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14	UNITED STATES DISTRICT COURT			
15	NORTHERN DISTRICT OF CALIFORNIA			
16	SAN FRANCISCO DIVISION			
17	WILLIAM GRECIA,	CASE NO. C 3:14-cv-969 EMC		
18	Plaintiff,	FIRST AMENDED COMPLAINT		
19	rianium,			
20	V.	DEMAND FOR JURY TRIAL		
21	SONY NETWORK ENTERTAINMENT	Judge: Hon. Edward M. Chen		
22	INTERNATIONAL LLC,	Judge. 11011. Edward IVI. Chell		
23	Defendant.			
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-	First Amended Complaint Case No. C14-969 EMC	1		
	Cube 140, CIT 707 LIVIC			

1 FIRST AMENDED COMPLAINT 2 William Grecia brings this patent-infringement action against Sony Network 3 Entertainment International LLC ("SNEI"). 4 **Parties** 5 1. William Grecia lives in Downingtown, Pennsylvania. 6 7 2. SNEI is a company organized under the laws of Delaware, with its principal place of business located at 6080 Center Drive, 10th Floor, Los Angeles, California 90045. 8 9 Jurisdiction and Venue 3. This action arises under the patent laws of the United States, 35 U.S.C. §§ 101 10 11 et seg. 4. This Court has subject matter jurisdiction over this action under 28 U.S.C. §§ 12 1331 and 1338(a). 13 5. This Court may exercise personal jurisdiction over SNEI. SNEI conducts 14 continuous and systematic business in California and this District. For example, SNEI 15 designs and manufactures computer software, consumer electronic products, and computers 16 that SNEI licenses and sells in this District. SNEI uses a cloud-computing system that 17 authorizes users in this District access to digital content such as movies and video games. 18 19 This patent-infringement claim arises directly from SNEI's continuous and systematic activity in this District. In short, this Court's exercise of jurisdiction over SNEI would be 20 consistent with the California long-arm statute, C.C.P. § 410.10, and traditional notions of 21 2.2. fair play and substantial justice. 6. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391(b)(2) and 23 1400(b). 24 Background 25 7. William Grecia owns United States Patent 8,533,860 (the "860 patent") and 26 at least one continuing application claiming back to the original priority date of March 21, 27 2010. William Grecia invented the methods and products claimed in the '860 patent. 28 2

- 8. The field of the invention of the '860 patent is digital rights management, commonly referred to as "DRM." The movement of books, movies, and music to digital form has presented a challenge to the copyright owners of the content. The owners wish to sell the content in a digital form and transfer all attributes of ownership to the buyer, and yet the owners of the content must protect value by preventing "pirating" of the content through illicit copying.
- 9. DRM schemes to date had locked the purchased content, a movie for example, to specific devices and in some cases limited playback rights to a single device. These prior art DRM methods required the content providers (a movie studio in the example) to maintain computer servers to receive and send session authorization keys to clients, and the prior DRM methods required that the client reconnect with the servers to obtain reauthorization. These DRM schemes may be characterized by limiting acquired content to a specific device that the client continually had to reauthorize to enjoy the acquired content.
- 10. The '860 invention provides a solution. With this invention, a consumer of digital content may enjoy the content on a multiple number of the consumer's devices and share the content with the consumer's friends and family, all while protecting against unlicensed use of the digital content.

Claim of Patent Infringement

- 11. William Grecia is the exclusive owner of the '860 patent, which is attached as Exhibit 1.
 - 12. The '860 patent is valid and enforceable.
- 13. SNEI has and is directly infringing claims of the '860 patent. SNEI makes, uses, sells, and offers for sale products, methods, equipment, and services that practice claims 1, 2, 3, 4, 5, 9, 10, 21, 22, 25, 28, and 29 of the '860 patent.
- 14. For example, and without limiting the '860 patent claims that will be asserted in this action or the SNEI devices and services accused of infringing the '860 patent claims,

SNEI's cloud computing service directly infringes claim 1 of the '860 patent.

- 15. Claim 1 is "[a] method for authorizing access to digital content using a cloud system" SNEI practices a method of authorizing access to digital content: "Get connected. Sony Entertainment Network instantly delivers music, movies, games and more." http://www.sonyentertainmentnetwork.com/home.
- 16. The method of claim 1 is one "facilitating access rights between a plurality of devices" SNEI sells its service as follows: "Watch, listen, play and share across multiple devices." http://www.sonyentertainmentnetwork.com/home.
- 17. According to the method of claim 1, a read or write request of metadata of the digital content is received. This request comprises a verification token of a user, such as, for example, the user's email address and password. "To create your account . . . fill in your email address (this will be your Sign-In ID)"

 http://us.support.sonyentertainmentnetwork.com/app/answers/detail/a_id/14.
- 18. A SNEI user requests access to her digital content by requesting that SNEI write her email address and password to metadata of the digital content: "Simply sign in with your existing ID and password and get started enjoying a whole host of digital entertainment services on the Sony Entertainment Network, Today!" https://account.sonyentertainmentnetwork.com/pc/reg/account/create-account!input.action .
- 19. In claim 1, after the verification token has been authenticated, a connection is established between a communications console and a server. The connection is established through a web service capable of facilitating a two-way exchange between the console and the server relaying the unique identity of the devices for which access to the digital content is sought. SNEI establishes a connection between the communications console (e.g., SNEI app running on device) and the SNEI servers. SNEI's web services capable of facilitating a two-way exchange to complete the verification process include Music Unlimited, Video Unlimited, and PlayStation Network. *See* SNEI's SEN Account Manager.

- 20. Next, claim 1 involves the step of requesting an identification reference, such as a unique identifier associated with a device for which the user wishes access to digital content. SNEI apps request and receive a personal identification number, and the SNEI apps subsequently request and receive subscription account identifier and rights tokens pertaining to the SNEI account and cloud services.
- 21. Finally, claim 1 involves writing either the verification token or the identification reference into the metadata. SNEI writes, among other things, the user's device information into the metadata stored on SNEI servers, authorizing the user access to the content stored on the servers: "PlayStation®Plus helps you discover a world of extraordinary gaming experiences through the ever-expanding collection of great games that members receive access to as part of their membership." http://us.playstation.com/ps4/index.htm.
- 22. SNEI knows of the '860 patent and nonetheless willfully infringes the claims and contributes to the infringement of the claims. SNEI actually knows of the '860 patent. SNEI disclosed the '860 patent as prior art in patent application 13/312,184.
- 23. SNEI sells devices that contain components for use in practicing the steps of the claims of the '860 patent. These components within these devices perform a material part of claims of the '860 patent. SNEI knows that these components on these devices are especially adapted for use in infringement of the '860 patent claims. These components on these devices are not suitable for a substantial non-infringing use.

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1		P	rayer for Relief	
2	WHEREFORE, William Grecia prays for the following relief against SNEI:			
3	(a) Judgment that SNEI has directly infringed claims of the '860 patent claims;			
4	(b)	Judgment that SNEI has	contributed to the infringement of the '860 patent	
5		claims;		
6	(c)	For a fair and reasonable	royalty;	
7	(d)	For treble damages based on a finding that the infringement of the '860 patent		
8		claims was willful;		
9	(e)	For pre-judgment interest	and post-judgment interest at the maximum rate	
0		allowed by law;		
1	(f)	For such other and further	er relief as the Court may deem just and proper.	
2	Demand for Jury Trial			
13	William Grecia demands a trial by jury on all matters and issues triable by jury.			
4				
15	Date: May	<u>· 28, 2014</u>	/s/ Matthew M. Wawrzyn	
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