

LAW OFFICES OF MARC LIBARLE  
Marc Libarle (*State Bar No. 071678*)  
ml7006@gmail.com  
1388 Sutter St, Ste 910  
San Francisco, CA 94109  
Phone: (415) 928-2400

HALLER LAW PLLC  
Timothy J. Haller (*Pro Hac Vice Pending*)  
haller@haller-iplaw.com  
230 E Delaware Pl, Ste 5E  
Chicago, IL 60611  
Phone: (630) 336-4283

*Attorneys for Plaintiff*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

**INTERNET MEDIA INTERACTIVE  
CORP.,**

**Plaintiff,**

**v.**

**AIRBNB, INC.,**

**Defendant.**

**Case No.**

**COMPLAINT FOR PATENT  
INFRINGEMENT**

Plaintiff Internet Media Interactive Corp. (“Internet Media” or “Plaintiff”) complains of Defendant Airbnb, Inc. (“Airbnb” or “Defendant”) as follows, all upon Plaintiff’s best information and belief:

**NATURE OF LAWSUIT**

1. This is a claim for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code.

**THE PARTIES**

2. Plaintiff Internet Media Interactive Corp. is a Delaware corporation with its principal place of business at 3511 Silverside Road, Suite 105, Wilmington, Delaware 19810.

3. Internet Media is the named assignee of, owns all right, title and interest in, and has standing to sue for infringement of United States Patent No. 6,049,835, entitled “System For Providing Easy Access To The World Wide Web Utilizing A Published List Of Preselected

1 Internet Locations Together With Their Unique Multi-Digit Jump Codes,” which issued on April  
2 11, 2000 (“the ‘835 Patent”) (a true and correct copy is attached as Exhibit A).

3 4. Internet Media has the exclusive right to enforce and collect all past damages for  
4 infringement of the ‘835 Patent. Internet Media has standing to sue for infringement of the ‘835  
5 Patent.

6 5. Airbnb, Inc. is a Delaware corporation with the agent for service of process as  
7 Corporation Service Company doing business in California as CSC – Lawyers Incorporating  
8 Service, 2710 Gateway Oaks Drive, Suite 150N, Sacramento, California 95833 and maintaining  
9 its principal place of business at 888 Brannan Street, #4, San Francisco, California 94103.

10 6. Defendant Airbnb owns, provides and operates the website [www.airbnb.com](http://www.airbnb.com) and  
11 related URLs. Defendant also distributes advertisements through various media that instruct  
12 recipients to enter a code to redirect to a new location. Specifically, Defendant operates the account  
13 “@Airbnb” on Twitter, found at <https://twitter.com/Airbnb>.

#### 14 JURISDICTION AND VENUE

15 7. Internet Media’s claim for patent infringement against Defendant arises under the  
16 patent laws of the United States including 35 U.S.C. §§ 271 and 281. Consequently, this Court has  
17 original and exclusive subject matter jurisdiction over this Complaint pursuant to 28 U.S.C. §§  
18 1331 and 1338(a).

19 8. Defendant owns, operates and conducts business in the state of California and  
20 directs advertisements at residents of California – which are covered by at least Claim 11 of the  
21 ‘835 Patent – and throughout the United States including California and this judicial district.

22 9. Airbnb is currently doing business in this judicial district, has purposefully availed  
23 itself of the privilege of conducting business with residents of this judicial district, has purposefully  
24 reached out to residents of this judicial district, and has established sufficient minimum contacts  
25 with the State of California such that it should reasonably and fairly anticipate being haled into  
26 court in California.

27 10. Airbnb has registered itself with the California Secretary of State to do business in  
28 California and has a designated agent incident to such registration.

1 11. Airbnb has established sufficient minimum contacts with the State of California  
2 such that it should reasonably and fairly anticipate being haled into court in California.

3 12. Venue in this judicial district is proper under 28 U.S.C. § 1400(b).

4 **INFRINGEMENT OF UNITED STATES PATENT NO. 6,049,835**

5 13. Defendant has directly infringed the ‘835 Patent at least through its unauthorized  
6 use of the method of Claim 11 for providing automatic access to preselected locations on the  
7 Internet. Defendant alone, or based on the actions of other persons/entities attributable to  
8 Defendant, satisfied each of the limitations of Claim 11 as follows:

9 a. Defendant has published a compilation of information with respect to  
10 preselected Internet locations (*e.g.*, advertisements on Twitter or other online medium). On  
11 January 4, 2009, the Delaware District Court in proceedings related to the ‘835 Patent  
12 construed the similar phrase “a published compilation of preselected Internet locations” to  
13 mean “a publicly accessible collection of information which corresponds to preselected  
14 Web sites (or to any other type of preselected data found on the Internet) which have unique  
15 URL addresses, the URL addresses being associated with diverse individuals or entities.”  
16 Defendant has published a publicly accessible (*e.g.*, via Twitter or other online medium)  
17 collection of information which corresponded to preselected Web sites which have unique  
18 URL addresses (*e.g.*, information about a desired Web site destination of interest to a user),  
19 the URL addresses having been associated with entities other than Defendant.

20 b. Said published compilation – published by Defendant – included a unique  
21 predetermined multi-digit jump code assigned to each of said preselected Internet locations  
22 for which information is published therein (*e.g.*, shortened codes recognized by *ow.ly*). On  
23 January 4, 2009, the Delaware District Court also construed the phrase “a unique  
24 predetermined multi-digit jump code” to mean “a unique predetermined code consisting of  
25 more than one number.” Defendant’s published compilation included unique  
26 predetermined multi-digit jump codes consisting of more than one number (*e.g.*, 3nE7b9).

27 c. Defendant has provided – through its publication of compilations of various  
28 information on Twitter – a predetermined Internet location having an address published in

1 said published compilation (e.g., ow.ly). On January 4, 2009, the Delaware District Court  
2 also construed the similar phrase “a predetermined published Internet location” to mean “a  
3 predetermined Web site (or any other type of data found on the Internet); (a) which has a  
4 unique URL address included in the published compilation; and (b) which serves to provide  
5 access to other preselected Internet locations.” The predetermined Web site published by  
6 Defendant (a) had a unique URL address (e.g., ow.ly) included in the published  
7 compilation; and (b) which served to provide access to other preselected Internet locations.  
8 Said predetermined Internet location – managed by a link shortening service provider (e.g.,  
9 Hootsuite) – was characterized by means for capturing a desired multi-digit jump code  
10 assigned to said preselected Internet location such that a multi-digit jump code could be  
11 entered by a user after the predetermined Internet location was accessed.

12 d. The user accessed said predetermined Internet location and entered said  
13 desired multi-digit jump code into said predetermined Internet location. Specifically, by  
14 clicking upon a URL embedded in the published compilation, the user accessed the  
15 predetermined Internet location (e.g., ow.ly) and, thereafter, entered the desired multi-digit  
16 jump code at said predetermined Internet location (e.g., ow.ly). As presently advised,  
17 Defendant is vicariously liable for the user’s performance of this step based on (a)  
18 Defendant conditioning participation in an activity (e.g., participating in promotional  
19 offerings) or receipt of a benefit (e.g., receiving promotional offerings or information of  
20 interest) upon the performance of this step – which step is required for the user to reach the  
21 new destination of interest; and (b) Defendant establishing the manner or timing of that  
22 performance – which, by the nature of the publication and the desired outcome from using  
23 the jump code to reach a new destination, necessarily requires performance of this step.

24 e. The link shortening service provider (e.g., Hootsuite) received said multi-  
25 digit jump code entered into said predetermined Internet location after said multi-digit  
26 jump code had been captured at said predetermined Internet location. As presently advised,  
27 Defendant is vicariously liable for a third-party link shortening service provider’s (e.g.,  
28

1 Hootsuite) performance of this step based on the existence of an agreement (see,  
2 <https://hootsuite.com/legal/terms#>) between Hootsuite and Defendant.

3 f. The link shortening service provider (e.g., Hootsuite) converted the  
4 received multi-digit jump code to a URL address corresponding to the desired preselected  
5 Internet location. As presently advised, Defendant is vicariously liable for a third-party link  
6 shortening service provider's (e.g., Hootsuite) performance of this step based on the  
7 existence of an agreement (see, <https://hootsuite.com/legal/terms#>) between Hootsuite and  
8 Defendant.

9 g. The link shortening service provider (e.g., Hootsuite) automatically  
10 accessed said desired preselected Internet location using said URL address corresponding  
11 to said desired preselected Internet location corresponding to said received multi-digit jump  
12 code.

13 14. Defendant has directly infringed at least Claim 11 of the '835 Patent through the  
14 performance of all steps of the claimed method under the doctrine set forth in *Akamai*  
15 *Technologies, Inc. v. Limelight Networks, Inc.*, 797 F.3d 1020 (Fed. Cir. 2015). See also *Travel*  
16 *Sentry, Inc. v. David A. Tropp*, 2016-2386 (Fed. Cir. Dec. 19, 2017). Defendant had the right and  
17 ability to stop or limit the infringement, did not do so, and has profited from such infringement.

18 15. The acts of infringement of the '835 Patent by Defendant have injured Internet  
19 Media, and Internet Media is entitled to recover damages adequate to compensate it for such  
20 infringement from Defendant, but, in no event less than a reasonable royalty.

#### 21 **PRAYER FOR RELIEF**

22 WHEREFORE, Plaintiff Internet Media Interactive Corp. respectfully requests that this  
23 Court enter judgment against Defendant Airbnb, Inc. and against its respective subsidiaries,  
24 successors, parents, affiliates, officers, directors, agents, servants, employees and all persons in  
25 active concert or participation with it, granting the following relief:

26 A. The entry of judgment in favor of Internet Media and against Defendant;  
27  
28

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