

1 David M. Stein, #198256
dstein@brownrudnick.com
2 **BROWN RUDNICK LLP**
2211 Michelson Drive, Seventh Floor
3 Irvine, CA 92612
Phone: 949.752.7100
4 Fax: 949.252.1514

5 Masood Anjom (*Pro Hac Vice forthcoming*)
majom@aatriallaw.com
6 Amir Alavi (*Pro Hac Vice forthcoming*)
aalavi@aatriallaw.com
7 Justin Chen (*Pro Hac Vice forthcoming*)
jchen@aatriallaw.com
8 **ALAVI & ANAIPAKOS, PLLC**
3417 Mercer Street, Suite C
9 Houston, TX 77027
Phone: 713.751.2362
10 Fax: 713.751.2341

11 Attorneys For Plaintiff
GOTV STREAMING, LLC
12

13 **IN THE UNITED STATES DISTRICT COURT**
14 **CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION**

15
16 **GOTV STREAMING, LLC,**

17 Plaintiff,

18 v.

19 **NETFLIX, INC.,**

20 Defendant.
21

CASE NO. 2:22-CV-7556

**PLAINTIFF’S ORIGINAL COMPLAINT
FOR PATENT INFRINGEMENT**

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28 Netflix v. GoTV
IPR2023-00757

1 Plaintiff GoTV Streaming, LLC (“GoTV” or “Plaintiff”) hereby submits this Complaint for
2 patent infringement against Defendant Netflix, Inc. (“Defendant” or “Netflix”) and states as follows:

3 **I. THE PARTIES**

4 1. GoTV is a limited liability company organized under the laws of California with its
5 principal place of business at 3415 S. Sepulveda Blvd., Suite 1100, Los Angeles, California 90034.

6 2. On information and belief, Netflix is a corporation organized under the laws of
7 Delaware, with its headquarters at 100 Winchester Circle, Los Gatos, California 95032 and a regular
8 and established place of business at 1375 Vine Street, Hollywood, California 90028.

9 **II. JURISDICTION AND VENUE**

10 3. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a)
11 because this action arises under the patent laws of the United States, 35 U.S.C. § 1 *et seq.*, including
12 35 U.S.C. § 271.

13 4. This Court has personal jurisdiction over Netflix at least because Netflix conducts
14 business in this Judicial District and in the State of California. For example, Netflix regularly
15 transacts business in the State of California and within this District, including by developing and
16 offering Netflix’s media streaming platform to customers. Netflix operates a website and various
17 advertising campaigns that solicit subscriptions to Netflix’s media streaming platform by consumers
18 in this District and in the State of California. Netflix engages in other persistent courses of conduct
19 and derives substantial revenue from services provided in this District and in the State of California.
20 For example, Netflix has built, maintains and operates regular and established places of business in
21 this District and in the State of California, including office locations employing thousands of Netflix
22 engineers, executives and other employees. As a result, Netflix has purposefully established
23 substantial, systematic and continuous contacts within this District, and Netflix should reasonably
24 expect to be sued in this District.

25 5. This Court also has personal jurisdiction over Netflix at least because Netflix has
26 committed acts of patent infringement in this Judicial District and in the State of California. Netflix
27 has made, used, sold and offered for sale products that infringe GoTV’s patent rights. On
28 information and belief, Netflix’s media streaming platform (defined below and referred to herein as

1 the “Infringing Product”) has been developed, offered for sale, sold and used within the State of
2 California and within this Judicial District. Accordingly, Netflix’s conduct and connections with
3 the State of California are such that it should reasonably have anticipated being brought into court
4 here.

5 6. Venue is proper in this District as to Netflix pursuant to 28 U.S.C. §§ 1391(b),

6 7. 1391(c) and 1400(b) because, among other things, Netflix has a regular and
7 established place of business in this District, including but not limited to a regular and established
8 place of business at 1375 Vine Street, Hollywood, California 90028. Netflix has committed acts
9 within this Judicial District giving rise to this action, and Netflix continues to conduct business in
10 this District, including through the development, use, sale, and offer of sale of the Infringing
11 Product.

12 **III. BACKGROUND**

13 8. Hands-On Mobile, Inc. was a wireless entertainment company founded in 2001 that
14 specialized in developing, publishing and distributing mobile content over wireless networks. In
15 2010, Hands-On Mobile sold its U.S. applications business to GoTV Networks, Inc. At the time,
16 GoTV Networks, Inc. was a mobile media network and applications developer that similarly
17 specialized in delivering media content to mobile users. After acquiring Hands-On Mobile, GoTV
18 Networks, Inc. was itself acquired in 2011 by Phunware, Inc., a leading mobile software company
19 that produces mobile applications for media delivery, advertising and marketing purposes.

20 9. On January 24, 2012, the United States Patent and Trademark Office (“USPTO”)
21 duly and legally issued United States Patent No. 8,103,865 (“the ’865 Patent”), titled “Server
22 Method and System for Rendering Content on a Wireless Device.” The ’865 Patent claims patent-
23 eligible subject matter and is valid and enforceable.

24 10. On July 2, 2013, the USPTO duly and legally issued United States Patent No.
25 8,478,245 (“the ’245 Patent”), titled “Method and System for Rendering Content on a Wireless
26 Device.” The ’245 Patent claims patent-eligible subject matter and is valid and enforceable.

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1 11. On March 24, 2015, the USPTO duly and legally issued United States Patent No.
2 8,989,715 (“the ’715 Patent”), titled “Method and System for Rendering Content on a Wireless
3 Device.” The ’715 Patent claims patent-eligible subject matter and is valid and enforceable.

4 12. GoTV is the sole and exclusive owner of all rights, title, and interest in the ’865
5 Patent, the ’245 Patent, and the ’715 Patent (collectively, the “GoTV Patents”), including the sole
6 and exclusive right to prosecute this action, to enforce the GoTV Patents against infringers, to collect
7 damages for past, present and future infringement of the GoTV Patents and to seek injunctive relief
8 as appropriate under the law. Accordingly, Netflix’s infringement, as described below, has injured,
9 and continues to injure GoTV.

10 13. As described in the GoTV Patents, the increase in popularity of wireless devices has
11 led to an increase in the number of wireless device types used by media consumers, such as cellular
12 phones, personal digital assistants, laptops, tablets, etc. This has led to an increase in demand for
13 various applications to run on the various wireless devices. Since each wireless device is unique,
14 each application must be tailored in accordance with the device’s attributes to fully utilize its
15 capabilities. The corresponding increase in the types of wireless devices, the number of
16 applications, and the need to tailor each application to a given device has increased the cost of
17 developing mobile applications.

18 14. Collectively, the GoTV Patents disclose novel embodiments of methods and systems
19 that address this problem. As described generally in the GoTV Patents, embodiments of the present
20 inventions relieve software vendors from tailoring their applications based on each wireless device
21 type because the server tailors the output of a generic application based on the wireless device
22 capability.

23 15. For example, the ’865 Patent is directed generally to a server-implemented method
24 for processing data for a wireless device. As discussed in one embodiment, in response to a user
25 request, the server executes an application program for generating content for rendering on the
26 wireless device where the content is wireless device generic. An engine or reader on the device
27 interprets commands of a generic syntax that are device specific in their parameters.

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1 16. Similarly, the '245 Patent is directed generally to a method for rendering content on
2 a wireless device. For example, as discussed in one embodiment, a reader on a device is operable
3 to communicate with a server and receive a series of low-level basic commands that layout content,
4 position, etc. for rendering application content on a wireless device. The reader of the wireless
5 device receives the basic commands that are tailored and are specific to the wireless device based
6 on the device's attributes and capabilities.

7 17. The '715 Patent is similarly directed to a method for rendering content on a wireless
8 device. For example, as discussed in one embodiment, a graphical user interface includes a plurality
9 of rendering blocks. A custom configuration may be used to customize the appearance of content
10 generated by a requested application rendered on the rendering blocks. The graphical user interface
11 is operable for rendering basic commands received from the reader and for customizing the
12 operation and appearance of the requested application based on the custom configuration.

13 18. As a result, using the novel methods and systems claimed in the GoTV Patents,
14 software vendors can develop a generic application where the output of the generic application is
15 tailored based on each wireless device type using the server, thus, among other things, promoting
16 ease and efficiency in mobile application development, use, and maintenance.

17 **IV. COUNT I: INFRINGEMENT OF THE '865 PATENT**

18 19. GoTV incorporates each of the allegations of paragraphs 1–18 above.

19 20. Netflix has directly infringed and continues to directly infringe the '865 Patent by,
20 for example, making, using, offering to sell, selling, and/or importing into the United States, without
21 authority, products or methods that practice one or more claims of the '865 Patent.

22 21. Defendant is not licensed or otherwise authorized to make, use, offer for sale, sell or
23 import any products or methods that embody the inventions of the '865 Patent in the United States.

24 22. Defendant has and continues to directly infringe one or more claims of the '865
25 Patent, including, for example, claim 1 of the '865 Patent, either literally or under the doctrine of
26 equivalents, by making, using, offering to sell, selling, and/or importing into the United States the
27 Infringing Product without authority and in violation of 35 U.S.C. § 271.

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