

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

**INTERNET MEDIA INTERACTIVE  
CORPORATION,**

**Plaintiff,**

**v.**

**AARP SERVICES INC.,**

**Defendant.**

**Civil Action No.:**

**JURY TRIAL DEMANDED**

---

**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff Internet Media Interactive Corporation (“IMIC”) makes the following claims for relief against Defendant AARP Services Inc. (“AARP”) as follows:

**NATURE OF LAWSUIT**

1. This is a claim for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code § 1 *et seq.* This Court has exclusive jurisdiction over the subject matter of the Complaint under 28 U.S.C. §§ 1331 and 1338(a).

**PARTIES AND PATENT**

2. Plaintiff IMIC is a Delaware corporation with its principal place of business at 625 Barksdale Professional Center, Suite 113, Newark, Delaware 19711.

3. IMIC owns and has all right, title and interest in United States Patent No. 6,049,835 (“the ‘835 Patent”), entitled “System For Providing Easy Access To The World Wide Web Utilizing A Published List Of Preselected Internet Locations Together With Their Unique Multi-Digit Jump Codes,” which issued on April 11, 2000. Hence, IMIC has the exclusive right to license and enforce the ‘835 Patent and to collect damages for infringement. IMIC, thus, has standing to sue for infringement of the ‘835 Patent. A copy of the ‘835 Patent is attached as

Exhibit A. The '835 Patent is generally directed to a system and method for quickly and easily accessing preselected desired addresses or URLs on the Internet.

4. AARP is a corporation organized under the laws of the State of Delaware with The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801 as its registered agent. AARP's principal place of business is at 601 East Street NW, Washington, District of Columbia 20049.

5. AARP provides and operates the website [www.aarp.org](http://www.aarp.org) and related URLs and also distributes advertisements instructing recipients to enter a code.

### **JURISDICTION AND VENUE**

6. IMIC's claim for patent infringement against AARP arises under the patent laws of the United States including 35 U.S.C. §§271 and 281. Consequently, this Court has original subject matter jurisdiction over this suit pursuant to 28 U.S.C. §§1331 and 1338.

7. AARP is subject to the specific personal jurisdiction of the Court because it is a Delaware corporation and, among other things, it have committed acts within Delaware and this judicial district giving rise to this action, and it has minimum contacts with the forum such that the exercise of jurisdiction over the Defendant would not offend traditional notions of fair play and substantial justice, as shown by, for example, directing advertisements at residents of Delaware.

8. Venue is proper in this judicial district under 28 U.S.C. §§ 1391 and 1400(b).

### **DEFENDANT'S ACTS OF PATENT INFRINGEMENT**

9. Defendant publishes ads with an assigned code, referred to as a "QR code."

10. For example, Defendant publishes the following ads containing a QR code in AARP Magazine:

huge smile on her face. "You gotta watch Kath," she says. "You need something, she'll give it to you. I was looking for some earrings earlier and she said, 'Take mine'."

On air, the two women have taken TMI (too much information) to new heights: Today viewers know, for instance, that the 5-foot-6-inch Kath, 48, likes her men on the chunky side, and that Gifford, 59, prefers not to partake of certain feminine waxing trends. It's all part of a raucous daily give-and-take that has made the women not just professional colleagues but close friends.

The pair move into Gifford's bedroom, where they paw through a rack of clothing options for the day.

"That's a beach cover-up, right?" asks Kath, holding up a colorful but skimpy shirt.

**SCANTIES** Now See Kath, Lee and Hoda take a dip in the pool at our photo shoot.

Kath, then a *Dateline* NBC correspondent who'd divorced that same year, had begun working on the fourth hour of the Today show with NBC newswomen Ann Curry and Natalie Morales, but the chemistry of the threesome wasn't working. "It was a bore," says Kath. "It needed trouble!" offers Gifford.

Enter Kathie Lee. One day that fall, Kath, who had never met Gifford, spotted her at a restaurant and had a brainstorm. She introduced herself and invited Gifford to make a guest appearance on the show as cohost.

"It's a dream!" exclaims Gifford. The day she guest-hosted with Kath, sparks flew. "She changed the room the minute she got there," Kath recalls. "People were laughing."

But when Today show producers asked Gifford to consider cohosting permanently, she declined. She was happy with her life, and besides, she didn't think she could ever again match the chemistry she had with Regis Philbin. "It's so hard to find magic the first time," Gifford says.

Still, she agreed to discuss the proposition with Kath over a meal, and the get-together caught them both by surprise. "I only knew the *Dateline* Hoda," Gifford explains, "but I had lunch with the happy hour Hoda. I loved her!"

Four hours into the conversation, Gifford told Kath, "You're the kind of person I'd be friends with for the rest of my life." So in April 2008, the fourth hour of Today with Kathie Lee and Hoda launched. From the beginning, the idea was for the women to be loose, candid and lighthearted.

"There are enough channels

the wounds of war weren't remotely healed. Usually, when you're entrenched in a war, the hatreds no sleep. But he said 'No, no, I'm going home.'"

**Best Quality** I lack good friends. I'm almost choosy to be in my world, and everyone around me is awesome.

**Nightstand Essentials** My reading glasses—seven pairs, because I break and lose everything. And Regina Brett's book, *God Never Sleeps*. It's full of daily life lessons. She has just such great beautiful insight.

**Zoning in on 50** Kathie Lee regularly tells me that I'm paranoiacal—and I must yell, so stop rushing me!

**Next Big Thing** I'ma beaver. But the next great low can be around the corner. Anderson Cooper's work (*Storia Vandenberg*) once said, "I love falling in love." That totally fit me up. I really want to meet the right guy for me.

around where people can get a heavy dose of breaking and bad news," says Kath. "Our show is a place to forget your troubles."

"We don't take ourselves seriously," adds Gifford. "If we're having fun, our audience has fun. Fun is contagious."

**Case in point:** Gifford and Kath are poolside. It's warm, and, as happens so often on their show, the pinochle is flowing. Gifford points at the bottle and says, "It was Jesus' first miracle."

She and Kath didn't start out drinking on the air, but a few years back,

**NEW FOR YOU FROM AARP**

**TheMail**

May 2013 was especially inspiring, positive and age-friendly to baby boomers and older. Not all 50-plus citizens of the United States are bedridden and ill! Applaud the articles on Beverly Johnson and David Murdock. Keep up the good work.

**PHILLIP TURNER**  
Twitter

**You Like Mike!**

I've been friends with Michael J. Fox ("Frasier," "Ally McBeal," "The X-Files") for 16 years, and what you see is what you get—a smart, no-nonsense guy who happens to be enormously talented, incredibly sincere and self-deprecatingly funny. He's a committed husband and father and one of the most down-to-earth guys you could ever want to call a friend. Pity is indeed the very last thing Michael would want from anyone. What he does want is to enjoy his family and continue sharing his talents with all the fans who can't help but love this guy. I count myself among them.

**DAVID M. PETROU**  
Washington, DC

Michael, you are an inspiration to us all! It's hard not to get depressed and feel sorry for yourself when you are living with a chronic disease. I have to remind myself of this because I have diabetes and a few other illnesses. Seeing how upbeat and strong you are helps us see how good life is.

**JOANNE HARRIS**  
From AARP.org

**A Path to Wellness**

Of all the issues of AARP The Magazine, I must say this one (April/

**Get Healthy With These Nourishing Foods**

Avocados, mangoes, oatmeal butter and granola may have a lot of calories, but they can help fight illness and make you stronger. Want to learn about other delicious high-cal nutritional winners? Check out [aarp.org/highcaloriefoods](http://aarp.org/highcaloriefoods).

**SEND YOUR LETTERS** To The Mail, AARP The Magazine, 605 E. 3rd, NW, Washington, DC 20049, or email [yourletter@aarp.org](mailto:yourletter@aarp.org). Tweet us @aarpmag. Submissions may be edited.

**FOR THE BLIND** Listen to AARP The Magazine on the National Federation of the Blind's NFB NEWSLINE. For more information about this free service, call 800-804-7500 or go to [www.nfb.org](http://www.nfb.org).

**6 AARP THE MAGAZINE • Real Possibilities**

11. Upon information and belief, Defendant contracts with QRStuff.com (QR Code Generator, Inc.) to create the QR codes included in AARP's ads.

12. A unique predetermined multi-digit jump code is encoded in the "QR codes" published by Defendant.

13. Each QR code corresponds to a preselected Internet location, including, for example, <http://www.aarp.org/entertainment/television/info-06-2013/kathie-lee-hoda-kotb-today-show-video.html?cmp=ATM-QR-JUN13-LEEHODA> and <http://www.aarp.org/entertainment/leisure-activities/sweeps.html?CMP=PRC-ATM-THUNTSWPS>.

14. Each QR code published in the AARP ads contains a predetermined Internet location like, for example, [qrs.ly](http://qrs.ly).

15. [qrs.ly](http://qrs.ly) has software for capturing the multi-digit jump code.

16. By publishing the QR codes, Defendant induces users to scan the QR codes using a smartphone scanning application and thereby access the predetermined Internet location, [qrs.ly](http://qrs.ly).

17. After qrs.ly is accessed, the user, through use of a smartphone scanner application, enters the multi-digit jump code at qrs.ly.

18. QRStuff.com (QR Code Generator, Inc.) receives the jump code entered at the qrs.ly website.

19. QRStuff.com (QR Code Generator, Inc.) converts the jump code to a URL addresses corresponding to the AARP website, such as <http://www.aarp.org/entertainment/television/info-06-2013/kathie-lee-hoda-kotb-today-show-video.html?cmp=ATM-QR-JUN13-LEEHODA> or <http://www.aarp.org/entertainment/leisure-activities/sweeps.html?CMP=PRC-ATM-THUNTSWPS>.

20. Thereafter, QRStuff.com (QR Code Generator, Inc.) automatically accesses said AARP websites.

21. Defendant has knowingly induced and continues to knowingly induce infringement of at least claim 11 of the '835 Patent within the meaning of 35 U.S.C. § 271(b) by contracting for services with QRStuff.com (QR Code Generator, Inc.), thereby inducing QRStuff.com (QR Code Generator, Inc.) to perform the steps of at least claim 11 of the '835 Patent identified above, and, through advertisements, inducing users to perform any remaining steps of claim 11 of the '835 Patent with a smartphone scanning application, as specified above.

22. AARP has had knowledge of the '835 Patent since at least as early as July 11, 2013, when IMIC informed AARP of its infringement by letter, and at least as of the filing date of this Complaint.

23. Such infringing activities have damaged IMIC. IMIC is entitled to recover damages adequate to compensate it for such infringement, but in no event less than a reasonable royalty.

24. Defendant's infringement has injured and will continue to injure IMIC, unless and until this Court enters an injunction prohibiting further infringement of the '835 Patent.

**PRAYER FOR RELIEF**

WHEREFORE, IMIC asks this Court to enter judgment against Defendant and against its subsidiaries, affiliates, agents, servants, employees and all persons in active concert or participation with it, granting the following relief:

- A. An award of damages adequate to compensate IMIC for the infringement that has occurred, together with prejudgment interest from the date infringement of the '835 Patent began;
- B. An award to IMIC of all remedies available under 35 U.S.C. § 284;
- C. An award to IMIC of all remedies available under 35 U.S.C. § 285;
- D. A permanent injunction under 35 U.S.C. § 283 prohibiting further infringement of the '835 Patent; and
- E. Such other and further relief as this Court or a jury may deem proper and just.

**JURY DEMAND**

IMIC demands a trial by jury on all issues so triable.

Dated: March 18, 2014

*Of Counsel:*

Timothy J. Haller  
Ashley E. LaValley  
NIRO, HALLER & NIRO  
181 West Madison Street, Suite 4600  
Chicago, IL 60602  
Phone: (312) 236-0733  
Fax: (312) 236-3137  
haller@nshn.com  
alavalley@nshn.com

Respectfully submitted,

/s/ George Pazuniak

George Pazuniak (DE Bar No. 00478)  
O'KELLY ERNST & BIELLI, LLC  
901 North Market Street, Suite 1000  
Wilmington, DE 19801  
Phone: (302) 478-4230  
Fax: (302) 295-2873  
gp@del-iplaw.com

*Attorneys for Plaintiff,  
Internet Media Interactive Corporation*