

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

CODING TECHNOLOGIES, LLC,

Plaintiff,

vs.

HYVEE, INC.

Defendant.

§
§
§
§
§
§
§
§
§
§

Case No: 8:20-cv-159

PATENT CASE

COMPLAINT

Plaintiff Coding Technologies, LLC (“Plaintiff” or “CT”) files this Complaint against HyVee, Inc. (“Defendant” or “HyVee”) for infringement of United States Patent No. 8,540,159 (the “ ‘159 Patent”).

PARTIES AND JURISDICTION

1. This is an action for patent infringement under Title 35 of the United States Code. Plaintiff is seeking injunctive relief as well as damages.

2. Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331 (Federal Question) and 1338(a) (Patents) because this is a civil action for patent infringement arising under the United States patent statutes.

3. Plaintiff is a Texas limited liability company with a place of business at 1801 NE 123 Street, Suite 314, Miami, FL 33181.

4. On information and belief, Defendant is an Iowa corporation with a principal office address of 5820 Westown Pkwy., West Des Moines, IA, 50266. On information and belief, Defendant may be served through its agent, Michael Jurgens, 5820 Westown Pkwy., West Des Moines, IA, 50266.

5. This Court has personal jurisdiction over Defendant because Defendant has committed, and continues to commit, acts of infringement in this District, has conducted business in this District, and/or has engaged in continuous and systematic activities in this District.

6. Upon information and belief, Defendant's instrumentalities that are alleged herein to infringe were and continue to be used, imported, offered for sale, and/or sold in this District.

VENUE

7. On information and belief, venue is proper in this District under 28 U.S.C. § 1400(b) because acts of infringement are occurring in this District and Defendant has a regular and established place of business in this District at, for example, 5212 3rd Ave, Kearney, NE 68845.

COUNT I **(INFRINGEMENT OF UNITED STATES PATENT NO. 8,540,159)**

8. Plaintiff incorporates paragraphs 1 through 7 herein by reference.

9. This cause of action arises under the patent laws of the United States and, in particular, under 35 U.S.C. §§ 271, *et seq.*

10. Plaintiff is the owner by assignment of the '159 Patent with sole rights to enforce the '159 Patent and sue infringers.

11. A copy of the '159 Patent, titled "Method for Providing Mobile Service Using Code-pattern," is attached hereto as Exhibit A.

12. The '159 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

13. Upon information and belief, at least through internal testing, Defendant has infringed and continues to infringe one or more claims, including at least Claim 1 of the '159 Patent by using and/or incorporating code patterns in connection with promotional media distributed by and/or controlled by Defendant in a manner covered by one or more claims of the '159 Patent. Defendant has infringed and continues to infringe the '159 Patent in violation of 35 U.S.C. § 271.

14. Regarding Claim 1, at least through internal use and testing, Defendant provides content (e.g., a website with promotional information) with the use of a code pattern (e.g., a QR code) in connection with promotional media containing the code pattern. The content is provided by a user terminal (e.g., a smartphone or other device capable of scanning the code pattern). Certain aspects of this element are illustrated in the screenshots below.



Source: https://images-global.nhst.tech/image/eDF3WjNDV1dOekpiZUsvMUXscTYvQT09/nhst/binary/7d9d92a1e77cfc996211b95972623dbe?image_version=640

15. A photographic image of the code pattern (e.g., image of QR code) is obtained using a camera of the user terminal (e.g., the camera of the smartphone). These elements are illustrated in the screenshots below and/or in screenshots provided in connection with other allegations herein.



Source: Screenshot taken from Smartphone

16. A processor of the user terminal processes the photographic image of the code pattern to extract the code pattern (e.g., image of QR code) from the photographic image. The extracted code pattern can be viewed by the user. Certain aspects of this element are illustrated in the screenshots below and/or screenshots referenced in other paragraphs herein.



Source: Screenshot taken from Smartphone

17. The extracted code pattern is decoded by the processor of the user terminal (e.g., smartphone processor) into code information (e.g., the URL of the web page associated with Defendant). For example, the Smartphone decodes the QR code on the object image captured from the smartphone's camera to obtain a decoded hyperlink. Certain aspects of this element are illustrated in the screenshots below and/or screenshots referenced in other paragraphs herein.

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.