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11			
12	UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA		
13		CISCO DIVISION	
14			
15	William Grecia,	Case No. 3:15-cv-02808-WHA	
16	Plaintiff,	Judge: Hon. William Alsup	
17	v.		
18	DISH Network L.L.C.		
19 20	Defendant.	JURY TRIAL DEMANDED	
20 21			
21 22	FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT		
22	William Grecia brings this patent-infringement action against DISH Network L.L.C.		
23 24	("DISH")		
25	Parties		
26	1. William Grecia is an individual. He maintains a residence in Downingtown,		
20 27	Pennsylvania.		
28			
-	First Amended Complaint	1	
	Case No. 3:15-cv-02808-WHA		

1 2. DISH is a Colorado limited liability company, having its principal place of business 2 in Englewood, Colorado. 3 **Jurisdiction and Venue** 4 3. This action arises under the patent laws of the United States, 35 U.S.C. §§ 101 et 5 seq. 6 4. This Court has subject matter jurisdiction over this action under 28 U.S.C. §§ 1331 7 and 1338(a). 8 5. This Court may exercise personal jurisdiction over DISH. This is because DISH 9 conducts continuous and systematic business in California and this District. For example, DISH 10 sells the "TV Everywhere" service to DISH customers in this District. As such, DISH uses and sells 11 a cloud computing system that authorizes DISH users in this District access to digital content such 12 as movies and television shows. This patent-infringement claim arises directly from DISH's 13 continuous and systematic activity in this District. In short, this Court's exercise of jurisdiction over 14 DISH would be consistent with the California long-arm statute and traditional notions of fair play 15 and substantial justice. 16 6. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b)(2). 17 Background 18 7. William Grecia owns United States Patent Nos. 8,533,860 (the "860 patent") and 19 8,402,555 (the "555 patent") (together, the "patents-in-suit"). William Grecia invented the 20 methods, systems, and products claimed in the patents-in-suit. 21 8. The field of the invention of the patents-in-suit is digital rights management, 22 commonly referred to as "DRM." The movement of books, movies, and music to digital form has 23 presented a challenge to the copyright owners of the content. The owners wish to sell the content 24 in a digital form and transfer all attributes of ownership to the buyer, and yet the owners of the 25 content must protect value by preventing "pirating" of the content through illicit, unauthorized 26 copying. 27 28 First Amended Complaint 2 Case No. 3:15-cv-02808-WHA

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1	9.	The prior art had locked the purchased content, a movie for example, to specific	
2	devices and i	n some cases limited playback rights to a single device. These prior art DRM methods	
3	required the	content providers to maintain computer servers to receive and send session	
4	authorization	keys to clients, and the prior DRM methods required that the client reconnect with	
5	the servers t	to obtain reauthorization. These DRM schemes may be characterized by limiting	
6	acquired content to a specific device that the client continually had to reauthorize to enjoy the		
7	acquired content.		
8	10.	The '860 invention provides a solution. With this invention, a consumer of digital	
9	content may	enjoy the content on an unlimited number of the consumer's devices; enjoy the content	
10	with the cons	sumer's friends and family, all while protecting against unlicensed use.	
11	Count 1 – Infringement of U.S. Patent No. 8,533,860		
12	11.	William Grecia is the exclusive owner of the '860 patent, which is attached as	
13	Exhibit 1.		
14	12.	The '860 patent is valid and enforceable.	
15	13.	13. DISH has and is directly infringing claims of the '860 patent. For example, and	
16	without limiting the claims of the '860 patent asserted, DISH's sale of the		
17	TV Everywhere service directly infringes claim 10 of the '860 patent.		
18	Count 2 – Infringement of U.S. Patent No. 8,402,555		
19	14.	William Grecia is the exclusive owner of the '555 patent, which is attached as	
20	Exhibit 2.		
21	15.	The '555 patent is valid and enforceable.	
22	16.	DISH has and is directly infringing claims of the '555 patent. For example, and	
23	without limiting the claims of the '555 patent asserted, DISH's sale of the TV Everywhere service		
24	directly infringes claim 12 of the '555 patent.		
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28	First Amende	ed Complaint 3	
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1	Prayer for Relief		
2	WHERFORE, William Grecia prays for the following relief against DISH:		
3	(a) Judgment that DISH has directly infringed claims of the '860 patent and the '555		
4	patent;		
5	(b) For a reasonable royalty;		
6	(c) For pre-judgment interest and post-judgment interest at the maximum rate allowed		
7	by law;		
8	(d) For such other and further relief as the Court may deem just and proper.		
9	Demand for Jury Trial		
10	William Grecia demands a trial by jury on all matters and issues triable by jury.		
11			
12	Date: <u>November 18, 2015</u> Respectfully Submitted,		
13			
14	/s/ Matthew M. Wawrzyn		
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27	4811-1944-8619, v. 1		
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