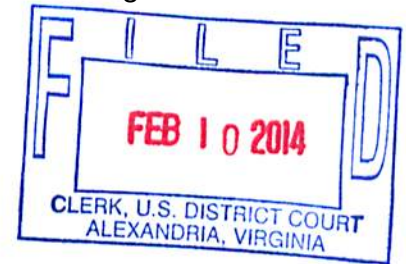


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Alexandria Division)



TLI COMMUNICATIONS LLC,

Plaintiff,

v.

AV AUTOMOTIVE, L.L.C.
FOR A SONG, INC.
HALL AUTOMOTIVE, LLC,
MAX MEDIA LLC,
FACEBOOK, INC. and
INSTAGRAM, LLC

Defendants.

Civil Action No. 1:14-cv-142
TSE/IDD

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff TLI Communications LLC ("TLI") files this Complaint for Patent Infringement against AV Automotive, L.L.C. ("AV Automotive"), For a Song, Inc. ("For a Song"), Hall Automotive, LLC ("Hall Automotive"), Max Media LLC ("Max Media"), Facebook, Inc. ("Facebook") and Instagram, LLC ("Instagram"), wherein, pursuant to 35 U.S.C. §§ 271 and 281, Plaintiff seeks a judgment of infringement by Defendants of U.S. Patent Nos. 6,038,295 (the "'295 Patent"), damages resulting therefrom pursuant to 35 U.S.C. § 284, as well as a preliminary and permanent injunction of the infringing activity pursuant to 35 U.S.C. § 283, and such other relief as the Court deems just and proper, and in support thereof alleges as follows:

The Parties

1. Plaintiff TLI is a Delaware limited liability company with its principal place of business at 3422 Old Capitol Trail, Suite 72, Wilmington, Delaware 19808.
2. Defendant AV Automotive, L.L.C. is a limited liability company organized under the laws of the State of Virginia, with its principal place of business at 1902 Association Drive,

Reston, Virginia 20191. AV Automotive operates several car dealerships in the Northern Virginia region, including BMW of Alexandria, 499 South Pickett Street Alexandria, Virginia 22304.

3. Defendant For a Song, Inc. is a corporation organized under the laws of the State of Virginia, with its principal place of business at 3701 Mount Vernon Avenue, Alexandria, Virginia 22305. For a Song owns and operates The Music Hall at the Birchmere.

4. Defendant Hall Automotive, LLC is a limited liability company organized under the laws of the State of Virginia, with its principal place of business at 441 Viking Drive, Virginia Beach, Virginia 23452.

5. Defendant Max Media LLC is a limited liability company organized under the laws of the State of Virginia, with its principal place of business at 900 Laskin Road, Virginia Beach, Virginia 23451. Max Media operates several radio stations in Virginia, including FM 92.9 WVBW, FM 97.3 and FM 100.5 in Norfolk, Virginia; FM 94.1 WVSP in Yorktown, Virginia; and AM 1310 WGH in Newport News, Virginia.

6. Defendant Facebook is a corporation organized under the laws of the State of Delaware, with its principal place of business at 1601 Willow Road, Menlo Park, California 94025.

7. Defendant Instagram, LLC is a limited liability company organized under the laws of the State of Delaware, with its principal place of business at 1601 Willow Road, Menlo Park, California 94025. Facebook acquired Instagram in August 2012 and Instagram is now a wholly owned subsidiary of Facebook.

Jurisdiction and Venue

8. This is an action for patent infringement arising under the Patent Laws of the United States, Title 35 of the United States Code.

9. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a) because the action concerns infringement of a United States patent.

10. This Court has personal jurisdiction over AV Automotive because AV Automotive is located in this district and it conducts substantial business in this district, directly or through intermediaries, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business in this district, engaging in other persistent courses of conduct in this district and/or deriving substantial revenue from goods and services provided to individuals in this district. Further, this Court has personal jurisdiction over AV Automotive because it is a Virginia limited liability company and it has purposely availed itself of the privileges and benefits of the laws of the State of Virginia.

11. Venue is proper in this judicial district as to AV Automotive pursuant to 28 U.S.C. §§ 1391 and 1400(b) because, among other reasons, AV Automotive is subject to personal jurisdiction in this district, AV Automotive is located in this district, AV Automotive has facilities and employees in this district, and AV Automotive has committed and continues to commit acts of patent infringement in this district. For example, AV Automotive uses infringing products and services in this district. Moreover, to the extent any patent claim is construed to require a system, AV Automotive places that system into use in this district.

12. This Court has personal jurisdiction over For a Song because For a Song is located in this district and it conducts substantial business in this district, directly or through intermediaries, including: (i) at least a portion of the infringements alleged herein; and (ii)

regularly doing or soliciting business in this district, engaging in other persistent courses of conduct in this district and/or deriving substantial revenue from goods and services provided to individuals in this district. Further, this Court has personal jurisdiction over For a Song because it is a Virginia corporation and it has purposely availed itself of the privileges and benefits of the laws of the State of Virginia.

13. Venue is proper in this judicial district as to For a Song pursuant to 28 U.S.C. §§ 1391 and 1400(b) because, among other reasons, For a Song is subject to personal jurisdiction in this district, For a Song is located in this district, For a Song has facilities and employees in this district, and For a Song has committed and continues to commit acts of patent infringement in this district. For example, For a Song uses infringing products and services in this district. Moreover, to the extent any patent claim is construed to require a system, For a Song places that system into use in this district.

14. This Court has personal jurisdiction over Hall Automotive because Hall Automotive is located in this district and it conducts substantial business in this district, directly or through intermediaries, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business in this district, engaging in other persistent courses of conduct in this district and/or deriving substantial revenue from goods and services provided to individuals in this district. Further, this Court has personal jurisdiction over Hall Automotive because it is a Virginia limited liability company and it has purposely availed itself of the privileges and benefits of the laws of the State of Virginia.

15. Venue is proper in this judicial district as to Hall Automotive pursuant to 28 U.S.C. §§ 1391 and 1400(b) because, among other reasons, Hall Automotive is subject to personal jurisdiction in this district, Hall Automotive is located in this district, Hall Automotive

has facilities and employees in this district, and Hall Automotive has committed and continues to commit acts of patent infringement in this district. For example, Hall Automotive uses infringing products and services in this district. Moreover, to the extent any patent claim is construed to require a system, Hall Automotive places that system into use in this district.

16. This Court has personal jurisdiction over Max Media because Max Media is located in this district and it conducts substantial business in this district, directly or through intermediaries, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business in this district, engaging in other persistent courses of conduct in this district and/or deriving substantial revenue from goods and services provided to individuals in this district. Further, this Court has personal jurisdiction over Max Media because it is a Virginia limited liability company and it has purposely availed itself of the privileges and benefits of the laws of the State of Virginia.

17. Venue is proper in this judicial district as to Max Media pursuant to 28 U.S.C. §§ 1391 and 1400(b) because, among other reasons, Max Media is subject to personal jurisdiction in this district, Max Media is located in this district, Max Media has facilities and employees in this district, and Max Media has committed and continues to commit acts of patent infringement in this district. For example, Max Media uses infringing products and services in this district. Moreover, to the extent any patent claim is construed to require a system, Max Media places that system into use in this district.

18. This Court has personal jurisdiction over Facebook because Facebook conducts substantial business in this district, directly or through intermediaries, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business in this district, engaging in other persistent courses of conduct in this district, deriving substantial

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