

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

REALTIME ADAPTIVE STREAMING
LLC,
Plaintiff,

v.

SLING TV L.L.C., SLING MEDIA INC.,
AND SLING MEDIA, L.L.C.,
ECHOSTAR TECHNOLOGIES L.L.C.,
DISH NETWORK L.L.C., AND ARRIS
GROUP, INC.,
Defendants.

C.A. No. 1:17-cv-02097-CBS

JURY TRIAL DEMANDED

SECOND AMENDED COMPLAINT FOR PATENT INFRINGEMENT

This is an action for patent infringement arising under the Patent Laws of the United States of America, 35 U.S.C. § 1 *et seq.* in which Plaintiff Realtime Adaptive Streaming LLC (“Plaintiff” or “Realtime”) makes the following allegations against Defendants Sling TV L.L.C., Sling Media Inc., Sling Media, L.L.C., EchoStar Technologies, L.L.C., DISH Network L.L.C., and Arris Group, Inc. (collectively, “Defendants”):

PARTIES

1. Realtime is a Texas limited liability company. Realtime has a place of business at 1828 E.S.E. Loop 323, Tyler, Texas 75701. Realtime has researched and developed specific solutions for data compression, including, for example, those that increase the speeds at which data can be stored and accessed. As recognition of its innovations rooted in this technological field, Realtime holds multiple United States patents and pending patent applications.

2. On information and belief, Defendant Sling TV L.L.C. (“Sling TV”) is a

Colorado limited liability company with its principal office at 9601 S. Meridian Blvd., Englewood, CO 80112. On information and belief, Defendant Sling TV has a regular and established place of business in this District and conducts business throughout the United States, including in this District. On information and belief, Sling TV can be served through its registered agent, R. Dodge Stanton, 9601 S. Meridian Blvd., Englewood, CO 80112.

3. On information and belief, Defendants Sling Media Inc. and Sling Media L.L.C. (collectively, “Sling Media”) are, respectively, a Delaware corporation and a Delaware limited liability company with their principal office at 1051 E. Hillsdale Blvd, Suite 500, Foster City, CA 94404. On information and belief, Sling Media has a regular and established place of business in this District and conducts business throughout the United States, including in this District, for example, at 100 Inverness Terrace E., Englewood, CO 80112 and P.O. Box 6655, Englewood, CO 80155. On information and belief, Sling Media can be served through its registered agent, The Corporation Trust Company, Corporation Trust Center, 1209 Orange St., Wilmington, DE 19801.

4. On information and belief, EchoStar Technologies, L.L.C. is a Texas limited liability company with its principal place of business at 11717 Exploration Lane, Germantown, MD 20876. Upon information and belief, EchoStar Technologies, L.L.C. has a regular and established place of business in this District. On information and belief, EchoStar Technologies, L.L.C. can be served through its registered agent, Corporation Service Company D/B/A CSC-Lawyers Inc., 211 E. 7th Street Suite 620, Austin, TX 78701. EchoStar Technologies LLC is an indirect subsidiary of DISH Networks LLC. EchoStar Technologies LLC designs the set-top boxes used to deliver the DISH TV service.

5. On information and belief, Defendant DISH Network L.L.C. (“DISH”) is a Colorado limited liability company with its principal office at 9601 S. Meridian Blvd., Englewood, CO 80112. Upon information and belief, DISH Network L.L.C. has a regular and established place of business in this District. On information and belief, Defendant

DISH Network L.L.C. conducts business throughout the United States, including in this District. On information and belief, DISH can be served through its registered agent, R. Dodge Stanton, 9601 S. Meridian Blvd., Englewood, CO 80112. EchoStar Technologies, L.L.C. and DISH Network L.L.C. are hereinafter referred to collectively as “DISH” or “Dish”.

6. On information and belief, Defendant Arris Group, Inc. (“Arris”) is a Delaware Corporation with its principal office at 3871 Lakefield Drive, Suwanee, GA, 30024. On information and belief, Arris maintains a regular and established place of business in this District. On information and belief, Defendant Arris conducts business throughout the United States, including in this District. On information and belief, Arris can be served through its registered agent, Corporation Service Company, 40 Technology Pkwy South, #300, Norcross, GA 30092.

7. On information and belief, DISH, EchoStar, Sling TV, and Sling Media promotes and offers for sale DISH and Sling-branded products and services which infringe certain asserted patents. Accordingly, each of the Defendants is properly joined in this action pursuant to 35 U.S.C. § 299.

8. On information and belief, Arris sells and offers for sale products and services incorporating technology from Sling Media which infringes certain asserted patents. Accordingly, Arris is properly joined in this action pursuant to 35 U.S.C. § 299.

JURISDICTION AND VENUE

9. This action arises under the patent laws of the United States, Title 35 of the United States Code. This Court has original subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

10. This Court has personal jurisdiction over Sling TV L.L.C. in this action because Sling TV L.L.C. has committed acts within this District giving rise to this action and has established minimum contacts with this forum such that the exercise of jurisdiction over Sling TV L.L.C. would not offend traditional notions of fair play and substantial

justice. Sling TV L.L.C. directly and/or through subsidiaries (including one or more of the named Co-Defendants) or intermediaries (including distributors, retailers, and others), 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. On information and belief, Defendant Sling TV has a regular and established place of business in this District.

11. This Court has personal jurisdiction over Sling Media in this action because Sling Media has committed acts within this District giving rise to this action and has established minimum contacts with this forum such that the exercise of jurisdiction over Sling Media would not offend traditional notions of fair play and substantial justice. Sling Media directly and/or through subsidiaries (including one or more of the named Co-Defendants) or intermediaries (including distributors, retailers, and others), 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. On information and belief, Sling Media has a regular and established place of business in this District, including, e.g., at 100 Inverness Terrace E., Englewood, CO 80112 and P.O. Box 6655, Englewood, CO 80155.

12. This Court has personal jurisdiction over EchoStar Technologies L.L.C. in this action because EchoStar Technologies L.L.C. has committed acts within this District giving rise to this action and has established minimum contacts with this forum such that the exercise of jurisdiction over EchoStar Technologies L.L.C. would not offend traditional notions of fair play and substantial justice. EchoStar Technologies L.L.C. directly and through subsidiaries or intermediaries (including distributors, retailers, and others), 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. Upon information and belief, EchoStar Technologies L.L.C. has a regular and established place of business in this District.

13. This Court has personal jurisdiction over DISH Network L.L.C. in this action because DISH Network L.L.C. has committed acts within this District giving rise to this action and has established minimum contacts with this forum such that the exercise of jurisdiction over DISH Network L.L.C. would not offend traditional notions of fair play and substantial justice. DISH Network L.L.C. directly and/or through subsidiaries (including one or more of the named Co-Defendants) or intermediaries (including distributors, retailers, and others), 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. Upon information and belief, DISH Network L.L.C. has a regular and established place of business in this District.

14. This Court has personal jurisdiction over Arris Group, Inc. in this action because Arris Group, Inc. has committed acts within this District giving rise to this action and has established minimum contacts with this forum such that the exercise of jurisdiction over Arris Group, Inc. would not offend traditional notions of fair play and substantial justice. Arris Group, Inc. directly and/or through subsidiaries (including one or more of the named Co-Defendants) or intermediaries (including distributors, retailers, and others), 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. On information and belief, Arris maintains a regular and established place of business in this District.

15. Defendants have conducted and do conduct business within the State of Colorado. Defendants ship, distribute, sell, offer for sale and advertise their respective products or services in the United States, the State of Colorado and the District of Colorado. Defendants have purposefully and voluntarily placed their products and services into the stream of commerce with the expectation that they will be purchased by consumers in the United States, the State of Colorado and the District of Colorado.

16. Venue is proper in this district under 28 U.S.C. §§ 1391(b), 1391(c) and/or

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