

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK
MANHATTAN DIVISION**

AML IP, LLC, Plaintiff,)	
)	
)	Civil Action No. 1:21-cv-04090
v.)	
)	
TENCENT AMERICA LLC)	JURY TRIAL DEMANDED
Defendant.)	

PLAINTIFF’S ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

AML IP, LLC (“AML”) files this Original Complaint and demand for jury trial seeking relief from patent infringement of the claims of 7,177,838 (“the ‘838 patent”) (referred to as the “Patent-in-Suit”) by Tencent America LLC (“Tencent”).

I. THE PARTIES

1. Plaintiff AML is a Texas Limited Liability Company with its principal place of business located in Travis County, Texas.

2. On information and belief, Tencent is a limited liability company existing under the laws of the State of California, with a principal place of business located at 7 Bryant Park, New York, US 10018. On information and belief, Tencent sells and offers to sell products and services throughout New York, including in this judicial district, and introduces products and services that perform infringing methods or processes into the stream of commerce knowing that they would be sold in New York and this judicial district. Tencent may be served through Paracorp Incorporated, 2804 Gateway Oaks Dr. #100, Sacramento, California, 95833 or anywhere they may be found.

II. JURISDICTION AND VENUE

3. This Court has original subject-matter jurisdiction over the entire action pursuant to 28 U.S.C. §§ 1331 and 1338(a) because Plaintiff's claim arises under an Act of Congress relating to patents, namely, 35 U.S.C. § 271.

4. This Court has personal jurisdiction over Defendant because: (i) Defendant is present within or has minimum contacts within the State of New York and this judicial district; (ii) Defendant has purposefully availed itself of the privileges of conducting business in the State of New York and in this judicial district; and (iii) Plaintiff's cause of action arises directly from Defendant's business contacts and other activities in the State of New York and in this judicial district.

5. Venue is proper in this district under 28 U.S.C. §§ 1391(b) and 1400(b). Defendant has committed acts of infringement and has a regular and established place of business in this District. Further, venue is proper because Defendant conducts substantial business in this forum, 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 New York and this District.

III. INFRINGEMENT

A. Infringement of the '838 Patent

6. On February 13, 2007, U.S. Patent No. 7,177,838 ("the '838 patent", attached as Exhibit A) entitled "Method and Apparatus for Conducting Electronic Commerce Transactions Using Electronic Tokens" was duly and legally issued by the U.S. Patent and Trademark Office. AML IP, LLC owns the '838 patent by assignment.

7. The '838 patent relates to a novel and improved methods and apparatuses for conducting electronic commerce.

8. Tencent maintains, operates, and administers micropayment products and services that facilitate purchases from a vendor at micropayment levels, wherein prices for the products and services are listed in units of electronic tokens that infringes one or more claims of the '838 patent, including one or more of claims 1-28, literally or under the doctrine of equivalents. Defendant put the inventions claimed by the '838 Patent into service (i.e., used them); but for Defendant's actions, the claimed-inventions embodiments involving Defendant's products and services would never have been put into service. Defendant's acts complained of herein caused those claimed-invention embodiments as a whole to perform, and Defendant's procurement of monetary and commercial benefit from it.

9. Support for the allegations of infringement may be found in the following preliminary table:

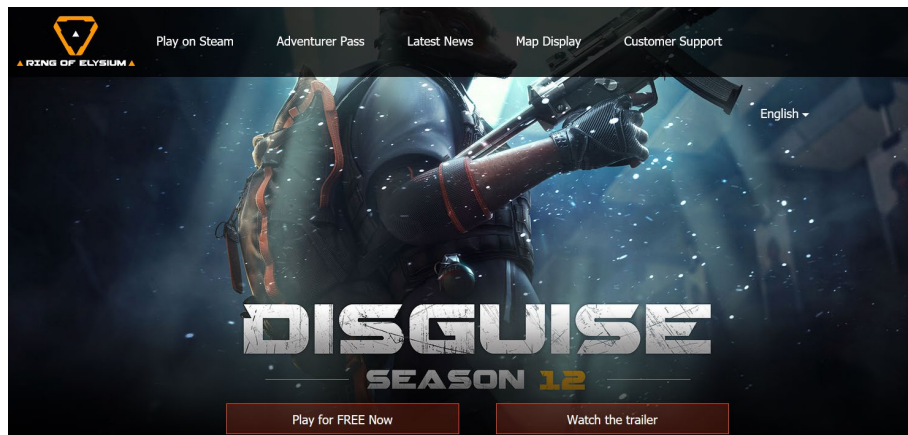
Claim	Analysis
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[1.1] A method of conducting electronic commerce over the Internet using micropayments, the method comprising:

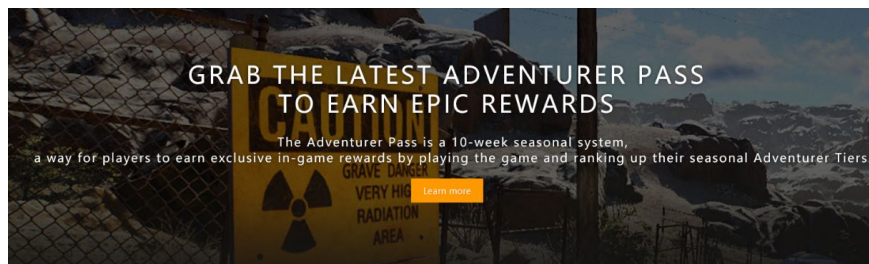
To the extent the preamble is limiting, Tencent America performs and induces others to perform a method of conducting electronic commerce over the Internet using micropayments.

This element is infringed literally, or in the alternative, under the doctrine of equivalents.

For example, Tencent provides Ring of Elysium, a free-to-play, multiplayer online battle royale game. The game supports microtransactions allowing the users to make in-game purchases for in-game currency, and/or other items such as avatars and weapons.



Source: <https://www.ringofelysiumonline.com/>



Source: <https://www.ringofelysiumonline.com/>

FAQ

Q: How do you get the Adventurer Pass? And how much does it cost?

Q A: The Adventurer Pass is separated into two parts: the first part being the Free Pass, all players can obtain rewards by playing the game and increasing their season tiers without any sort of payment. The second part is the Adventurer Pass, which is available for purchase for 950 E-Points, a premium currency obtained with real-world money via Steam payment. There will be no options to buy the Adventurer Pass directly with real-world money.

Source: <https://www.ringofelysiumonline.com/en-US/adventurerpass/index.html>

•Introducing the latest Weapon Skin Supply Box- Infinity Supply Box!

•The cost of opening a single Infinity Supply Box is 100 E-points



Source:

https://www.ringofelysiumonline.com/webplat/info/news_version3/37706/37707/37711/37712/m21630/201904/804916.shtml

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