Patent under 35 U.S.C. § 271(a), literally or under the doctrine of equivalents, by making, using, selling, and/or offering for sale in the United States, and/or importing into the United States, the Accused Products.

38.   Set forth below with claim language in italics is a description of infringement of claim 1 of the '260 Patent (Entangled Media reserves the right to modify this description, including based on information it obtains during discovery): Dropbox performs *a process for operating on files located on multiple devices using a singular file system comprising*:. To the extent the preamble is limiting, Dropbox Smart Sync, as one example, operates on files located on multiple devices using a single file system.

Sync files across devices and platforms

It's easy to make your files accessible on your daily commute to work or on vacation. Save a file to the Dropbox folder on your computer, and it will synchronize automatically to your mobile device. Cloud file sync is available on multiple devices and platforms, from Windows and Mac to mobile devices like iPhone, iPad and Android via the Dropbox mobile app.

Newly saved or updated files are automatically synced everywhere, so you don't have to spend time emailing the newest versions to collaborators. And you can be reassured that all your important files are completely synced by looking for the green checkmark.

See https://www.dropbox.com/features/sync

39.   Dropbox performs the process of *accepting a request to operate on a file at a first device, wherein the file is selected from the singular file system on the first device.* Dropbox Smart Sync accepts a request to operate on a file selected from the client device. Rather than opening it the normal way where the file resides on the client device, the file can be opened through the single file system from Dropbox. Dropbox Smart Sync establishes a single file system across multiple devices.

See https://www.dropbox.com/features/sync
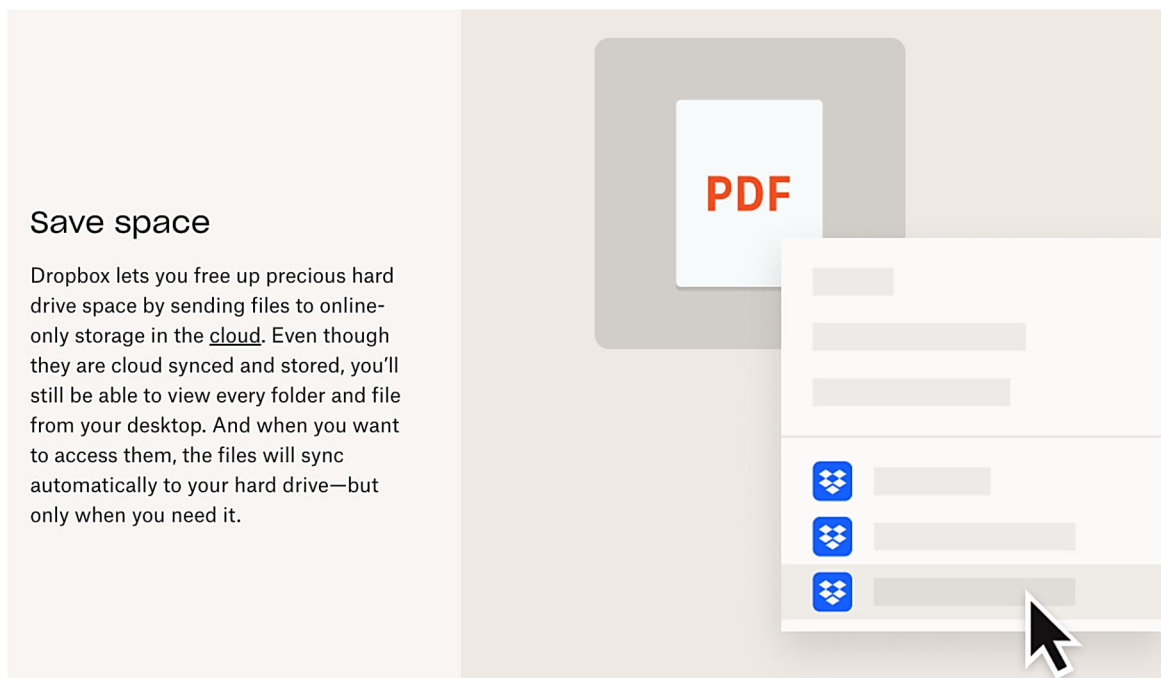
40.   Dropbox performs the process of *modifying the singular file system on the first device to make local files and virtual files appear indistinguishable to the singular file system, the local files and virtual files sharing a same location on the first device.* The Dropbox software client integrates metadata from remote device indices into the local device file system. For example, Dropbox Smart Sync shows virtual files along with physical files. The Dropbox virtual files are indistinguishable in terms of their operation, and appear indistinguishable with the local files to the file system, but they are visually distinguishable to the user via a decorator icon on the file in Finder or Windows Explorer.

See https://www.dropbox.com/features/sync/save-space

      41.   As another example, Dropbox supports LAN Sync, which will transfer the

file peer to peer, but if LAN Sync is off (user option), or unavailable, and as an alternative,

Dropbox can transfer the file from the Dropbox server instead.

File sync

Dropbox offers industry-recognized, best-in-class file sync. Our sync mechanisms ensure fast, responsive file transfers and enable anywhere access to data across devices. Dropbox sync is also resilient. In the event of a failed connection to the Dropbox service, a client will gracefully resume operation when a connection is reestablished. Files will only be updated on the local client if they have synchronized completely and successfully validated with the Dropbox service. Load balancing across multiple servers ensures redundancy and a consistent synchronization experience for the end user.

Delta sync

Using this sync method, only modified portions of files are downloaded/uploaded. Dropbox stores each uploaded file in discrete, encrypted blocks and only updates the blocks that have changed.
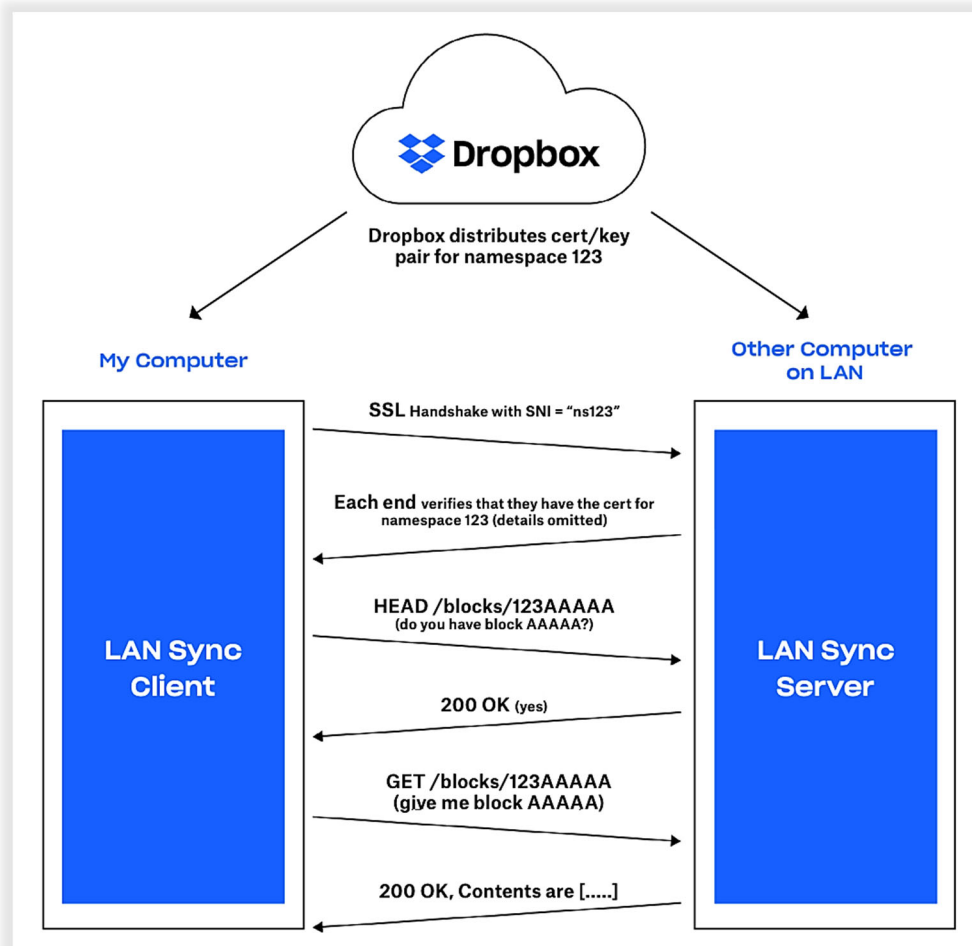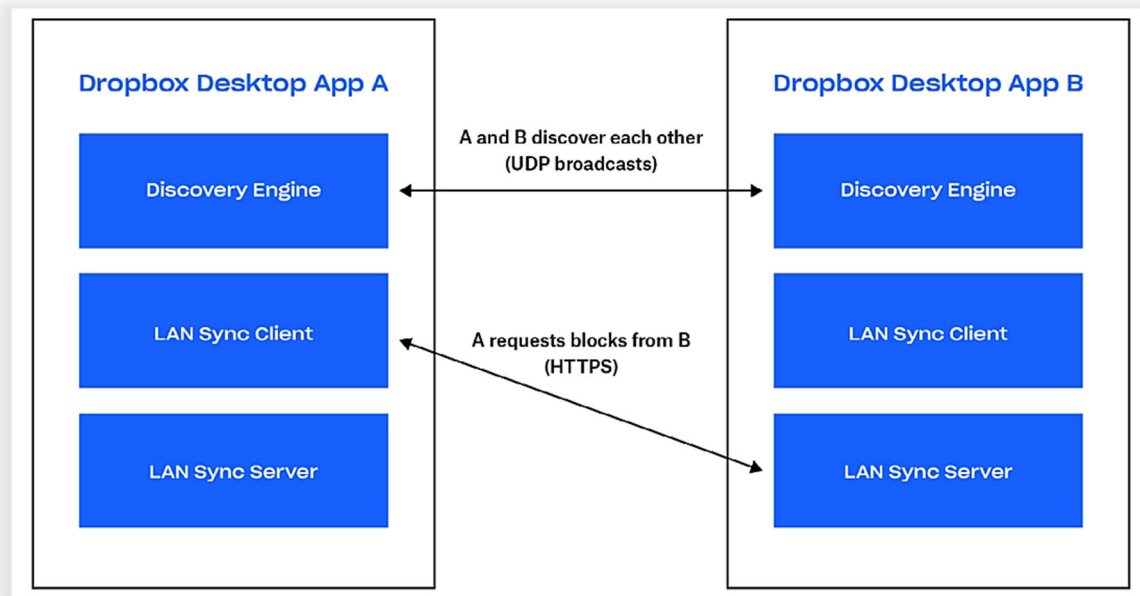
Streaming sync

Instead of waiting for a file upload to complete, streaming sync will begin downloading synced blocks to a second device before all of the blocks have finished uploading from the first device. This is automatically employed when separate computers are linked to the same Dropbox account or when different Dropbox accounts share a folder.

Smart Sync

This feature can free up storage space on a user's computer by syncing only the files they want to their hard drives. Smart Sync frees up computer space by moving files and folders off the local hard drive while keeping everything in the cloud in the user's dropbox.com account. Smart Sync also moves files and folders that haven't been accessed in a while off the user's hard drive automatically to free up additional storage space.

LAN sync

When enabled, this feature downloads new and updated files from other computers on the same Local Area Network (LAN), saving time and bandwidth compared to downloading the files from Dropbox servers.

See https://assets.dropbox.com/www/en-

us/business/solutions/solutions/dfb_security_whitepaper.pdf

42.   Dropbox performs the process of *intercepting the request by a software client on the first device.*   Dropbox intercepts the request by a client.   The Dropbox software client scans and inventories the data available on each user device.   Dropbox collects and stores the inventories.

Sync files across devices and platforms

It's easy to make your files accessible on your daily commute to work or on vacation. Save a file to the Dropbox folder on your computer, and it will synchronize automatically to your mobile device. Cloud file sync is available on multiple devices and platforms, from Windows and Mac to mobile devices like iPhone, iPad and Android via the Dropbox mobile app.

Newly saved or updated files are automatically synced everywhere, so you don't have to spend time emailing the newest versions to collaborators. And you can be reassured that all your important files are completely synced by looking for the green checkmark.

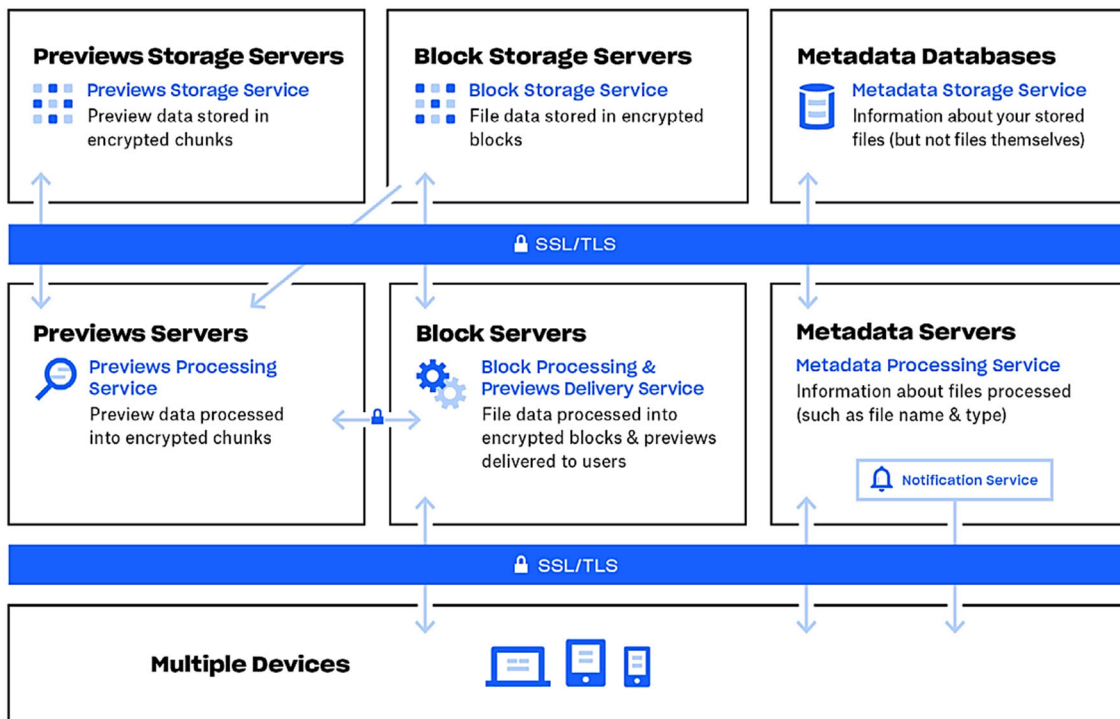*See* https://www.dropbox.com/features/sync

View your version history

Accidental file changes and deletions happen. With Dropbox, they're easy to fix— just pull up your version history to undo changes and restore old versions of any file. No matter the file type, Dropbox saves version history for all your files.

See https://www.dropbox.com/features/cloud-storage/file-recovery-and-history

43.   Dropbox performs the process of *determining by the software client if the file is physically located on the first device or if the file is a virtual file of a corresponding file physically stored on a second device by reviewing file metadata, wherein a visual representation of the singular file system on the first device is identical to a visual representation of the singular file system on the second device.* Dropbox Smart Sync determines whether the file is physically located on the client device or is a virtual file of a corresponding file physically stored on the second device by reviewing the file metadata.

Dropbox's file infrastructure is comprised of the following components:

Previews Storage Servers
Previews Storage Service
Preview data stored in encrypted chunks

Block Storage Servers
Block Storage Service
File data stored in encrypted blocks

Metadata Databases
Metadata Storage Service
Information about your stored files (but not files themselves)

🔒 SSL/TLS

Previews Servers
Previews Processing Service
Preview data processed into encrypted chunks

Block Servers
Block Processing & Previews Delivery Service
File data processed into encrypted blocks & previews delivered to users

Metadata Servers
Metadata Processing Service
Information about files processed (such as file name & type)

🔔 Notification Service

🔒 SSL/TLS

Multiple Devices

See https://assets.dropbox.com/www/en-

us/business/solutions/solutions/dfb_security_whitepaper.pdf

Online-only explained

If you haven't set a file or folder to online-only, then all files and folders in the Dropbox folder on your computer are available offline. This means that they take up space both on your computer's hard drive and in your Dropbox account, but are available even when you're not connected to the Internet.

If you set a file or folder to online-only, you'll still see the file or folder in the Dropbox folder on your computer, but it's just a placeholder. You can only open it if you're connected to the Internet. Dropbox removes this file or folder from your computer's hard drive, so that it only takes up space in your Dropbox account online.

Anytime you open an online-only file, Dropbox automatically makes it available offline again, but you can change it back to online-only at any time.

See https://help.dropbox.com/sync/make-files-online-only

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44.   Dropbox performs the process *if the file is the virtual file of the corresponding file physically located on the second device, requesting by the software client on the first device that a peer-to-peer connection be brokered by a server-based web service between the first device and the second device.* For example, Dropbox Smart Sync will automatically sync a virtual file to a device when needed.

See https://www.dropbox.com/features/sync

45.   As another example, Dropbox supports LAN Sync, which will transfer the file peer-to-peer, but if LAN Sync is off (user option), or unavailable, and as an alternative, Dropbox can transfer the file from the Dropbox server instead.

File sync

Dropbox offers industry-recognized, best-in-class file sync. Our sync mechanisms ensure fast, responsive file transfers and enable anywhere access to data across devices. Dropbox sync is also resilient. In the event of a failed connection to the Dropbox service, a client will gracefully resume operation when a connection is reestablished. Files will only be updated on the local client if they have synchronized completely and successfully validated with the Dropbox service. Load balancing across multiple servers ensures redundancy and a consistent synchronization experience for the end user.

Delta sync

Using this sync method, only modified portions of files are downloaded/uploaded. Dropbox stores each uploaded file in discrete, encrypted blocks and only updates the blocks that have changed.
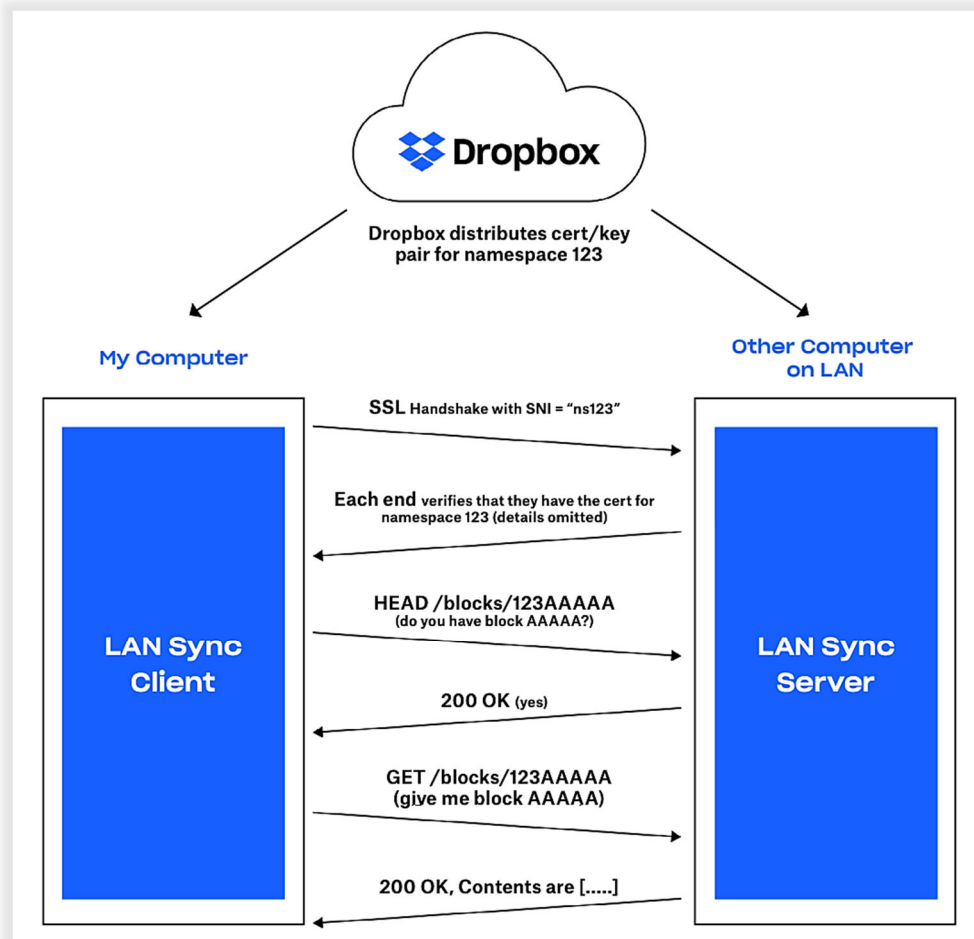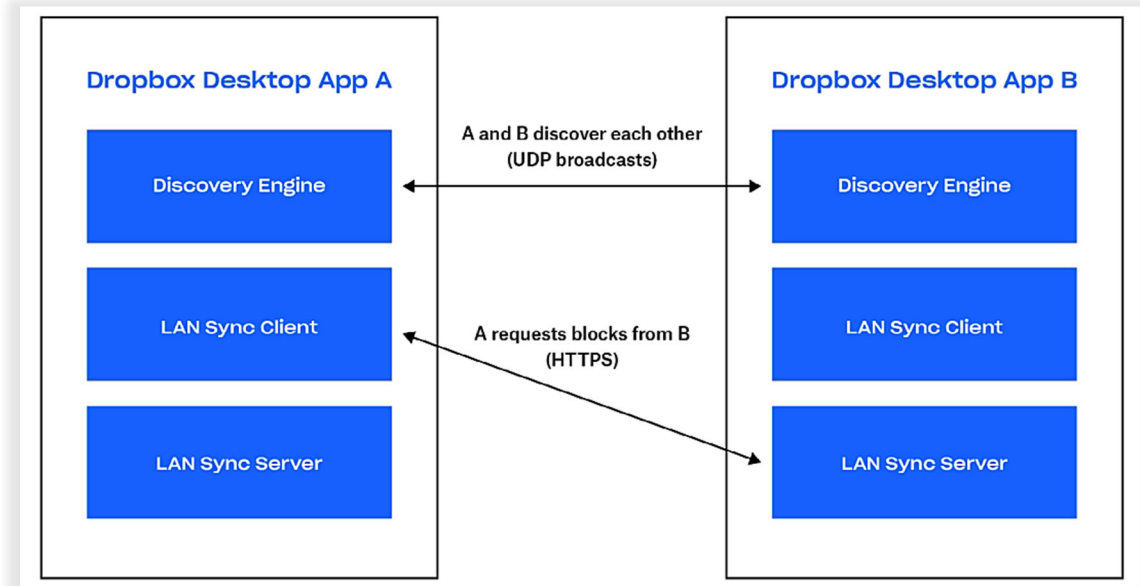
Streaming sync

Instead of waiting for a file upload to complete, streaming sync will begin downloading synced blocks to a second device before all of the blocks have finished uploading from the first device. This is automatically employed when separate computers are linked to the same Dropbox account or when different Dropbox accounts share a folder.

Smart Sync

This feature can free up storage space on a user's computer by syncing only the files they want to their hard drives. Smart Sync frees up computer space by moving files and folders off the local hard drive while keeping everything in the cloud in the user's dropbox.com account. Smart Sync also moves files and folders that haven't been accessed in a while off the user's hard drive automatically to free up additional storage space.

LAN sync

When enabled, this feature downloads new and updated files from other computers on the same Local Area Network (LAN), saving time and bandwidth compared to downloading the files from Dropbox servers.

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See https://assets.dropbox.com/www/en-

us/business/solutions/solutions/dfb_security_whitepaper.pdf

46.   Dropbox performs the process if *the peer-to-peer connection is brokered,* *transferring the corresponding physical file from the second device to the first device.*   *See* paragraphs 41-45 above.

47.   Dropbox performs the process of *performing the operation on the transferred* *corresponding physical file at the first device.*   Dropbox Smart Sync will operate on the newly-transferred remote file as if it were local.

Sync files across devices and platforms

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Newly saved or updated files are automatically synced everywhere, so you don't have to spend time emailing the newest versions to collaborators. And you can be reassured that all your important files are completely synced by looking for the green checkmark.

See https://www.dropbox.com/features/sync

48.   In the event Dropbox itself does not perform the entire process, the infringement of the '260 Patent is attributable to Dropbox, because Dropbox directs and controls the users of the

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Accused Products to perform acts that result in infringement of claim 1, and Dropbox receives benefit from its infringement.

49.   Dropbox has willfully infringed the '260 Patent in that Dropbox had actual notice of the Entangled Media Patents-in-Suit since at least March 2017 when Mr. Caso communicated with Morgan Kyauk, a senior executive on the Dropbox corporate development team. Over the course of several discussions, Mr. Caso disclosed the Entangled Media Patents-in-Suit to Dropbox and explained that Dropbox's core technology infringed the claims of the Entangled Media Patents-in-Suit. Dropbox knew or should have known that its actions would cause direct and indirect infringement of the '260 Patent. On information and belief, Dropbox acted with objective recklessness by proceeding despite a high likelihood that its actions constituted infringement of a valid patent, where such action constitutes egregious misconduct.

50.   Dropbox will continue to infringe unless this Court enjoins Dropbox and its agents, servants, employees, representatives and all others acting in active concert with it from infringing the '260 Patent.

51.   Entangled Media has been damaged due to Dropbox's infringing conduct. Dropbox is liable to Entangled Media in an amount that adequately compensates Entangled Media for Dropbox's infringement, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests the following relief:

a)   A judgment that Defendant has willfully infringed the Entangled Media Patents-in-Suit;

b)   An injunction barring Defendant and its officers, directors, agents, servants, employees, affiliates, attorneys, and all others acting in privity or in concert with them, and their parents, subsidiaries, divisions, successors and assigns, from further acts of infringement of the Entangled Media Patents-in-Suit; alternatively, a judicial decree that Defendant pay an ongoing royalty in an amount to be determined for continued infringement after the date of judgment;

c)   An award of damages adequate to compensate for Defendant's infringement of the Entangled Media Patents-in-Suit, and in no event less than a reasonable royalty for Defendant's acts of infringement, including all pre-judgment and post-judgment interest at the maximum rate permitted by law;

d)   An award of trebled damages under 35 U.S.C. § 284;

e)   A declaration that this case is exceptional under 35 U.S.C. § 285;

f)   An award of Plaintiff's costs and attorney's fees under 35 U.S.C. § 285 and other applicable law; and

g)   Any other remedy to which Plaintiff may be entitled.

DEMAND FOR JURY TRIAL

Pursuant to Fed. R. Civ. P. 38(b), Plaintiff hereby demands trial by jury on all issues raised by the Complaint.

Dated: December 16, 2022

/s/ *Paul J. Skiermont*

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