

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

	§	
UNILOC USA, INC., and	§	
UNILOC LUXEMBOURG, S.A.,	§	Civil Action No. 6:15-cv-1007
	§	
Plaintiffs,	§	
	§	PATENT CASE
v.	§	
	§	
SYMANTEC CORPORATION,	§	
	§	JURY TRIAL DEMANDED
Defendant.	§	
	§	

**ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiffs, Uniloc USA, Inc., and Uniloc Luxembourg, S.A. (together “Uniloc”), as and for their complaint against defendant, Symantec Corporation (“Symantec”), allege as follows:

**THE PARTIES**

1. Uniloc USA, Inc. (“Uniloc USA”) is a Texas corporation having a principal place of business at Legacy Town Center I, Suite 380, 7160 Dallas Parkway, Plano, Texas 75024.

Uniloc also maintains a place of business at 102 N. College, Suite 603, Tyler, Texas 75702.

2. Uniloc Luxembourg S.A. (“Uniloc Luxembourg”) is a Luxembourg public limited liability company having a principal place of business at 15, Rue Edward Steichen, 4<sup>th</sup> Floor, L-2540, Luxembourg (R.C.S. Luxembourg B159161).

3. Uniloc has researched, developed, manufactured and licensed information security technology solutions, platforms and frameworks, including solutions for securing software applications and digital content. Uniloc Luxembourg has been awarded and owns a number of patents. Uniloc’s technologies enable, for example, software and content publishers

to distribute and sell their valuable technologies securely and with a minimum burden to their legitimate and authorized end users. Uniloc's technologies are used in several markets, including property rights management and critical infrastructure security.

4. Upon information and belief, Symantec is a Delaware corporation having a principal place of business at 350 Ellis Street, Mountain View, California 94043 and does business in Texas at 6801 N. Capital of Texas Parkway, Building 2, Suite 100, Austin, Texas 78731, 10111 Richmond Avenue, No. 200, Houston, Texas 77042 and/or 15950 Dallas Parkway, No. 800, Dallas, Texas 75248 and the judicial Eastern District of Texas. Symantec may be served with process through its registered agent in Texas, Corporation Service Company d/b/a CSC – Lawyers, Inc., 211 E. 7<sup>th</sup> Street, Suite 620, Austin, Texas 78701.

#### **JURISDICTION AND VENUE**

5. Uniloc brings this action for patent infringement under the patent laws of the United States, 35 U.S.C. § 271 *et seq.* This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331, 1338(a) and 1367.

6. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(c) and 1400(b). Upon information and belief, Symantec is deemed to reside in this judicial district, has committed acts of infringement in this judicial district, has purposely transacted business involving the accused products in this judicial district and/or has a regular and established place of business in this judicial district.

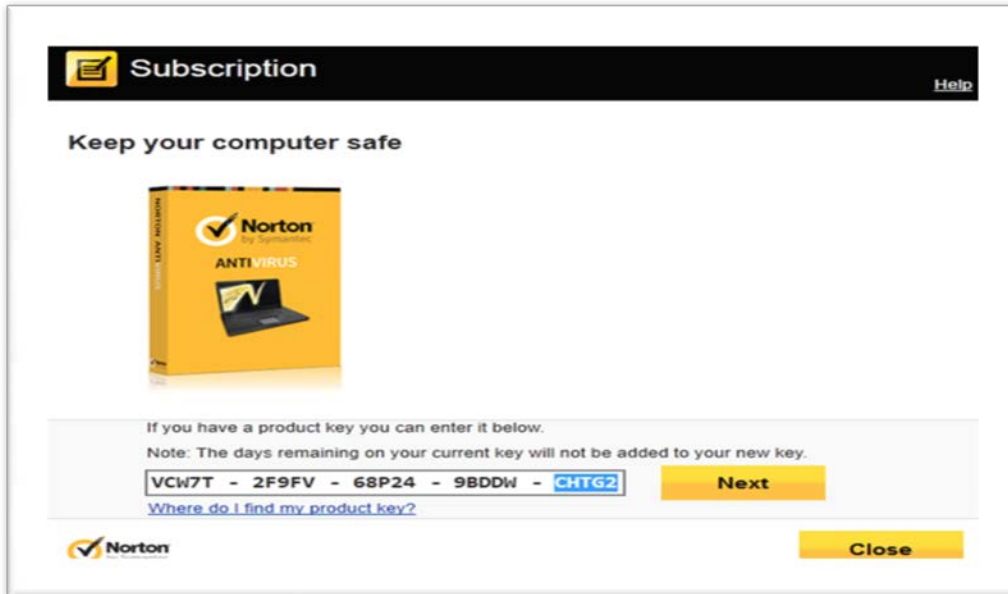
7. Symantec is subject to this Court's jurisdiction pursuant to due process and/or the Texas Long Arm Statute due at least to its substantial business in this State and judicial district, including: (A) at least part of their past infringing activities, and (B) regularly doing or soliciting business, engaging in persistent conduct and/or deriving substantial revenue from goods and

services provided to customers in Texas and maintaining regular and established places of business at Texas at 6801 N. Capital of Texas Parkway, Building 2, Suite 100, Austin, Texas 78731, 10111 Richmond Avenue, No. 200, Houston, Texas 77042 and/or 15950 Dallas Parkway, No. 800, Dallas, Texas 75248.

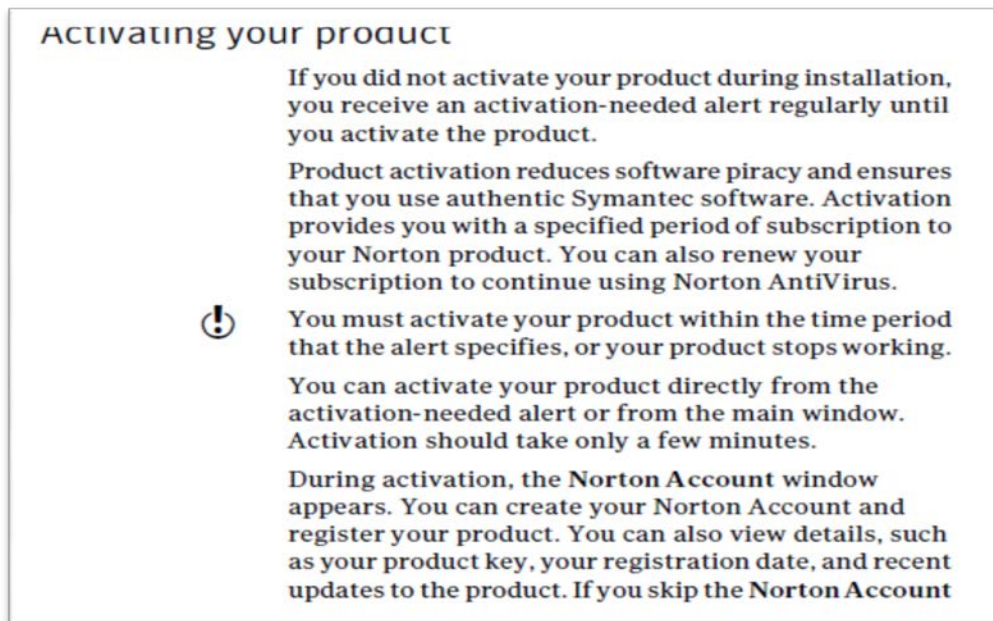
**COUNT I**  
(INFRINGEMENT OF U.S. PATENT NO. 7,024,696)

8. Uniloc incorporates paragraphs 1-7 above by reference.
9. Uniloc Luxembourg is the owner, by assignment, of U.S. Patent No. 7,024,696 (“the ‘696 Patent”), entitled METHOD AND SYSTEM FOR PREVENTION OF PIRACY OF A GIVEN SOFTWARE APPLICATION VIA A COMMUNICATIONS NETWORK that issued on April 4, 2006. A true and correct copy of the ‘696 Patent is attached as Exhibit A hereto.
10. Uniloc USA is the exclusive licensee of the ‘696 Patent with ownership of all substantial rights therein, including the right to grant sublicenses, to exclude others, and to enforce, sue and recover past damages for the infringement thereof.

11. Upon information and belief, the following describes, at least in part, the Norton AntiVirus activation process:



12. Upon information and belief, the following describes, at least in part, the Norton AntiVirus activation process:



13. Upon information and belief, the following describes, at least in part, the Norton AntiVirus activation process:

**To activate your product from the main window**

- 1 In the Norton AntiVirus main window, do one of the following:**
  - If you purchased a subscription version of a retail product, click **Activate Now**.**
  - If the product came installed on your computer, click **Activate Online Now**.**
  - If you want to renew the subscription of your product, click **Renew**.**

You can also activate or renew the subscription of your product from any non-admin user account.
- 2 Follow the on-screen instructions to activate or subscribe your product.**
- 3 In the window that appears, click **Done**.**

14. Upon information and belief, the following describes, at least in part, the Norton AntiVirus activation process:

**Where to find your product key**

The product key is a unique key that helps you to install and activate the Symantec product on your computer. The product key is a 25-character alphanumeric string

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Getting started  
Activation protects you

that is shown in five groups of five characters each, separated by hyphens. The location of the product key varies depending on how you acquired the product.

The locations of the product key are as follows:

<p><b>If you purchased a retail copy of the product on CD</b></p>	<p>The product key is either on a sticker on the CD sleeve or on an insert in the product package.</p>
<p><b>If you purchased the product on DVD</b></p>	<p>The product key is on the DVD package.</p>
<p><b>If you downloaded the product from the Symantec Store</b></p>	<p>The product key is stored on your computer as part of the download process and is included in the confirmation email from the Symantec Store.</p>
<p><b>If your computer came with the product already installed</b></p>	<p>The product key is provided as part of the activation process. Be sure to save your product key by creating or signing in to your Norton Account, or by printing the key. You may need the product key if you ever want to reinstall your product.</p>

<p><b>If you received a product key card</b></p>	<p>The product key is printed on the card along with instructions on how to use it. Be sure to save your product key by creating or signing in to your Norton Account. You need the product key if you ever want to reinstall the product.</p>
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<b>If you are still unable to locate your product key, you can recover it using Norton Account</b>	<b>To recover or access your product key log on to <a href="https://www.mynortonaccount.com">https://www.mynortonaccount.com</a>. If you are not registered, register for Norton Account. You can find the product key on the <b>Products</b> tab in the Norton Account page.</b>
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15. Upon information and belief, the following describes, at least in part, the Norton AntiVirus activation process:

## Activation protects you

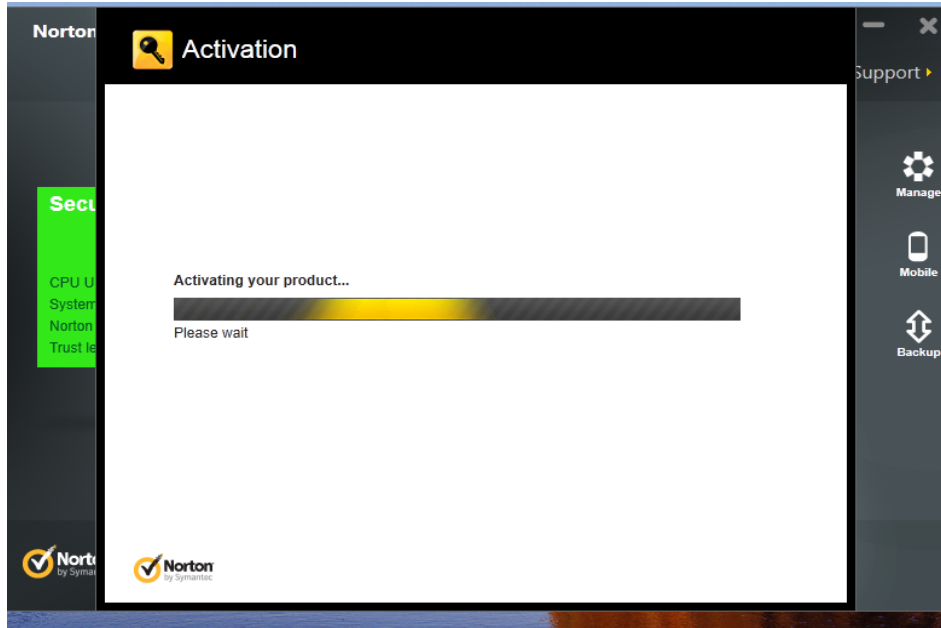
Product activation is a technology that protects users from pirated or counterfeit software. It protects you by limiting the use of a product to those users who have acquired the product legitimately. Product activation requires a product key for each installation of a product. You must activate the product within a limited time period after you install it.

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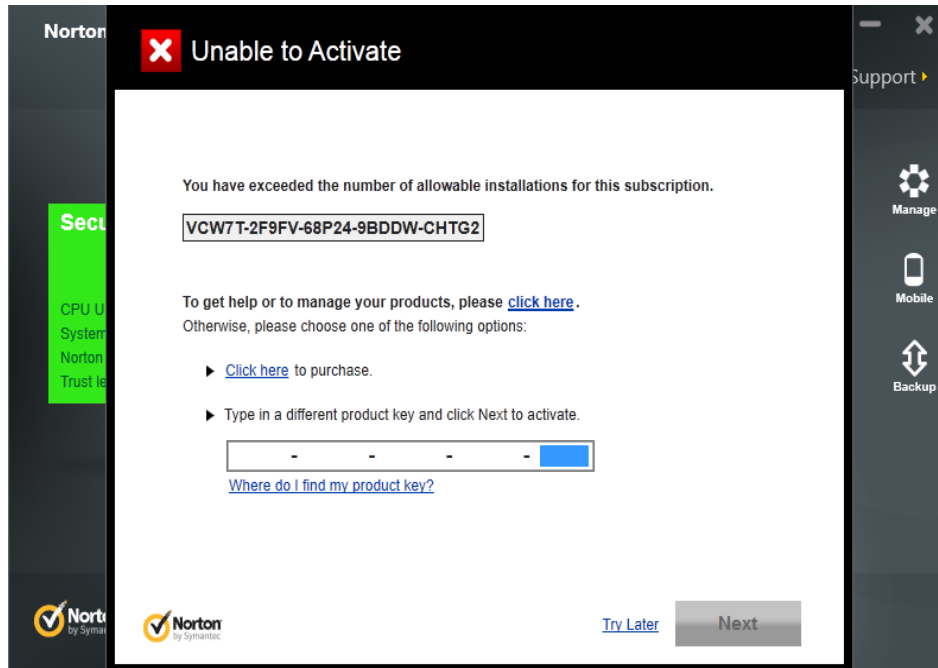
Getting started  
**Activation protects you**

If you are connected to the Internet, product activation takes place automatically when you start the product for the first time after installation. After activation, the **Norton Account** window appears. You can create your Norton Account and register your product.

16. Upon information and belief, the following describes, at least in part, the Norton AntiVirus activation process:

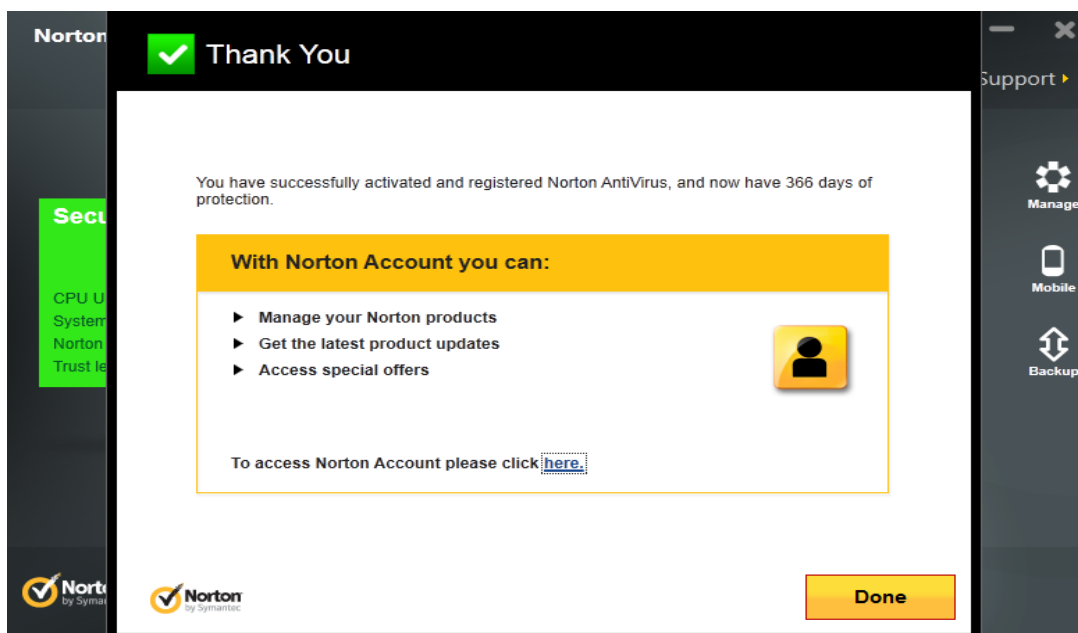


17. Upon information and belief, the following describes, at least in part, the Norton AntiVirus activation process:





18. Upon information and belief, the following describes, at least in part, the Norton AntiVirus activation process:



19. Symantec has directly infringed one or more claims of the '696 Patent in this judicial district and elsewhere in Texas, including at least claim 1, either literally or under the doctrine of equivalents, by or through making, using, importing, offering for sale and/or selling software that implements piracy prevention technology including, without limitation, Norton AntiVirus.

20. Symantec may have infringed the '696 Patent through other software utilizing the same or reasonably similar activation functionality, including other versions of the activation software for Norton AntiVirus. Uniloc reserves the right to discover and pursue all such additional infringing software. For the avoidance of doubt, the activation software for Norton AntiVirus is identified for exemplary purposes and in no way limits the discovery and infringement allegations against Symantec concerning other software that incorporated the same or reasonably similar activation functionality.

21. Uniloc has been damaged, reparably and irreparably, by Symantec's infringement of the '696 Patent and such damage will continue unless and until Symantec is enjoined.

22. Uniloc has entered into a Patent License, Release and Settlement Agreement with Flexera Software LLC ("Flexera"). Uniloc is not alleging infringement of the '696 Patent based on any product, software, system, method or service provided by Flexera Software LLC or any Flexera Predecessor ("Flexera Products"). For the purposes of this action, a Flexera Predecessor is any predecessor business owned or controlled by Flexera, including, but not limited to, C-Dilla Limited, GLOBEtrotter Software, Inc., InstallShield Software Corporation, Flexera Holding LLC, Flex co Holding Company, Inc., Flexera Software Inc., Acreso Software Inc., Intraware, Inc., Managesoft Corporation, HONICO Software GmbH, LinkRight Software L.L.C., and Logiknet, Inc. (d/b/a SCCM Expert) and only to the extent of, and limited to, the specific business, technologies and products acquired by Flexera from each of them, and Macrovision Corporation (renamed Rovi Solutions Corporation in July 2009) only to the extent of, and limited to, the specific business, technologies and products acquired by Flexera Holdings Company, Inc. in April 2008 (renamed Acreso Software Inc.), which later changed its name in October 2009 to Flexera Software LLC. For purposes of this action, Flexera Products do not include any third party products or services that provide activation, entitlement, licensing, usage monitoring and management, auditing, or registration functionality or third party products and services that are activated, licensed or registered exclusively and independently of products, software, systems, methods or services provided by Flexera or Flexera Predecessors. All allegations of past infringement against defendant(s) herein are made exclusively and independently of the authorized use of Flexera Products.

**PRAYER FOR RELIEF**

Uniloc requests that the Court enter judgment against Symantec as follows:

- (A) that Symantec has infringed the '696 Patent;
- (B) awarding Uniloc its damages suffered as a result of Symantec's infringement of the '696 Patent pursuant to 35 U.S.C. § 284;
- (C) enjoining Symantec, its officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries and parents, and all others acting in concert or privity with it from infringing the '696 Patent pursuant to 35 U.S.C. § 283;
- (D) awarding Uniloc its costs, attorneys' fees, expenses and interest, and
- (E) granting Uniloc such other and further relief as the Court may deem just and proper.

**DEMAND FOR JURY TRIAL**

Uniloc hereby demands trial by jury on all issues so triable pursuant to Fed. R. Civ. P. 38.

Dated: November 20, 2015.

Respectfully submitted,

By: /s/ Craig Tadlock

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