

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

DISH TECHNOLOGIES L.L.C. and SLING  
TV L.L.C.

*Plaintiffs,*

v.

PELTON INTERACTIVE, INC.

*Defendant.*

C.A. No. \_\_\_\_\_

**JURY TRIAL DEMANDED**

**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiffs DISH Technologies L.L.C. and Sling TV L.L.C. (collectively, “DISH”) allege against Defendant Peloton Interactive, Inc. (“Peloton”) as follows:

**PARTIES**

1. Plaintiff DISH Technologies L.L.C. is a limited liability company organized and existing under the laws of the State of Colorado, with its principal place of business at 9601 South Meridian Boulevard, Englewood, Colorado 80112. It provides innovation and technology services and products to, among others, the DISH Network® satellite pay TV service operated by DISH Network L.L.C. and the Sling TV® streaming pay TV service operated by Sling TV L.L.C.

2. Plaintiff Sling TV L.L.C. is a limited liability company organized and existing under the laws of the State of Colorado, with its principal place of business at 9601 South Meridian Boulevard, Englewood, Colorado 80112. It operates the Sling TV® streaming pay TV service.

3. On information and belief, Defendant Peloton Interactive, Inc. is a corporation existing under the laws of the State of Delaware, with its principal place of business at 125 West 25th Street, 11th Floor, New York, New York 10001. On information and belief, Peloton Interactive,

Inc. operates online streaming services through its Peloton Application and Peloton Devices (e.g., Peloton Bike and Peloton Tread). This Defendant has appointed Corporation Service Company at 251 Little Falls Drive, Wilmington DE 19808 as its agent for service of process.

### **JURISDICTION AND VENUE**

4. DISH asserts a claim for patent infringement against Peloton arising under the patent laws of the United States, Title 35 of the United States Code. Accordingly, this Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

5. This Court has personal jurisdiction over Peloton for at least the following reasons: (1) Peloton has committed acts of patent infringement and contributed to and induced acts of patent infringement by others in this District; (2) Peloton regularly does business or solicits business in this District; (3) Peloton engages in other persistent courses of conduct and derives substantial revenue by its offering of infringing products and services and providing infringing products and services in this District; and (4) Peloton has purposefully established substantial, systematic, and continuous contacts with this District and should reasonably expect to be subject to suit here by its offering of infringing products and services and providing infringing products and services in this District.

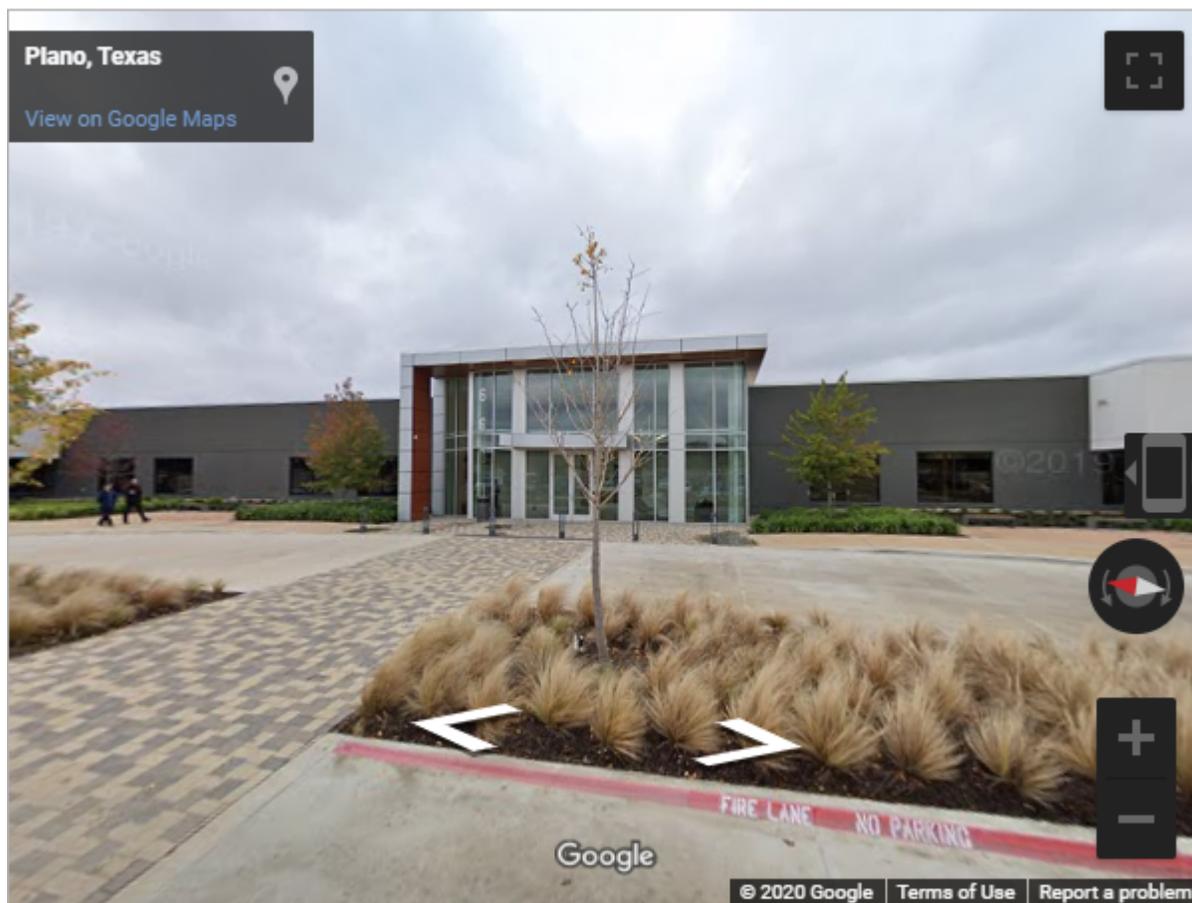
6. Peloton has been registered to do business in Texas since at least May 27, 2015, has been assigned Texas Taxpayer No. 32057346739, and has a Texas registered agent, Corporation Service Company dba CSC-Lawyers Incorporating Service Company, located at 211 East 7<sup>th</sup> Street, Suite 620, Austin, TX 78701.

7. Peloton, directly and through subsidiaries or intermediaries (including distributors, retailers, and others), has purposefully and voluntarily placed its infringing products into this District and into the stream of commerce with the intention and expectation that the infringing

products will be purchased for use in this District. Peloton has offered for sale and sold, and continues to offer for sale and sell, infringing products for delivery and use in this District.

8. Venue is proper in the District of Texas under at least 28 U.S.C. §§ 1391(b), (c) and/or 1400(b) at least because, on information and belief, Peloton has committed acts of infringement in the State of Texas, including but not limited to offering products or services that infringe one or more of DISH's asserted patents to customers located in Texas and/or for use in Texas.

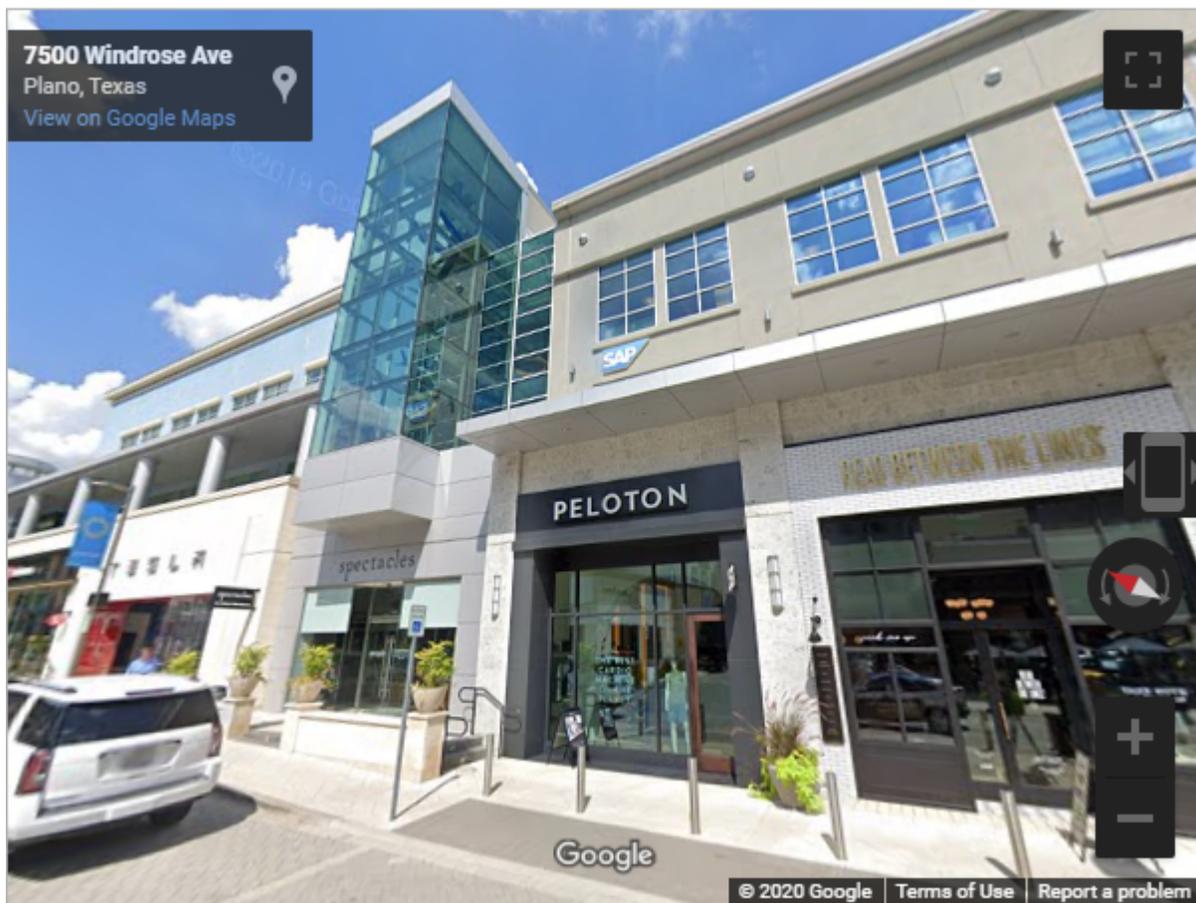
9. Peloton has a regular and established places of business in this District because it has dedicated, physical places for its operations in this District. On information and belief, Peloton has a second corporate headquarters, in Plano's Legacy Central development located at 6600 Chase Oaks Blvd., Plano, TX 75023. *See* Complaint ¶¶ 7, 41, *Peloton Interactive, Inc. v. Flywheel Sports, Inc.*, No. 2-19-cv-00317 (E.D. Tex. Sept. 20, 2019); *see also* Exhibit 1 (stating that Peloton has "rented 27,518 square feet of office space" at Legacy Central for its "first member support center located outside of its New York City headquarters"). Peloton's second corporate headquarters is pictured below.



Peloton Head Quarters 2, 6600 Chase Oaks Blvd, Plano, TX 75023, GOOGLE MAPS, <https://goo.gl/maps/fJUAzt7Xc4hgzDkQ8> (last visited on Dec. 2, 2020). In December 2020, Peloton announced that it would be expanding its second corporate headquarters by 103,759 square feet of office space and up to 1,600 more jobs. Exhibit 2; *see also* Exhibit 3 at 19 (stating that the lease term for the Plano corporate headquarters is extended through January 2029 and Peloton expects to begin preparing the additional square footage for use as an office facility on December 1, 2020).

10. In addition to having a corporate headquarters in this judicial district, Peloton also has a showroom in Plano's Legacy West development located at 7500 Windrose Avenue, Plano, Texas 75024. Complaint ¶ 7, *Peloton Interactive, Inc. v. Flywheel Sports, Inc.*, No. 2-19-cv-00317 (E.D.

Tex. Sept. 20, 2019); *see also* Exhibit 1 (stating that Peloton has “opened a new showroom at Legacy West in Plano”); Exhibit 4. Peloton’s Plano showroom is pictured below.



7500 Windrose Ave b165, Plano, TX 75024, GOOGLE MAPS, <https://goo.gl/maps/Enceoqvg9hMkyuPH8> (last visited on Dec. 2, 2020).

11. Peloton has a regular and established place of business because, on information and belief, Peloton has employees and other agents regularly conducting business at its second corporate headquarters and showroom located in this District. Exhibit 1 at 2 (“Peloton will hire up to 400 people to work in the Plano location”); Exhibit 4 (offering “a personalized walkthrough of the Peloton Bike or Tread by a dedicated sales associate” at the Plano Legacy West location).

12. Peloton also has a regular and established place of business because Peloton’s Plano corporate headquarters and Plano showroom are a place of Peloton. On information and belief,

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