

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

B.E. TECHNOLOGY, L.L.C.,)
)
 Plaintiff,)
)
 v.)
)
 SPARK NETWORKS, INC.,)
)
 Defendant.)
)
 _____)

Civil Action No. _____

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff B.E. Technology, L.L.C. (“B.E.”) hereby brings this action against Spark Networks, Inc. (“Spark Networks”) for infringement of United States Patent No. 6,628,314 (“314 patent”), and alleges as follows:

NATURE OF THE ACTION AND PARTIES

1. This is an action for patent infringement arising under the patent laws of the United States.
2. B.E. is a limited liability company organized and existing under the laws of the State of Delaware with its principal place of business in Memphis, Tennessee.
3. Spark Networks is a corporation organized and existing under the laws of State of Delaware with its principal place of business in Beverly Hills, California.

JURISDICTION

4. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a), as this is an action arising under the Patent Act, 35 U.S.C. § 1 *et seq.*

VENUE

5. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391(b), 1391(c), 1391(d), and 1400(b).

FACTUAL BACKGROUND

6. The '314 patent is entitled "Computer Interface Method And Apparatus With Targeted Advertising." A copy of the '314 patent is attached hereto as Exhibit A.

7. The invention of the '314 patent generally relates to user interfaces for accessing computer applications and information resources and, in particular, to user interfaces that provide advertising obtained over a global computer network such as the Internet. The invention of the '314 patent also relates to user interfaces for maintaining, organizing and communicating information accessible to a computer network such as the Internet and, in particular, to user interfaces that provide the user with availability to that information in a personalized manner.

8. The application that issued as the '314 patent was filed on October 30, 2000, and the United States Patent and Trademark Office duly and legally issued the '314 patent on September 30, 2003. The '314 patent claims priority to U.S. Patent Application No. 09/118,351, filed on July 17, 1998.

COUNT I: INFRINGEMENT OF U.S. PATENT NO. 6,628,314

9. B.E. realleges and incorporates by reference the allegations of paragraphs 1-8.

10. B.E. owns all right, title, and interest in the '314 patent, and has owned all right, title, and interest throughout the period of the infringement complained of herein.

11. Spark Networks has infringed the '314 patent by using a method of providing demographically targeted advertising that directly infringes at least Claim 11 of the '314 patent either literally or under the doctrine of equivalents.

JURY DEMAND

B.E. requests a trial by jury for all issues so triable.

PRAYER FOR RELIEF

B.E. prays for relief as follows:

1. Judgment that Spark Networks has infringed the '314 patent as alleged herein;
2. Compensatory damages in an amount according to proof, and in no event less than a reasonable royalty;
3. Prejudgment interest on the compensatory damages awarded to B.E.;
4. Post-judgment interest on all sums awarded to B.E. from the date of judgment;
5. A preliminary and permanent injunction forbidding Spark Networks and its officers, agents, servants, employees, and attorneys, and all those in active concert or participation with them, from further infringing the '314 patent;
6. Costs of suit incurred herein; and
7. Any and all other relief that the Court deems just and equitable.

Dated: September 21, 2012

By: *s/Robert E. Freitas*

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EXHIBIT A

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