

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

DODOTS LICENSING SOLUTIONS LLC, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 LENOVO HOLDING CO., INC., LENOVO )  
 (UNITED STATES), INC. and MOTOROLA )  
 MOBILITY LLC, )

C.A. No. 18-cv-98-MN

**JURY TRIAL DEMANDED**

Defendants.

**SECOND AMENDED COMPLAINT FOR PATENT INFRINGEMENT**

This is an action for patent infringement in which Plaintiff DoDots Licensing Solutions LLC (“DoDots”), makes the following allegations against Lenovo Holding Co., Inc. (“LHCI”) and Lenovo (United States) Inc. (“Lenovo U.S.A.”) (collectively, “Lenovo”), and against Motorola Mobility LLC (“Motorola”). Plaintiff refers to Lenovo and Motorola collectively herein as “Defendants”:

**THE PARTIES**

1. DoDots is a Texas limited liability company with a place of business at 836 Diamond Street, Laguna Beach, California 92651.

2. Upon information and belief, LHCI is a Delaware corporation having a regular and established place of business in Morrisville, North Carolina. LHCI may be served with process through its registered agent for service in Delaware: The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801.

3. Upon information and belief, Lenovo U.S.A. is a Delaware corporation having a regular and established place of business in Morrisville, North Carolina. Lenovo U.S.A. may

be served with process through its registered agent for service in Delaware: The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801.

4. Upon information and belief, Motorola is a Delaware limited liability company having a regular and established place of business in Chicago, Illinois. Motorola may be served with process through its registered agent for service in Delaware: The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801.

5. Upon information and belief, Lenovo and Motorola are affiliates because Motorola is controlled by, or under common control with, at least LHCI or Lenovo U.S.A.

### **JURISDICTION AND VENUE**

6. This is an action for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code.

7. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

8. This Court has personal jurisdiction over LHCI because, on information and belief, LHCI resides in this judicial district because LHCI is a corporation organized under the laws of the State of Delaware and maintains as a registered agent, The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801.

9. This Court has personal jurisdiction over Lenovo U.S.A. because, on information and belief, Lenovo U.S.A. resides in this judicial district because Lenovo U.S.A. is a corporation organized under the laws of the State of Delaware and maintains as a registered agent, The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801.

10. This Court has personal jurisdiction over Motorola because, on information and belief, Motorola resides in this judicial district because Motorola is a limited liability company

organized under the laws of the State of Delaware and maintains as a registered agent, The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801.

11. This Court further has personal jurisdiction over Defendants because Defendants have committed, or aided, abetted, contributed, and/or participated in the commission of tortious acts of patent infringement that has led to foreseeable harm and injury to DoDots in this judicial district. Upon information and belief, Defendants have derived substantial revenue from their infringing acts in the State of Delaware and this District, including from its sales of infringing devices in the United States.

12. Venue is proper pursuant to 28 U.S.C. §§ 1391 and 1400(b).

#### **THE PATENTS-IN-SUIT**

13. On June 14, 2016, the U.S. Patent and Trademark Office duly and lawfully issued U.S. Patent No. 9,369,545 (the "'545 Patent"), entitled "Accessing and Displaying Network Content," naming John Kembel *et al.* as the inventors. The '545 Patent is in force. DoDots is the lawful owner of all right, title and interest in the '545 Patent and has the right to sue and to recover for past infringement of the '545 Patent. A copy of the '545 Patent is attached as Exhibit A.

14. On September 13, 2011, the U.S. Patent and Trademark Office duly and lawfully issued U.S. Patent No. 8,020,083 (the "'083 Patent"), entitled "System and Methods for Creating and Authoring Internet Content Using Application Media Packages," naming John Kembel *et al.* as the inventors. The '083 Patent is in force. DoDots is the lawful owner of all right, title and interest in the '083 Patent and has the right to sue and to recover for past infringement of the '083 Patent. A copy of the '083 Patent is attached as Exhibit B.

15. On August 13, 2013, the U.S. Patent and Trademark Office duly and lawfully issued U.S. Patent No. 8,510,407 (the "'407 Patent"), entitled "Displaying Time-Varying Internet Based Data Using Application Media," naming John Kembel *et al.* as the inventors. The '407 Patent is in force. DoDots is the lawful owner of all right, title and interest in the '407 Patent and has the right to sue and to recover for past infringement of the '407 Patent. A copy of the '407 Patent is attached as Exhibit C.

### **BACKGROUND**

16. DoDots, Inc. was a new Silicon Valley technology company founded in 1999 by inventors and twin brothers, John Kembel and George Kembel, along with Tony Medrano when they were all graduate students at Stanford University. In those days, well before the first iPod was released, much less the first smartphone, conventional wisdom revolved around accessing content on the web using Microsoft's Internet Explorer or Netscape Navigator. DoDots, Inc. set out to commercialize a novel and completely unconventional approach to delivering content from the Internet in the form of connected widgets or applications called "Dots" rather than via a web browser.

17. DoDots, Inc. developed and distributed a system and platform for its businesses and other third parties to develop such widgets or apps and make them available to desktop and mobile devices. At its peak, DoDots, Inc. was a hot Internet startup valued at \$275 million. The company listed dozens of customers that had used the technology to distribute their own Dots, including ABC, Edmunds, CNET and Merriam-Webster. A copy of the company's customer listing from its website in 2000 is attached as Exhibit D. The company evangelized the concept of Dots and demonstrated the technology to all who would listen, including at conferences attended by many leading technology companies of today.

18. With the industry-wide dot com bubble burst, investors withdrew support at a critical stage of its growth, leaving DoDots, Inc. with limited options. DoDots, Inc. was forced to sell its assets, including its valuable patent portfolio, and the portfolio is now owned by the new DoDots entity. The patent portfolio now includes the most-recently issued patent-in-suit, i.e., the '545 Patent, which was issued June 14, 2016. This is the most recent of the 16 issued patents in the portfolio, and claims priority back to 1999. The patented technology paved the way for connected widgets and app ecosystems and is in wide use today. DoDots is in the business of licensing and/or selling its intellectual property to current and potential adopters in the industry.

19. Defendant Lenovo makes, has made, uses, sells, offers for sale, and/or imports in the United States products and/or systems that infringe the patents-in-suit. For example, without limitation, Lenovo ThinkPad, Yoga, ThinkCentre, IdeaCentre, ideapad, ThinkStation, Legion and Flex computers, including the Lenovo ThinkPad, and Lenovo YogaBook, YogaTab, Tab, Tab 3, Tab 4, ThinkPad Tablet, MIIX, Phab 2 and Phab 2 Pro mobile devices each make extensive use of apps and/or widgets, and infringe the patents-in-suit (collectively, the “Lenovo Accused Devices”).

20. Defendant Motorola makes, has made, uses, sells, offers for sale, and/or imports in the United States products and/or systems that infringe the patents-in-suit. For example, without limitation, Motorola Z, X, G, E and Droid family mobile phones, including the Motorola moto z smartphone each make extensive use of apps and/or widgets, and infringe the patents-in-suit (collectively, the “Motorola Accused Devices”).

21. Defendant Lenovo provides a link to the Motorola Accused Devices from one or more Lenovo-controlled websites. Plaintiff refers to the Lenovo Accused Devices and the Motorola Accused Devices collectively herein as the “Accused Devices.”

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