

1 Nathaniel L. Dilger (Bar No. 196203)  
Email: ndilger@onellp.com  
2 Deepali A. Brahmhatt (Bar No. 255646)  
Email: dbrahmhhatt@onellp.com  
3 **ONE LLP**  
4 4000 MacArthur Boulevard  
East Tower, Suite 500  
Newport Beach, CA 92660  
5 Telephone: (949) 502-2870  
Facsimile: (949) 258-5081  
6

7 John E. Lord (Bar No. 216111)  
Email: jlord@onellp.com  
8 **ONE LLP**  
9 9301 Wilshire Boulevard  
Penthouse Suite  
Beverly Hills, CA 92660  
10 Telephone: (310) 866-5157  
Facsimile: (310) 943-2085

11 Attorneys for Plaintiff,  
THROOP, LLC  
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13 **UNITED STATES DISTRICT COURT**  
14 **CENTRAL DISTRICT OF CALIFORNIA**  
15 **WESTERN DIVISION**

16 THROOP, LLC, a California limited  
liability company,

17 Plaintiff,

18 v.

19 MICROSOFT CORPORATION, a  
20 Washington corporation,

21 Defendant.

Case No. 2:19-cv-10604

**COMPLAINT FOR PATENT  
INFRINGEMENT**

**DEMAND FOR JURY TRIAL**

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1 Plaintiff Throop, LLC (“Throop” or “Plaintiff”) hereby alleges for its  
2 Complaint for Patent Infringement against Microsoft Corporation (“Microsoft” or  
3 “Defendant”) the following:

4 **I. NATURE OF THE ACTION**

5 1. This is an action for patent infringement of United States Patent Nos.  
6 7,035,897 (the “’897 Patent”) and 9,479,726 (the “’726 Patent”) (collectively, the  
7 “Patents-in-Suit”) arising under the Patent Laws of the United States, 35 U.S.C. § 1,  
8 et seq., seeking damages and other relief under 35 U.S.C. § 281, et seq.

9 **II. THE PARTIES**

10 2. Throop is a California limited liability company having a principal  
11 place of business at 3580 Wilshire Blvd., Ste. 1460, Los Angeles, CA 90010.

12 3. Defendant Microsoft Corporation is a corporation organized under the  
13 laws of Washington with its principal place of business located at One Microsoft  
14 Way, Redmond, WA 98052. Microsoft’s registered agent for Service of Process is  
15 located at Corporation Service Company, d/b/a CSC – Lawyering Incorporating  
16 Service, 2710 Gateway Oaks Drive, Suite 150N, Sacramento, CA 95833.

17 **III. JURISDICTION AND VENUE**

18 4. This is an action for patent infringement arising under the provisions of  
19 the Patent Laws of the United States of America, Title 35, United States Code.

20 5. This Court has subject matter jurisdiction over Throop’s claims under  
21 28 U.S.C. §§ 1331 and 1338(a).

22 6. This Court has personal jurisdiction over Defendant in this action  
23 because Defendant has committed acts within the Central District of California  
24 giving rise to this action and has established minimum contacts with this forum such  
25 that the exercise of jurisdiction over the Defendant would not offend traditional  
26 notions of fair play and substantial justice. The Defendant, directly and through  
27 subsidiaries or intermediaries, has committed and continues to commit acts of  
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1 infringement in this District by, among other things, offering to sell and selling  
2 products and/or services that infringe the asserted patents.

3 7. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391(b),  
4 (c) and/or 28 U.S.C. § 1400(b). Defendant transacts business within this District  
5 and offers for sale in this District products that infringe the Patents-in-Suit.  
6 Defendant is registered to do business in California. Defendant has a regular and  
7 established place of business in Central District of California. For example,  
8 Defendant has offices located at 13031 W Jefferson Blvd., #200, Los Angeles, CA  
9 90094.

#### 10 **IV. THROOP'S PATENTS-IN-SUIT**

11 8. On April 25, 2006, the '897 Patent, entitled "Wireless Augmented  
12 Reality Communication System," was duly and legally issued by the United States  
13 Patent and Trademark Office. A true and correct copy of the '897 Patent is attached  
14 as Exhibit A.

15 9. On October 25, 2016, the '726 Patent, entitled "Wireless Augmented  
16 Reality Communication System," was duly and legally issued by the United States  
17 Patent and Trademark Office. A true and correct copy of the '726 Patent is attached  
18 as Exhibit B.

19 10. The inventors listed on the Patents-in-Suit were all engineers who  
20 worked at NASA's Jet Propulsion Laboratory. Founded by Caltech faculty, NASA's  
21 Jet Propulsion Laboratory is the leading U.S. center for the robotic exploration of  
22 the solar system.

23 11. The '897 Patent has been cited by twenty-four issued United States  
24 patents as relevant prior art.

25 12. Throop is the owner of the Patents-in-Suit asserted in this action and  
26 has the exclusive right to sue and collect remedies for past, present, and future  
27 infringement of the Patents-in-Suit.

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**V. ACCUSED PRODUCTS AND/OR SERVICES**

13. Defendant manufactures, provides, uses, sells, offers for sale, imports, and/or distributes infringing services for wearable devices, including, for example, Microsoft HoloLens (collectively, “Accused Products and/or Services”).

14. The Accused Products and/or Services offer the benefits of Plaintiff’s technology by, for example, incorporating a highly integrated radio communication system allowing for true two-way multimedia access via a wearable device.

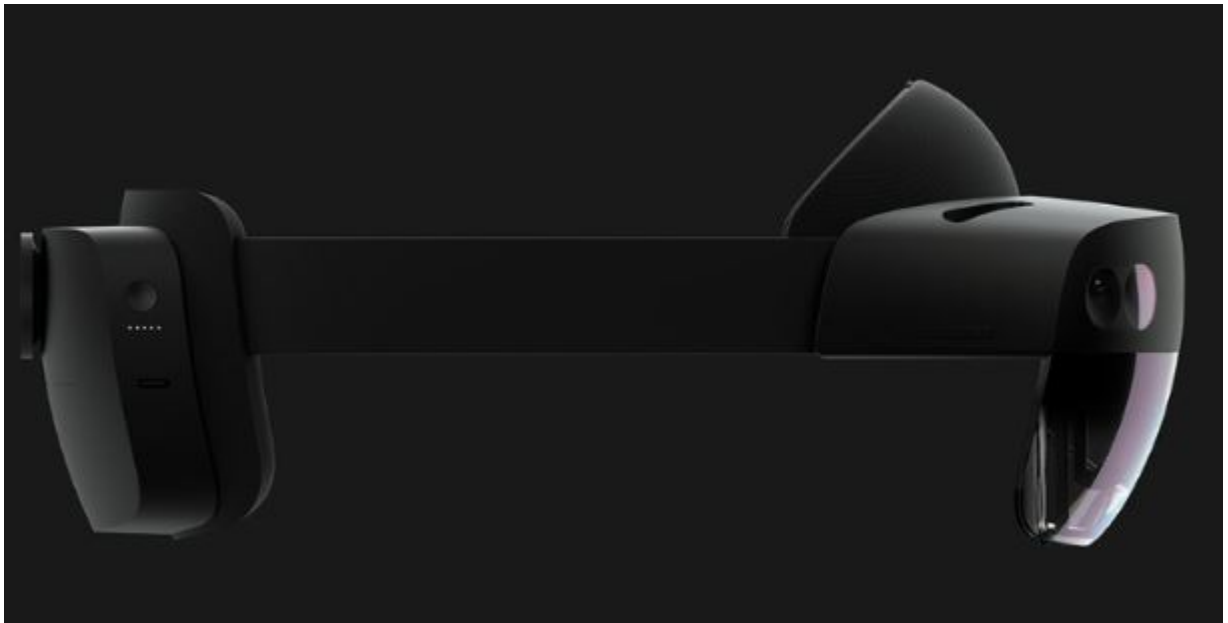
15. Defendant has had knowledge of the ’726 Patent and its infringement since at least the filing of the Original Complaint in this action, or shortly thereafter, including by way of this lawsuit. Defendant has had notice and/or knowledge of the ’897 Patent and its infringement since at least December 2010, or shortly thereafter, when Microsoft Corporation cited the ’897 Patent on an Information Disclosure Statement on its own patent application (Application No. 12/969,148) that led to issued U.S. Patent No. 8,898,310.

**COUNT I: INFRINGEMENT OF U.S. PATENT NO. 7,035,897**

16. Throop reasserts and incorporates herein by reference the allegations of all preceding paragraphs of this Complaint as if fully set forth herein.

17. Defendant has infringed and continue to infringe at least claim 1 and one or more of its dependents of the ’897 Patent under 35 U.S.C. § 271(a), literally or under the doctrine of equivalents, by making, using, selling, and/or offering for sale in the United States, and/or importing into the United States, the Accused Products and/or Services.

1           18.           For example, the Accused Products and/or Services meet all of the  
2 claim limitations of claim 1 of the '897 Patent, set forth below with claim language  
3 in italics. To the extent the preamble is limiting, the Accused Products and/or  
4 Services include *[a] mobile access unit for use in a localized communications*  
5 *system.*



16 <https://www.microsoft.com/en-us/hololens#>

17           19.           The Accused Products and/or Services include *a video input configured*  
18 *to receive real-time video information; a video output configured to provide real-*  
19 *time video information; a wearable display connected to the video output; a codec*  
20 *connected to the video input and video output; and a transceiver.*

21  
22 **A new vision for computing, built on a history**  
23 **of innovation**

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25 Mixed reality on HoloLens 2 combines an untethered device with apps and solutions that help people across  
26 your business learn, communicate, and collaborate more effectively. It's the culmination of breakthroughs in  
hardware design, artificial intelligence (AI), and mixed reality development from Microsoft, designed to help  
you lead your industry into the future—starting today.

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