

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

<b>Cedar Lane Technologies Inc.,</b>  Plaintiff,  v.  <b>Dish Network, L.L.C. ,</b>  Defendant.	Case No. 6:20-cv-947  Patent Case  Jury Trial Demanded
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**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff Cedar Lane Technologies Inc. (“Plaintiff”), through its attorneys, complains of Dish Network, L.L.C. (“Defendant”), and alleges the following:

**PARTIES**

1. Plaintiff Cedar Lane Technologies Inc. is a corporation organized and existing under the laws of Canada that maintains its principal place of business at 560 Baker Street, Suite 1, Nelson, BC V1L 4H9.

2. Defendant Dish Network, L.L.C. is a corporation organized and existing under the laws of Colorado that maintains multiple established places of business in this District: (1) a customer call center, warehouse, service, and remanufacturing center in El Paso, Texas; (2) a micro digital broadcast operations center in Mustang Ridge, Texas; (3) a regional digital broadcast operations center in New Braunfels, Texas; and (4) property at 1285 Joe Battle Boulevard, El Paso, Texas.

**JURISDICTION**

3. This is an action for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code.

4. This Court has exclusive subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

5. This Court has personal jurisdiction over Defendant because it has engaged in systematic and continuous business activities in this District. As described below, Defendant has committed acts of patent infringement giving rise to this action within this District.

#### **VENUE**

6. Venue is proper in this District under 28 U.S.C. § 1400(b) because Defendant has committed acts of patent infringement in this District, and has an established place of business in this District.

#### **PATENTS-IN-SUIT**

7. Plaintiff is the assignee of all right, title and interest in United States Patent Nos. 6,502,194; 6,526,411; 6,721,489; 7,173,177; 7,642,443; 8,165,867 (the “Patents-in-Suit”); including all rights to enforce and prosecute actions for infringement and to collect damages for all relevant times against infringers of the Patents-in-Suit. Accordingly, Plaintiff possesses the exclusive right and standing to prosecute the present action for infringement of the Patents-in-Suit by Defendant.

#### **THE ’194 PATENT**

8. The ’194 Patent is entitled “System for playback of network audio material on demand,” and issued 12/31/2002. The application leading to the ’194 Patent was filed on 04/16/1999. A true and correct copy of the ’194 Patent is attached hereto as Exhibit 1 and incorporated herein by reference.

9. The ’194 Patent is valid and enforceable.

#### **THE ’411 PATENT**

10. The '411 Patent is entitled "System and method for creating dynamic playlists," and issued 02/25/2003. The application leading to the '411 Patent was filed on 11/15/2000. A true and correct copy of the '411 Patent is attached hereto as Exhibit 2 and incorporated herein by reference.

11. The '411 Patent is valid and enforceable.

**THE '489 PATENT**

12. The '489 Patent is entitled "Play list manager," and issued 04/13/2004. The application leading to the '489 Patent was filed on 03/08/2000. A true and correct copy of the '489 Patent is attached hereto as Exhibit 3 and incorporated herein by reference.

13. The '489 Patent is valid and enforceable.

**THE '177 PATENT**

14. The '177 Patent is entitled "User interface for simultaneous management of owned and unowned inventory," and issued 02/06/2007. The application leading to the '177 Patent was filed on 10/29/2003. A true and correct copy of the '177 Patent is attached hereto as Exhibit 4 and incorporated herein by reference.

15. The '177 Patent is valid and enforceable.

**THE '443 PATENT**

16. The '443 Patent is entitled "User interface for simultaneous management of owned and unowned inventory," and issued 01/05/2010. The application leading to the '443 Patent was filed on 08/29/2006. A true and correct copy of the '443 Patent is attached hereto as Exhibit 5 and incorporated herein by reference.

17. The '443 Patent is valid and enforceable.

**THE '867 PATENT**

18. The '867 Patent is entitled "Methods for translating a device command," and issued 04/24/2012. The application leading to the '867 Patent was filed on 09/15/2000. A true and correct copy of the '867 Patent is attached hereto as Exhibit 6 and incorporated herein by reference.

19. The '867 Patent is valid and enforceable.

**COUNT 1: INFRINGEMENT OF THE '194 PATENT**

20. Plaintiff incorporates the above paragraphs herein by reference.

21. **Direct Infringement.** Defendant has been and continues to directly infringe one or more claims of the '194 Patent in at least this District by making, using, offering to sell, selling and/or importing, without limitation, at least the Defendant products identified in the charts incorporated into this Count below (among the "Exemplary Defendant Products") that infringe at least the exemplary claims of the '194 Patent also identified in the charts incorporated into this Count below (the "Exemplary '194 Patent Claims") literally or by the doctrine of equivalents. On information and belief, numerous other devices that infringe the claims of the '194 Patent have been made, used, sold, imported, and offered for sale by Defendant and/or its customers.

22. Defendant also has and continues to directly infringe, literally or under the doctrine of equivalents, the Exemplary '194 Patent Claims, by having its employees internally test and use these Exemplary Products.

23. Exhibit 7 includes charts comparing the Exemplary '194 Patent Claims to the Exemplary Defendant Products. As set forth in these charts, the Exemplary Defendant Products practice the technology claimed by the '194 Patent. Accordingly, the Exemplary

Defendant Products incorporated in these charts satisfy all elements of the Exemplary '194 Patent Claims.

24. Plaintiff therefore incorporates by reference in its allegations herein the claim charts of Exhibit 7.

25. Plaintiff is entitled to recover damages adequate to compensate for Defendants infringement.

## **COUNT 2: INFRINGEMENT OF THE '411 PATENT**

26. Plaintiff incorporates the above paragraphs herein by reference.

27. **Direct Infringement.** Defendant has been and continues to directly infringe one or more claims of the '411 Patent in at least this District by making, using, offering to sell, selling and/or importing, without limitation, at least the Defendant products identified in the charts incorporated into this Count below (among the "Exemplary Defendant Products") that infringe at least the exemplary claims of the '411 Patent also identified in the charts incorporated into this Count below (the "Exemplary '411 Patent Claims") literally or by the doctrine of equivalents. On information and belief, numerous other devices that infringe the claims of the '411 Patent have been made, used, sold, imported, and offered for sale by Defendant and/or its customers.

28. Defendant also has and continues to directly infringe, literally or under the doctrine of equivalents, the Exemplary '411 Patent Claims, by having its employees internally test and use these Exemplary Products.

29. **Actual Knowledge of Infringement.** The service of this Complaint upon Defendant constitutes actual knowledge of infringement as alleged here.

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