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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

GOOGLE LLC, Plaintiff, vs. SONOS, INC., Defendant.	CASE NO. 3:20-CV-3845 **COMPLAINT FOR PATENT INFRINGEMENT** **DEMAND FOR JURY TRIAL**

COMPLAINT FOR PATENT INFRINGEMENT

1. Plaintiff Google LLC ("Google"), by and through its attorneys, and for its Complaint against Sonos, Inc. ("Sonos"), hereby alleges the following:

NATURE OF THE ACTION

2. Google brings this action against Sonos for infringement of U.S. Patent No. 7,899,187 (the "'187 patent"), U.S. Patent No. 8,583,489 (the "'489 patent"), U.S. Patent No. 10,140,375 (the "'375 patent"), U.S. Patent No. 7,065,206 (the "'206 patent"), and U.S. Patent No. 10,229,586 (the "'586 patent") (collectively, the "Patents-in-Suit").

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BACKGROUND

3. Google was founded in 1998, and has a mission to organize the world's information and make it universally accessible and useful. Over the past two decades, in service of that mission, Google has become one of the world's most innovative technology companies.

4. Google's revolutionary advances in search, software, mobile computing, wireless networking, content streaming, machine learning, and voice-assisted technologies including speech recognition and advanced audio processing, have changed and improved millions of lives.

5. As part of its commitment to innovation, Google has invested significantly in extensive research and development efforts, including its own research, as well as investments in and acquisitions of other cutting-edge technology companies. Google is the current assignee of tens of thousands of patents worldwide.

GOOGLE'S PARTNERSHIP WITH SONOS

6. Google partners with other companies to bring Google's innovations to millions of shared customers. In particular, Google has long had a continued partnership with Sonos. In these collaborations, Sonos has repeatedly asked Google for assistance, so that Sonos could employ Google technology to improve Sonos' products.

7. In 2013, Sonos asked for Google's assistance to integrate with Google's popular Play Music service. Google gave Sonos that assistance, and provided significant engineering resources, technical support, and other resources to integrate Sonos' products with Google's Play Music service in 2014.

8. In 2016, Sonos again asked for Google's assistance–this time to integrate with Google's innovative Assistant software. And again, Google was willing to help. Google gave Sonos significant assistance in designing, implementing, and testing a solution that would bring Google's voice recognition software to Sonos' devices. This effort again involved substantial Google engineering resources, including significant months of employee work time, for the initial launch of Google's Assistant on Sonos' products in May 2019.

9. Google is proud of its more than five-year partnership with Sonos, and has worked constructively with Sonos to make the companies' products work seamlessly by building special

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integrations for Sonos. For instance, when Google rolled out the ability to set a Sonos speaker as the default option for Google Assistant, it was the first time Google had done that for any partner company.

10. Sonos has made false claims about the companies' shared work and Google's technology in the lawsuits that Sonos filed against Google earlier this year. While Google rarely sues other companies for patent infringement, it must assert its intellectual property rights here.

SONOS' INFRINGEMENT OF GOOGLE'S INTELLECTUAL PROPERTY

11. Sonos is using substantial volumes of Google's technology, including patented Google innovations in search, software, networking, audio processing, and digital media management and streaming, both in Sonos' hardware products and in Sonos' software and service offerings, including the current-generation Sonos controller application (hereafter "S2 App"), prior-generation Sonos controller application (hereafter "S1 Controller App "), and the Sonos Radio service.

12. Google has patents on innovative technologies that allow networked digital audio devices to create robust wireless communications networks, access and play copy-protected media, adaptively control echo and ambient noise, and search multiple music libraries simultaneously. Sonos is using, without permission, these Google technologies in Sonos' products to enable multiple commercially-desirable features, for example, to allow for easier configuration of and extensions to multi-speaker networks; to facilitate the management and use of multiple music services with Sonos speakers; to permit playing copy-protected digital media, including Sonos' new Sonos Radio service; and to allow Sonos to use noise suppression and echo cancellation to obtain accurate audio input. Sonos uses these technologies to offer a number of products and services, including, *inter alia*, the Sonos One, One SL, Five, Play:1, Play:3, Play:5, Playbar, Playbase, Beam, Arc, Move, Connect:Amp, Amp, Connect, Sub, and the Sonos S1 Controller App and S2 App (collectively, the "Accused Products").

13. Sonos is actively infringing Google's intellectual property. Sonos has no license to use Google's patents. Because Sonos refuses to cease its infringement, and is unwilling to

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recognize the value of Google's technology through a license, Google has filed this suit to protect its intellectual property.

THE PARTIES

14. Plaintiff Google LLC is a subsidiary of Alphabet Inc. with its principal place of business located in Mountain View, California 94043.

15. Defendant Sonos, Inc. is a Delaware corporation with headquarters at 614 Chapala Street, Santa Barbara, California 93101.

JURISDICTION AND VENUE

16. This is a civil action for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code. This Court has exclusive subject matter jurisdiction over this Complaint pursuant to 28 U.S.C. Sections 1331 and 1338(a).

17. This Court has personal jurisdiction over Sonos. Sonos is registered to do business in the State of California (Registration No. C2465272), has its headquarters in the State of California, and has offices in this District. Sonos, directly and through agents, regularly does, solicits, and transacts business in this District and elsewhere in the State of California. Those acts have caused injury to Google, including within this District.

18. Venue is proper in this District under 28 U.S.C. Sections 1391 and 1400(b). Sonos has a regular and established place of business in this District—specifically, offices and employees located at 550 Montgomery Street, Suite 750, San Francisco, CA 94111. Sonos lists this San Francisco office on its website (https://www.sonos.com/en-us/contact, a true and correct copy of which is attached as Exhibit 1), and the Sonos office at this location is advertised by Sonos as a current place of business (including in the building's directory in the public lobby). Sonos has also committed acts of infringement in this District by selling, using, importing, and/or offering for sale the Accused Products in this District.

INTRADISTRICT ASSIGNMENT

19. For purposes of intradistrict assignment under Civil Local Rules 3-2(c) and 3-5(b), this Intellectual Property Action will be assigned on a district-wide basis.

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FIRST CAUSE OF ACTION

(Infringement of Patent No. 7,899,187)

20. Google incorporates all of the above paragraphs as though fully set forth herein.

21. U.S. Patent No. 7,899,187, titled "Domain-Based Digital-Rights Management System with Easy and Secure Device Enrollment," was duly and lawfully issued by the United States Patent and Trademark Office on March 1, 2011. A true and correct copy of the '187 patent is attached to this Complaint as Exhibit 2.

22. Google is the owner by assignment of all rights, title, and interest in the '187 patent, including the right to bring this suit for past and future damages and/or injunctive relief.

23. The '187 patent is valid and enforceable.

24. Sonos infringes one or more claims of the '187 patent, including but not limited to claim 10 (the "Asserted '187 Claims"), directly and/or indirectly via induced infringement and/or by contributory infringement. Sonos infringes the Asserted '187 Claims by making, using, importing, selling for importation, and/or selling after importation into the United States at least the Sonos One, One SL, Play:1, Play:3, Play:5, Playbar, Playbase, Beam, Move, Connect:Amp, Amp, Connect, Port, and Sub products (the "Accused '187 Products") in violation of 35 U.S.C. Sections 271(a)-(b). On information and belief, the Accused '187 Products satisfy all claim limitations of the Asserted '187 Claims at the time of their importation into and/or sale in the United States.

25. Sonos had actual knowledge of the '187 patent or was willfully blind to its existence at least as early as October 25, 2016, and no later than the filing of this action.

26. Sonos directly infringes the Asserted '187 Claims by making, using, offering to sell, or selling the Accused '187 Products in the United States and by importing the Accused '187 Products into the United States in violation of 35 U.S.C. Section 271(a). Sonos infringes at least claim 10 of the '187 patent for at least the following reasons:

27. To the extent the preamble is limiting, the Accused '187 Products each constitute an apparatus.

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