

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

MESSAGING GATEWAY SOLUTIONS
LLC,

Plaintiff,

v.

AMDOCS, INC., AMDOCS
LIMITED, AND OPENMARKET, INC.

Defendants.

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CIVIL ACTION NO. 14-732-RGA

JURY TRIAL DEMANDED

PLAINTIFF’S FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Messaging Gateway Solutions LLC (“MGS”) files this First Amended Complaint against Amdocs, Inc., Amdocs Ltd., and OpenMarket Inc. (collectively “Amdocs” or “Defendants”) for infringement of U.S. Patent No. 8,750,183 (“the ’183 patent”).

THE PARTIES

1. Messaging Gateway Solutions LLC (“MGS”) is a Delaware limited liability company, having a place of business at 1679 South Dupont Highway, Suite 100, Dover, Delaware 19901.

2. Amdocs, Inc. is a Delaware corporation with its principal place of business in Chesterfield, Missouri. Amdocs, Inc. may be served with process through its registered agent The Corporation Trust Company, Corporate Trust Center, 1209 Orange Street, Wilmington, Delaware 19801. Amdocs, Inc. has does business in the State of Delaware. Amdocs, Inc. is a subsidiary of Amdocs Limited.

3. Amdocs Limited is a foreign company with its principal place of business at Hirzel House, Smith Street, St. Peter Port, Island of Guernsey, GY1 2NG.

4. OpenMarket, Inc. (“OpenMarket”) is a Michigan corporation with its principal place of business in Washington. OpenMarket is a subsidiary of Amdocs, Inc. OpenMarket may be served with process through its registered agent CT Corporation System, 505 Union Ave. SE, Suite 120, Olympia, Washington 98501. Upon information and belief, OpenMarket does business in the State of Delaware.

JURISDICTION AND VENUE

5. This is an action for patent infringement arising under the Patent Laws of the United States, Title 35 of the United States Code.

6. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a) because this action concerns infringement of a United States patent.

7. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391 and 1400(b). On information and belief, each Defendants is deemed to reside in this judicial district, has committed acts of infringement in this judicial district, has purposely transacted business in this judicial district, and/or has regular and established places of business in this judicial district.

8. On information and belief, each Defendants is subject to this Court’s specific and general personal jurisdiction pursuant to due process and/or the Delaware Long Arm Statute, due at least to its substantial business in this State and judicial district, including: (A) at least part of its infringing activities alleged herein; and (B) regularly doing or soliciting business, engaging in other persistent conduct, and/or deriving substantial revenue from goods sold and services provided to Delaware residents. Further, this Court has personal jurisdiction over Defendant Amdocs, Inc. because Defendant Amdocs, Inc. is incorporated in Delaware and has purposefully availed itself of the privileges and benefits of the laws of the State of Delaware.

COUNT I
(INFRINGEMENT OF U.S. PATENT NO. 8,750,183)

9. MGS incorporates paragraphs 1 through 8 herein by reference.

10. MGS is the assignee of the '183 patent, entitled "Mobile-Originated to HTTP Communications," with ownership of all substantial rights in the '183 patent, including the right to exclude others and to enforce, sue and recover damages for past and future infringements. A true and correct copy of the '183 patent is attached as Exhibit A.

11. The '183 patent is valid, enforceable and was duly issued in full compliance with Title 35 of the United States Code.

12. Defendants have directly infringed and continue to directly infringe one or more claims of the '183 patent in this judicial district and elsewhere in Delaware and the United States, including at least claim 20 by, among other things, making, using, offering for sale, and/or selling computer systems for facilitating two-way communication process between an Internet server and a mobile device. Defendants first receive messages using a computer system, which could be a messaging gateway. The received messages originate at a mobile device as short code SMS messages. The Defendants' computer system then inserts the content of the received message into an Internet Protocol message, such as an HTTP message. Defendants then deliver these messages to an Internet server that is associated with the short code to which the mobile originated SMS text message was sent.

13. MGS has been damaged as a result of Defendants' infringing conduct described in this Count. Defendants are, thus, liable to MGS in an amount that adequately compensates MGS for Defendants' infringements, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

JURY DEMAND

MGS hereby requests a trial by jury pursuant to Rule 38 of the Federal Rules of Civil Procedure.

PRAYER FOR RELIEF

MGS requests that the Court find in its favor and against Defendants, and that the Court grant MGS the following relief:

- a. Judgment that one or more claims of the '183 patent have been infringed, either literally and/or under the doctrine of equivalents, by one or more Defendants;
- b. Judgment that Defendants account for and pay to MGS all damages to and costs incurred by MGS because of Defendants' infringing activities and other conduct complained of herein;
- c. Judgment that Defendants account for and pay to MGS a reasonable, ongoing, post-judgment royalty because of Defendants' infringing activities and other conduct complained of herein;
- d. That MGS be granted pre-judgment and post-judgment interest on the damages caused by Defendants' infringing activities and other conduct complained of herein; and
- e. That MGS be granted such other and further relief as the Court may deem just and proper under the circumstances.

Dated: May 28, 2015

Respectfully submitted,

/s/ Timothy Devlin
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**ATTORNEYS FOR PLAINTIFF
MESSAGING GATEWAY
SOLUTIONS LLC**

CERTIFICATE OF CONFERENCE

I hereby certify that counsel for MGS conferred with counsel for Defendants, and Defendants consented to the filing of this First Amendment Complaint pursuant to Fed. R. Civ. P. 15(a)(2).

/s/ Timothy Devlin
Timothy Devlin (#4241)

CERTIFICATE OF SERVICE

I hereby certify that on May 28, 2015, I caused the above document to be electronically filed with the Clerk of Court using CM/ECF, which will send electronic notification of such filing to all registered counsel.

/s/ Timothy Devlin
Timothy Devlin (#4241)