



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).  
27  
28

8. This Court has personal jurisdiction over Fandango under the laws of the State of California, due at least to their substantial business in California and in this judicial district, directly or through intermediaries, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct and/or deriving substantial revenue from goods and services provided to individuals in the State of California. Venue is also proper in this district because Fandango has a regular and established place of business in this district. For instance, on information and belief, Fandango maintains its principal office at 407 N. Maple Drive, Third Floor, Beverly Hills, California 90210.

## BACKGROUND

9. This action involves four patents, described in detail in the counts below (collectively, the “Asserted Patents”).

10. U.S. Patent No. 10,270,830 (“the ’830 patent”) claims technologies for providing adaptive HTTP streaming services using metadata of media content that were developed in the early 2010s by joint inventors Truong Cong Thang and Jin Young Lee.

11. U.S. Patent No. 10,313,414 (“the ’414 patent”) claims technologies for providing adaptive HTTP streaming services using metadata of media content that were developed in the early 2010s by joint inventors Truong Cong Thang and Jin Young Lee.

12. U.S. Patent No. 10,356,145 (“the ’145 patent”) claims technologies for providing adaptive HTTP streaming services using metadata of media content that were developed in the early 2010s by joint inventors Truong Cong Thang, Jin Young Lee, Seong Jun Bae, Jung Won Kang, Soon Heung Jung, Sang Taick Park, and Won Ryu.

13. U.S. Patent No. 10,362,130 (“the ’130 patent”) claims technologies for providing adaptive HTTP streaming services using metadata of media content that

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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