

ESTTA Tracking number: **ESTTA1018048**

Filing date: **11/25/2019**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding No.	91251663
Filing Party	Plaintiff Bumble Holding Limited
Other Party	Defendant Match Group, LLC
Pending Motion	There is no motion currently pending and no other motion is being filed concurrent with this consent motion.
Attachments	Exhibit A.pdf(5097394 bytes) Exhibit B.pdf(826789 bytes) Joint Motion to Suspend.pdf(121274 bytes)

Consent Motion for Suspension in View of Civil Proceeding

The parties are engaged in a civil action which may have a bearing on this proceeding. Accordingly, Bumble Holding Limited hereby requests suspension of this proceeding pending a final determination of the civil action. Trademark Rule 2.117.

Bumble Holding Limited has secured the express consent of all other parties to this proceeding for the suspension requested herein.

Certificate of Service

The undersigned hereby certifies that a copy of this filing has been served upon all parties, at their address of record by Email on this date.

Respectfully submitted,
/Judd Lauter/
Judd Lauter
jlauter@cooley.com
11/25/2019

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

MATCH GROUP, LLC

Plaintiff,

v.

BUMBLE TRADING INC., BUMBLE
HOLDING, LTD., BADOO TRADING
LIMITED, MAGIC LAB CO.,
WORLDWIDE VISION LIMITED,
BADOO LIMITED, BADOO
SOFTWARE LIMITED, and BADOO
TECHNOLOGIES LIMITED.

Defendants.

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No. 6:18-cv-00080-ADA

JURY TRIAL DEMANDED

PLAINTIFF MATCH GROUP, LLC’S FOURTH AMENDED COMPLAINT

I. INTRODUCTION

Match Group, Inc. is a worldwide leader in online dating, with multiple popular brands of matchmaking services, including Match, Plenty of Fish, OkCupid, and more. Plaintiff Match Group, LLC, a wholly-owned subsidiary of Match Group, Inc., owns Tinder and its related intellectual property. Tinder is one of Match’s flagship brands. When released, it launched a cultural revolution in social networking and online dating. Tinder is famously characterized by a stack of cards containing photographs of potential matches nearby. If a user is interested in the person shown, the user drags a card to the right. If not, the user drags the card to the left. If two users are interested in each other, a match has been made, and the users are permitted to communicate with one another through the app. The app has become so well-known that an entire generation is often described as the “Tinder generation.”

Match, through Tinder, spent significant time and effort developing and implementing the inventions embodied in versions of the Tinder app and claimed in a recently issued utility patent. Match, through its Tinder team, has spent significant time and money advertising the Tinder brand, including Tinder's unique draggable-card-based design. And Match has also spent significant time and money on confidential internal research and development, including brainstorming potential feature roll-outs. As a result of all of these efforts, Match has significant intellectual property rights related to the Tinder application and the Tinder brand. This is a case about infringement and misappropriation of that intellectual property.

Bumble, founded by three ex-Tinder executives, copied Tinder's world-changing, draggable-card-based, mutual opt-in premise. As acknowledged by third-party publications upon its release, Bumble is "virtually identical" to Tinder in its functionality and general look-and-feel. The competitive reason is obvious. Bumble sought to mimic Tinder's functionality, trade off of Tinder's name, brand, and general look and feel, meet user expectations that Tinder itself and its brand created, and build a business entirely on a Tinder-clone, distinguished only by Bumble's women-talk-first marketing strategy. Compounding matters, Bumble has released at least two features that its co-founders learned of and developed confidentially while at Tinder in violation of confidentiality agreements. All of these actions infringe upon Match's valid and enforceable intellectual property rights.

To be clear, this case is not about any Bumble personnel's personal history with anyone previously at Tinder. This case is not about feminism or a business marketed based on feminist themes; Match applauds Bumble's efforts at empowering women, both in its app and offline, and Match cares deeply both about its women users and about women's issues generally. Rather, this case is simply about forcing Bumble to stop competing with Match and Tinder using

Match's own inventions, patented designs, trademarks, and trade secrets. Match brings this complaint to stop Bumble's unlawful use of this intellectual property.

II. THE PARTIES

1. Plaintiff Match Group, LLC ("Match") is a Delaware Corporation with a principal place of business in Dallas, Texas at 8750 N. Central Expressway, Suite 1400.

2. Bumble Trading Inc. ("Bumble") is a Delaware corporation with a principal place of business at 1105 W 41st St., Austin, TX 78756.

3. Bumble Holding, Ltd. is a corporation existing under the laws of the United Kingdom with a principal place of business in London, United Kingdom.

4. Badoo Trading Limited ("Badoo Trading") is a corporation existing under the laws of the United Kingdom with a registered office at the Broadgate Tower, Third Floor, 20 Primrose Street, London EC2A 2RS United Kingdom. The immediate parent of Badoo Trading Limited is Worldwide Vision Limited. The ultimate controlling party of Badoo Trading Limited is Andrey Ogandzhanyants, also known as Andrey Andreev.

5. On information and belief, Magic Lab Company ("Magic Lab") is a holding company that owns at least Badoo Trading Limited and Bumble Holding, Ltd. The ultimate controlling party of Magic Lab Co. is Andrey Ogandzhanyants, also known as Andrey Andreev.

6. Worldwide Vision Limited ("Worldwide Vision") is a company incorporated and registered in Bermuda with company number 40781, whose registered office is at H.P House, 21 Laffan Street, Hamilton, HM09, Bermuda (WVL). The ultimate parent of Worldwide Vision Limited is Rimberg International Corp., a company incorporated in the British Virgin Islands. The ultimate controlling party of Worldwide Vision Limited and Rimberg International Corp., is Andrey Ogandzhanyants, also known as Andrey Andreev.

7. Badoo Limited is a corporation existing under the laws of the United Kingdom

with a registered office at the Broadgate Tower, Third Floor, 20 Primrose Street, London EC2A 2RS United Kingdom. The immediate parent of Badoo Limited is Worldwide Vision Limited. The ultimate controlling party of Badoo Limited is Andrey Ogandzhanyants, also known as Andrey Andreev.

8. On information and belief, Badoo Software Limited is a corporation existing under the laws of Malta with a principal place of business in Birkirkara, Malta. The immediate parent of Badoo Software Limited is Worldwide Vision Limited. The ultimate controlling party of Badoo Software Limited is Andrey Ogandzhanyants, also known as Andrey Andreev.

9. Badoo Technologies Limited is a Cyprus company with a registered office at 332 Agiou Andreou Str., Patrician Chambers 3035 Limassol, Cyprus and United Kingdom tax residency. Badoo Technologies Limited is controlled by Worldwide Vision Limited. The ultimate controlling party is Andrey Ogandzhanyants, also known as Andrey Andreev.

III. JURISDICTION AND VENUE

10. This Court has personal jurisdiction over Bumble Trading Inc. and Bumble Holding, Ltd. consistent with the requirements of the Due Process Clause of the United States Constitution and the Texas Long Arm Statute. Bumble¹ conducts business, maintains an established place of business, and has committed acts of patent infringement and/or has induced and/or has contributed to acts of patent infringement by others in the Western District of the Texas, the State of Texas, and elsewhere in the United States. In addition, Bumble's headquarters and principal place of business is located in Austin, Texas, within the District. This Court has original subject matter jurisdiction over Match's claims for patent infringement pursuant to the Federal Patent Act, 35 U.S.C. § 101 *et seq.* and 28 U.S.C. §§ 1331 and 1338(a).

¹ As used in this document, reference to "Bumble" should be understood to include both Bumble Trading Inc. and Bumble Holding, Ltd. unless referring to the Bumble app itself.

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