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9 *Attorneys for Helios Streaming, LLC,*
10 *and IdeaHub, Inc.*

11 UNITED STATES DISTRICT COURT
12 CENTRAL DISTRICT OF CALIFORNIA
13 SOUTHERN DIVISION

15 HELIOS STREAMING, LLC, and
16 IDEA HUB, INC.,

17 Plaintiffs,

18 vs.

19 FANDANGO MEDIA, LLC

20 Defendant.
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) Case No.: 8:21-cv-211

) **COMPLAINT FOR PATENT
INFRINGEMENT**

) DEMAND FOR JURY TRIAL

1 Plaintiffs Helios Streaming, LLC (“Helios”), and IdeaHub, Inc. (“IdeaHub”)
2 (collectively “Plaintiffs”), for its Complaint against Defendant Fandango Media, LLC,
3 (referred to herein as “Fandango” or “Defendant”), allege the following:

4 **NATURE OF THE ACTION**

5 1. This is an action for patent infringement arising under the Patent Laws of
6 the United States, 35 U.S.C. § 1 *et seq.*

7 **THE PARTIES**

8 2. Plaintiff Helios is a limited liability company organized under the laws of
9 the State of Delaware with a place of business at 9880 Irvine Center Drive, Suite 100,
10 Irvine, California 92618.

11 3. Plaintiff IdeaHub is a corporation organized under the laws of the
12 Republic of Korea with a place of business at 7 Heolleungro, Seocho-gu, Seoul 06792
13 Republic of Korea.

14 4. Upon information and belief, Fandango is a limited liability company
15 organized under the laws of the Commonwealth of Virginia with a place of business at
16 407 N. Maple Drive, Third Floor, Beverly Hills, California 90210. Upon information
17 and belief, Fandango sells, offers to sell, and/or uses products and services throughout
18 the United States, including in this judicial district, and introduces infringing products
19 and services into the stream of commerce knowing that they would be sold and/or
20 used in this judicial district and elsewhere in the United States.

21 **JURISDICTION AND VENUE**

22 5. This is an action for patent infringement arising under the Patent Laws of
23 the United States, Title 35 of the United States Code.

24 6. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and
25 1338(a).

26 7. Venue is proper in this judicial district under 28 U.S.C. § 1400(b).
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1 were developed in the early 2010s by inventors Truong Cong Thang, Jin Young Lee,
2 Seong Jun Bae, Jung Won Kang, Soon Heung Jung, Sang Taick Park, Won Ryu, and
3 Jae Gon Kim.

4 14. The claimed inventions of the Asserted Patents were mostly invented by
5 researchers of the Electronics and Telecommunications Research Institute (“ETRI”),
6 the national leader in Korea in the research and development of information
7 technologies. Since its inception in 1976, ETRI has developed new technologies in
8 4M DRAM computer memory, CDMA and 4G LTE cellular phone communications,
9 LCD displays, Video Coding, and Media Transport & Delivery, the latter technology
10 of which is at issue in this case. ETRI employs over 1,800 research/technical staff, of
11 whom 94% hold a post-graduate degree and 50% have earned a doctoral degree in
12 their technological field. Over the last five years, ETRI produced 1,524 SCI papers
13 and has 467 standard experts, applied for a total of 16,062 patents, has contributed
14 7,309 proposals that have been adopted by international and domestic standard
15 organizations (ISO, IEC, ITU, 3GPP, JTC, IEEE etc.). Dr. Truong Cong Thang and
16 Dr. Jae Gon Kim among the inventors were employees of ETRI and currently
17 Professors at the University of Aizu, Japan, and Korea Aerospace University,
18 respectively.

19 15. The Asserted Patents claim technologies fundamental to Dynamic
20 Adaptive Streaming over HTTP (“DASH”), a media-streaming model for delivering
21 media content.

22 16. DASH technology has been standardized in the ISO/IEC 23009
23 standards, which were developed and published by the International Organization for
24 Standardization (“ISO”) and the International Electrotechnical Commission (“IEC”).

25 17. The claimed inventions of the Asserted Patents have been incorporated
26 into the standard for dynamic adaptive streaming delivery of MPEG media over
27 HTTP, ISO/IEC 23009-1:2014, and subsequent versions of this standard (collectively,
28 these standards are referred to throughout as “MPEG-DASH”).

1 18. MPEG-DASH technologies, including those of the claimed inventions of
2 the Asserted Patents, facilitate high-quality streaming of media content by breaking
3 media content—a movie, for example—into smaller parts that are each made available
4 at a variety of bitrates. As a user plays back downloaded parts of the media content,
5 the user’s device employs an algorithm to select subsequent media parts with the
6 highest possible bitrate that can be downloaded in time for playback without causing
7 delays in the user’s viewing and listening experience.

8 19. The MPEG-DASH standard, including the claimed inventions of the
9 Asserted Patents, therefore enables high-quality streaming of media content over the
10 internet delivered from conventional HTTP web servers, which was not previously
11 possible on a large scale with prior art techniques and devices.

12 20. Between approximately June and August of 2018, Plaintiff IdeaHub
13 acquired the applications that matured into the Asserted Patents.

14 21. In or about August of 2018, Plaintiff Helios obtained an exclusive license
15 to the applications that matured into the Asserted Patents.

16 **COUNT I – INFRINGEMENT OF U.S. PATENT NO. 10,270,830**

17 22. The allegations set forth in the foregoing paragraphs 1 through 21 are
18 incorporated into this First Claim for Relief.

19 23. On April 23, 2019, the ’830 patent was duly and legally issued by the
20 United States Patent and Trademark Office under the title “Apparatus and Method for
21 Providing Streaming Content Using Representations.” A true and correct copy of the
22 ’830 patent is attached as Exhibit 1.

23 24. IdeaHub is the assignee and owner of all right, title, and interest in and to
24 the ’830 patent.

25 25. Helios holds the exclusive right to assert all causes of action arising
26 under the ’830 patent and the right to collect any remedies for infringement of it.

27 26. Upon information and belief, Fandango has and continues to directly
28 infringe at least claims 8 and 11 of the ’830 patent by selling, offering to sell, making,

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