

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

HYPERMEDIA NAVIGATION LLC,

Plaintiff,

v.

MICROSOFT CORPORATION,

Defendant.

CIVIL ACTION NO. 2:17-cv-647

JURY TRIAL DEMANDED

ORIGINAL COMPLAINT

This is an action for patent infringement in which Hypermedia Navigation LLC (“Hypermedia”) makes the following allegations against Microsoft Corporation (“Defendant”):

PARTIES

1. Hypermedia Navigation LLC is a Texas limited liability company with a principle place of business located at 5068 W. Plano Parkway, Suite 300, Plano, TX 75093.

2. Microsoft Corporation is a corporation organized and existing under the laws of Washington, with its principal place of business located at 1 Microsoft Way, Redmond, WA 98052. Defendant may be served with process through its registered agent, Corporation Service Company, 300 Deschutes Way SW, Ste. 304, Tumwater, WA 98501.

JURISDICTION AND VENUE

3. This is an action for infringement of a United States patent arising under 35 U.S.C. §§ 271(a), 281, and 284 - 85. This Court has subject matter jurisdiction over this action under 28 U.S.C. §1331 and §1338(a).

4. Venue is proper in this district pursuant to 28 U.S.C. § 1400(b). Defendant maintains a regular place of business within this Judicial District at 2601 Preston Rd., #1176, Frisco, TX 75034, and has committed acts of infringement within this Judicial District.

5. Defendant is subject to this Court's specific and general personal jurisdiction pursuant to due process and/or the Texas Long Arm Statute, due at least to Defendant's substantial business in this forum, 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 Texas and in this district.

THE HYPERMEDIA PATENTS

6. The Hypermedia Patents disclose the solution to a problem created by internet web navigation which lacked linear navigation for media elements such as television shows, movies, radio programs, concert viewings, which were increasingly unorganized with virtually unlimited number of choices, for example, searching for a content on the search term "President" in December 1998 on www.Facebook.com would yield non-linear results.

7. In 1998, one of the major search engine, Yahoo!'s search engine provided this simple categorical home page with no media content navigation.

http://www.yahoo.com/80/ JUL DEC JAN
1997 12 1998 2000

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8. Search results through browsers were lists of links with no linear navigation for media elements such as videos, images, and/or audio files or websites, for example, a search result for president would look like this in 1999:

The screenshot shows a Yahoo! search results page for the keyword "president". The search bar at the top contains the URL "http://search.yahoo.com/B?fr=search&search=president". The page displays a list of category matches, including links to various news articles and websites related to the president. The results are organized into a table with columns for Categories, Web Sites, Web Pages, Related News, and Net Events. The page also includes a "Next 20 Matches" button and a search bar for further refinement.

Search Result: Found 46 categories and 923 sites for president

Categories	Web Sites	Web Pages	Related News	Net Events
Yahoo! Category Matches (1 - 20 of 46)				
Government > U.S. Government > Executive Branch > Clinton Administration > Independent Counsel Investigations > Kenneth Starr Investigation of President and Hillary Rodham Clinton				
Government > U.S. Government > Executive Branch > Departments and Agencies > Executive Office of the President				
Business and Economy > Companies > Gambling > Casinos > President Riverboat Casino				
Society and Culture > Holidays and Observances > President's Day				
Entertainment > Movies and Film > Titles > Comedy > American President, The				
Arts > Humanities > History > U.S. History > 20th Century > 1970s > Watergate > All The President's Men				
Government > U.S. Government > Executive Branch > Clinton Administration > Vice President Al Gore				
Entertainment > Movies and Film > Titles > Drama > All The President's Men				
Entertainment > Humor > By Topic > Computers and Internet > Microsoft > Gates, Bill > Bill Gates for President				
Recreation > Sports > Triathlon > Competitions > President's Choice Triathlon Series				
Regional > Countries > Macedonia, Former Yugoslav Republic of > Government > Kiro Gligorov, President of Macedonia				
Full Coverage > US > Presidential Election 2000				
Arts > Humanities > History > U.S. History > People > President				
Government > U.S. Government > Politics > Parties > Republican Party > 2000 Presidential Election				
Government > U.S. Government > Politics > Elections > Presidential Elections				
Government > U.S. Government > Politics > Elections > 1996 U.S. Elections > Presidential Election				
Government > U.S. Government > Politics > Parties > Republican Party > 1996 Presidential Election				
Government > U.S. Government > Politics > Humor > 2000 Presidential Election				
Government > U.S. Government > Politics > Humor > 1996 Presidential Election				
Net Events > Government > Politics > 2000 US Presidential Elections				

[Next 20 Matches](#)

Categories	Web Sites	Web Pages	Related News	Net Events
president <input type="text"/> Next Search advanced search help				

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9. The Hypermedia patents solved this problem by creating a linear navigation resource program to navigate media elements by pulling multiple media elements from multiple hypermedia resources from multiple remote information nodes and provides them to the subscriber station through an interface which provides presentation of a media element and a linear navigation through a path of additional media elements.

10. On June 3, 2008, United States Patent No. 7,383,323 (the “’323 patent”) was duly and legally issued by the United States Patent and Trademark Office for an invention titled “System and Method for Creating and Navigating a Linear Hypermedia Resource Program.” A true and correct copy of the ’323 patent is attached hereto as Exhibit A.

11. On June 3, 2008, United States Patent No. 7,383,324 (the “’324 patent”) was duly and legally issued by the United States Patent and Trademark Office for an invention titled

“System and Method for Creating and Navigating a Linear Hypermedia Resource Program.” A true and correct copy of the ’324 patent is attached hereto as Exhibit B.

12. On September 9, 2008, United States Patent No. 7,424,523 (the “’523 patent”) was duly and legally issued by the United States Patent and Trademark Office for an invention titled “System and Method for Creating and Navigating a Linear Hypermedia Resource Program.” A true and correct copy of the ’523 patent is attached hereto as Exhibit C.

13. On January 13, 2009, United States Patent No. 7,478,144 (the “’144 patent”) was duly and legally issued by the United States Patent and Trademark Office for an invention titled “System and Method for Creating and Navigating a Linear Hypermedia Resource Program.” A true and correct copy of the ’144 patent is attached hereto as Exhibit D.

14. On August 3, 2010, United States Patent No. 7,769,830 (the “’830 patent”) was duly and legally issued by the United States Patent and Trademark Office for an invention titled “System and Method for Creating and Navigating a Linear Hypermedia Resource Program.” A true and correct copy of the ’830 patent is attached hereto as Exhibit E.

15. On August 21, 2012, United States Patent No. 8,250,173 (the “’173 patent”) was duly and legally issued by the United States Patent and Trademark Office for an invention titled “System and Method for Creating and Navigating a Linear Hypermedia Resource Program.” A true and correct copy of the ’173 patent is attached hereto as Exhibit F.

16. On July 14, 2015, United States Patent No. 9,083,672 (the “’672 patent”) was duly and legally issued by the United States Patent and Trademark Office for an invention titled “System and Method for Creating and Navigating a Linear Hypermedia Resource Program.” A true and correct copy of the ’672 patent is attached hereto as Exhibit G.

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