

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

REALTIME DATA LLC d/b/a IXO,

Plaintiff,

v.

EHOSTAR CORPORATION,

EHOSTAR TECHNOLOGIES L.L.C.,

HUGHES NETWORK SYSTEMS, LLC,

DISH NETWORK CORPORATION,

DISH NETWORK L.L.C., SLING TV

L.L.C., SLING MEDIA, L.L.C., AND

ARRIS GROUP, INC.,

Defendants.

Case No. 6:17-cv-00084

JURY TRIAL DEMANDED

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 Data LLC d/b/a IXO (“Plaintiff,” “Realtime,” or “IXO”) makes the following allegations against Defendants EchoStar Corporation, EchoStar Technologies, L.L.C., Hughes Network Systems, LLC, DISH Network Corporation, DISH Network L.L.C., Sling TV L.L.C., Sling Media, L.L.C., and Arris Group, Inc.:

PARTIES

1. Realtime is a New York limited liability company. Realtime has places of business at 1828 E.S.E. Loop 323, Tyler, Texas 75701 and 66 Palmer Avenue, Suite 27, Bronxville, NY 10708. Since the 1990s, 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 over 47 United States patents and has numerous pending patent applications. Realtime has licensed patents in this portfolio to many of the world's leading technology companies. The patents-in-suit relate to Realtime's development of advanced systems and methods for fast and efficient data compression using numerous innovative compression techniques based on, for example, particular attributes of the data.

2. On information and belief, EchoStar Corporation is a Nevada corporation with its principal place of business at 100 Inverness Terrace East, Englewood, CO 80112 and a regular and established place of business at 10303 E Bankhead Hwy # 100, Aledo, TX 76008. See, e.g., <https://www.yellowpages.com/aledo-tx/mip/echo-star-satellite-11408900>. Upon information and belief, EchoStar Corporation has a regular and established place of business in this District. On information and belief, EchoStar Corporation can be served through its registered agent, Corporation Service Company, 1560 Broadway, Suite 2090, Denver, CO 80202. On information and belief, EchoStar Corporation directly or indirectly owns co-defendant Hughes Network Systems, LLC ("Hughes").¹

3. 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 and a regular and established place of business at 10303 E Bankhead Hwy # 100, Aledo, TX 76008. See, e.g., <https://www.yellowpages.com/aledo-tx/mip/echo-star-satellite-11408900>. 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 Corporation and EchoStar Technologies, L.L.C. are

¹ See <http://www.wsj.com/articles/SB10001424052748703584804576143833056404482>

hereinafter referred to as “EchoStar”.

4. On information and belief, Hughes Network Systems, LLC (“Hughes”) is a Delaware limited liability company having a principal place of business at 11717 Exploration Lane, Germantown, MD 20876 and regular and established places of business at 16535 Southwest Fwy, Sugar Land, TX 77479, 11415 Fm 730 N, Azle, TX 76020, and 1500 Harvey Rd, College Station, TX 77840. See, e.g., <https://www.yellowpages.com/sugar-land-tx/mip/hughes-network-sys-453634557>, <https://www.yellowpages.com/azle-tx/mip/hughes-network-system-468970694>, <https://www.mapquest.com/us/texas/business-college-station/hughes-network-systems-llc-275648921>. Upon information and belief, Hughes has a regular and established place of business in this District. See, e.g., <http://hughesnetplans.com/satellite-internet/Texas/P/Plano/> (“HughesNet Satellite Internet Plano: Making Military Technology Available to Civilians By providing such a trustworthy and protected connection, HughesNet has been named America’s #1 choice for satellite Internet. Call to order HughesNet for your Plano home today to get an Internet connection that is tried and tested, whatever your needs are.”). On information and belief, Hughes can be served through its registered agent, Corporation Service Company d/b/a CSC-Lawyers Incorporating Service, 211 E. 7th Street Suite 620, Austin, TX 78701. On information and belief, Hughes has been a direct or indirect subsidiary of EchoStar since at least 2011.

5. On information and belief, Defendant DISH Network Corporation is a Nevada corporation with its principal office at 9601 S. Meridian Blvd., Englewood, CO 80112 and a regular and established place of business at 1211 Broad St, Wichita Falls, TX 76301. See, e.g., <https://www.mapquest.com/us/texas/business-wichita-falls/dish-tv-9269051>. Upon information and belief, DISH Network Corporation has a regular and established place of business in this District. See, e.g., <https://www.dish.com/availability/tx/beaumont> (“Get Dish TV Programming in Beaumont, Texas”). On information and belief, Defendant DISH Network Corporation

conducts business throughout the United States, including in this District. On information and belief, DISH Network Corporation can be served through its registered agent, R. Dodge Stanton, 9601 S. Meridian Blvd., Englewood, CO 80112.

6. On information and belief, Defendant DISH Network L.L.C. is a Colorado limited liability company with its principal office at 9601 S. Meridian Blvd., Englewood, CO 80112 and a regular and established place of business at 1211 Broad St, Wichita Falls, TX 76301. See, e.g., <https://www.mapquest.com/us/texas/business-wichita-falls/dish-tv-9269051>. Upon information and belief, DISH Network L.L.C. has a regular and established place of business in this District. See, e.g., <https://www.dish.com/availability/tx/beaumont> (“Get Dish TV Programming in Beaumont, Texas”). 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 Network Corporation can be served through its registered agent, R. Dodge Stanton, 9601 S. Meridian Blvd., Englewood, CO 80112. DISH Network Corporation and DISH Network L.L.C. are hereinafter referred to collectively as “DISH” or “Dish”.

7. 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.

8. On information and belief, Defendant Sling Media L.L.C. (“Sling Media”) is a Delaware limited liability company with its principal office at 1051 E. Hillsdale Blvd, Suite 500, Foster City, CA 94404. On information and belief, Defendant Sling Media 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 Media can be served through its registered agent, The Corporation Trust Company, Corporation Trust Center, 1209 Orange St., Wilmington, DE 19801.

9. 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, for example, at 101 E Park Blvd, Plano, TX 75074. See, e.g., <http://www.buzzfile.com/business/Arris-Group,-Inc.-972-546-1700>. On information and belief, Arris maintains a regular and established place of business at 4516 Seton Center Pkwy, Suite 185, Austin, TX 78759. See, e.g., <http://www.arris.com/company/offices/>. 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.

10. On information and belief, EchoStar, as the direct or indirect owner of Hughes, promotes and offers for sales Hughes-branded products, including HN/HX broadband satellite routers. See, e.g., <http://www.hughes.com/resources/key-features-of-hughes-hn-slash-hx-broadband-satellite-routers/download?locale=en>. As further explained below, HN/HX broadband satellite routers infringe certain asserted patents. Accordingly, each of the Defendants is properly joined in this action pursuant to 35 U.S.C. § 299.

11. On information and belief, EchoStar, as the direct or indirect owner of DISH, 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.

12. On information and belief, Arris sells and offers for sale products and services incorporating technology from Sling Media which infringes certain asserted

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