

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

UNILOC USA, INC. and	§	
UNILOC LUXEMBOURG, S.A.,	§	
	§	Civil Action No. 2:16-cv-728
Plaintiffs,	§	
	§	
v.	§	PATENT CASE
	§	
FACEBOOK, INC.,	§	
	§	
Defendant.	§	JURY TRIAL DEMANDED
	§	

ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

Plaintiffs, Uniloc USA, Inc. and Uniloc Luxembourg, S.A. (together “Uniloc”), as and for their complaint against defendant, Facebook, Inc. (“Facebook”), 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, 4th Floor, L-2540, Luxembourg (R.C.S. Luxembourg B159161).

3. Uniloc Luxembourg owns a number of patents in the field of text/voice instant messaging.

4. Upon information and belief, Facebook is a Delaware corporation having a principal place of business in Menlo Park, California and does business at offices in Austin, Dallas and Fort Worth (including a data center), Texas and in the judicial Eastern District of

Texas. Facebook may be served with process through its registered agent for service of process in Texas: Corporation Service Company d/b/a CSC-Lawyers Inc., 211 E. 7th St., 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, Facebook is deemed to reside in this judicial district, has committed acts of infringement in this judicial district, and/or has purposely transacted business involving the accused products in this judicial district, including sales to one or more customers in Texas.

7. Facebook 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 its past infringing activities, (B) regularly doing or soliciting business in Texas and/or (C) engaging in persistent conduct and/or deriving substantial revenue from goods and services provided to customers in Texas.

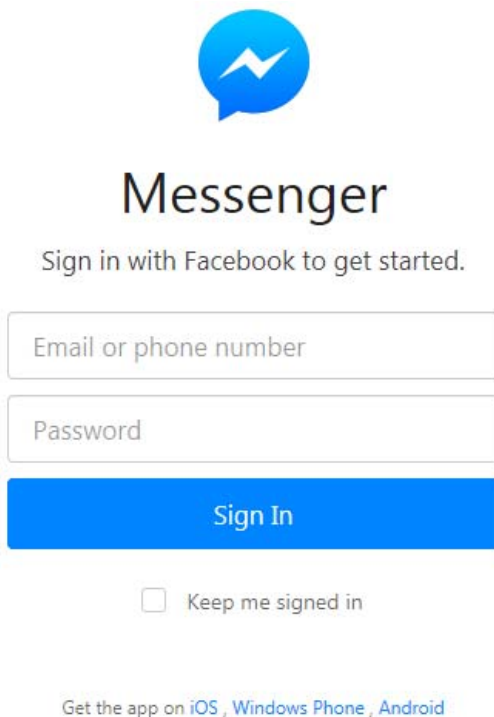
COUNT I
(INFRINGEMENT OF U.S. PATENT NO. 8,724,622)

8. Uniloc incorporates paragraphs 1-7 above by reference.

9. Uniloc Luxembourg is the owner, by assignment, of U.S. Patent No. 8,724,622 (“the ’622 Patent”), entitled SYSTEM AND METHOD FOR INSTANT VOIP MESSAGING that issued on May 13, 2014. A true and correct copy of the ’622 Patent is attached as Exhibit A hereto.

10. Uniloc USA is the exclusive licensee of the '622 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 illustrates a sign-in screen for Facebook's Messenger app:



12. Upon information and belief, the following describes, at least in part, how Messenger works:



13. Upon information and belief, the following describes, at least in part, how Messenger works:

VOICE MESSAGES


Say, sing or shout
your messages.

Sometimes you just don't have the time to type it all out. When you're on the go or have a lot more to say, record a voice message instead.


14. Upon information and belief, the following describes, at least in part, how Messenger works:


How do I call someone from Messenger?

To make a voice call from Messenger:

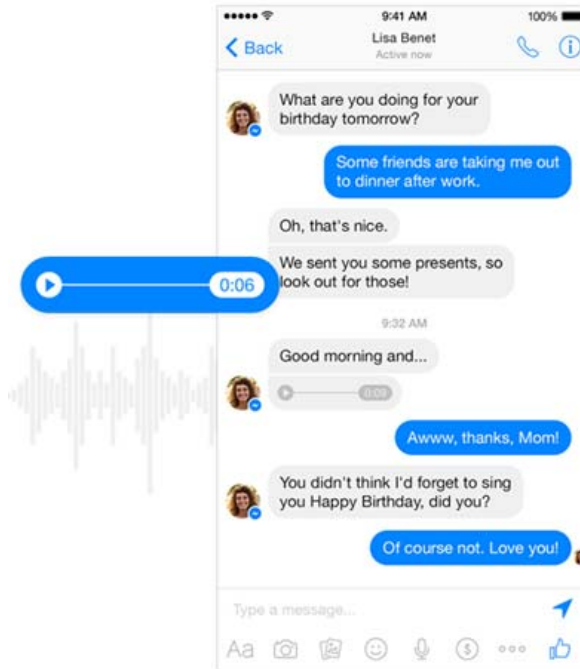
1. Open a conversation with a friend.
2. Tap . If the icon is gray, you can't currently call this person.

To make a video call from Messenger:

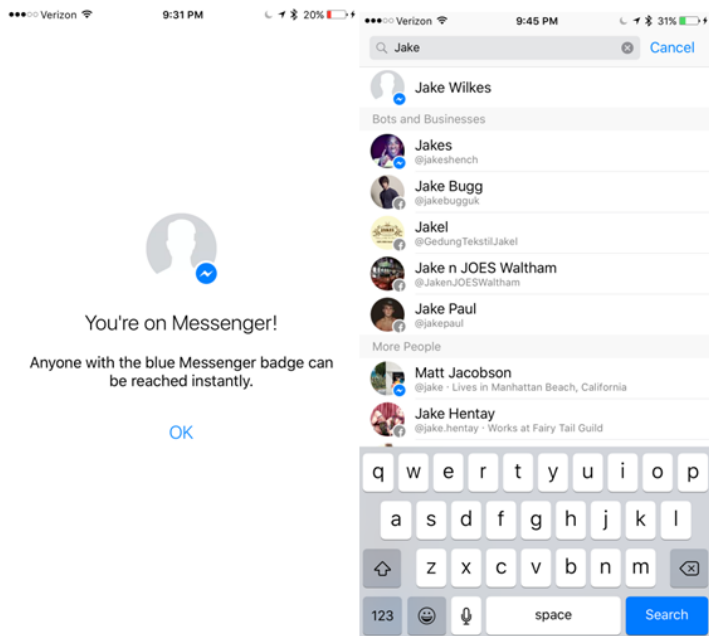
1. Open a conversation with a friend.
2. Tap . If the icon is gray, you can't currently video call this person.

Once you've started a voice call, you can make it a video call by tapping . If your friend isn't currently able to receive a video call, the camera icon will be gray.

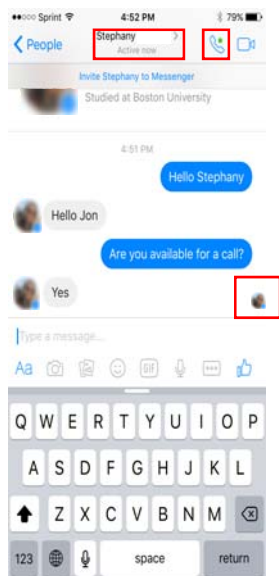
15. Upon information and belief, the following describes, at least in part, how Messenger works:



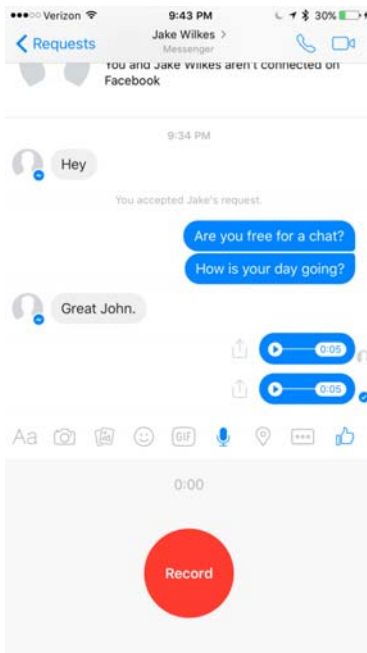
16. Upon information and belief, the following describes, at least in part, how Messenger works:



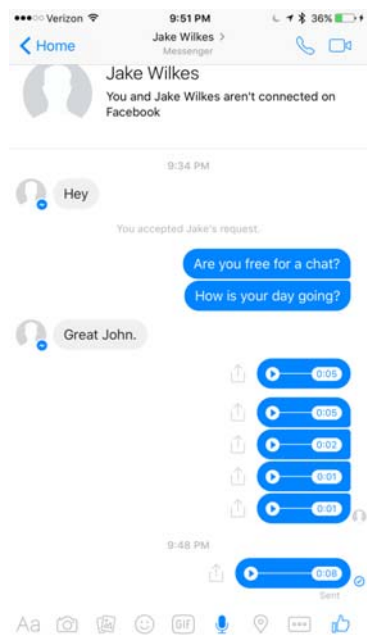
17. Upon information and belief, the following describes, at least in part, how Messenger works:



18. Upon information and belief, the following describes, at least in part, how Messenger works:







19. Upon information and belief, the following describes, at least in part, how Messenger works:



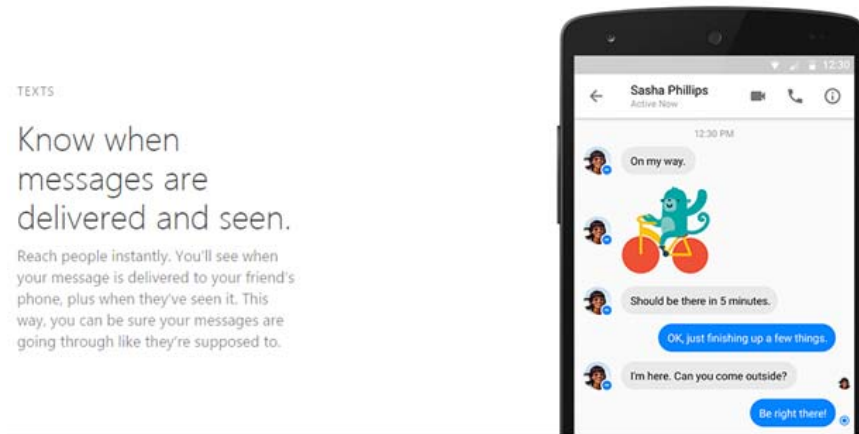
20. Upon information and belief, the following describes, at least in part, how Messenger works:

How do I know if a friend has seen a message I sent?

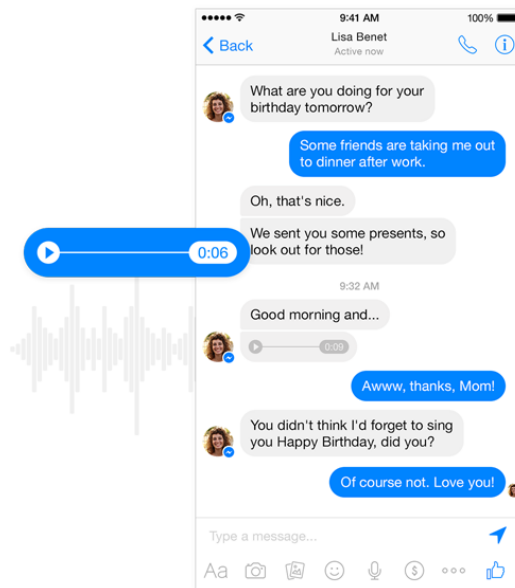
Messenger uses different icons to let you know when your messages have been sent, delivered and read:

- : A blue circle means your message is sending
- : A blue circle with a check means your message has been sent
- : A filled-in blue circle with a check means your message has been delivered
- : A small version of your friend or contact's photo will pop up below the message when they've read it

21. Upon information and belief, the following describes, at least in part, how Messenger works:



22. Upon information and belief, the following describes, at least in part, how Messenger works:



23. Facebook has directly infringed, and continues to directly infringe one or more claims of the '622 Patent in this judicial district and elsewhere in Texas, including at least claims 3, 4, 6-8, 10-19, 21-23 and 38-39 literally and/or under the doctrine of equivalents, by or through making, using, importing, offering for sale and/or selling the Messenger application for/on mobile and/or desktop devices during the pendency of the '622 Patent which software and associated Facebook servers perform instant voice messaging over Wi-Fi and the Internet between persons using cellphones and/or other devices capable of instant voice messaging; wherein digitized audio files are transmitted between a plurality of recipients on a packet switched network and a list of one or more currently potential recipients is displayed on the device.

24. In addition, should the Messenger system be found to not literally infringe the asserted claims of the '622 Patent, the Messenger system would nevertheless infringe the asserted claims of the '622 Patent. More specifically, the accused Messenger system performs substantially the same function (instant voice messaging), in substantially the same way (via a digitized audio files in a client/server environment), to yield substantially the same result (delivering voice messages to available intended recipients). Facebook would thus be liable for direct infringement under the doctrine of equivalents.

25. Facebook has indirectly infringed and continues to indirectly infringe at least claims 3-4, 6-8, 10-19, 21-23 and 38-39 of the '622 Patent in this judicial district and elsewhere in the United States by, among other things, actively inducing the using, offering for sale, selling, or importing the Messenger application. Facebook's customers who purchase the Messenger application and operate such application in accordance with Facebook's instructions directly

infringe one or more of the forgoing claims of the '622 Patent in violation of 35 U.S.C. § 271. Facebook directly and/or indirectly instructs its customers through training videos, demonstrations, brochures, installation and/or user guides, such as those located at the following:

www.messenger.com

www.facebook.com

<https://messengerplatform.fb.com>

Facebook is thereby liable for infringement of the '622 Patent under 35 U.S.C. § 271(b).

26. Facebook has indirectly infringed and continues to indirectly infringe at least claims 3-4, 6-8, 10-19, 21-23 and 38-39 of the '622 Patent in this judicial district and elsewhere in the United States by, among other things, contributing to the direct infringement by others including, without limitation customers using the Messenger application, by making, offering to sell, selling and/or importing into the United States, a component of a patented machine, manufacture or combination, or an apparatus for use in practicing a patented process, constituting a material part of the invention, knowing the same to be especially made or especially adapted for use in infringing the '622 Patent and not a staple article or commodity of commerce suitable for substantial non-infringing use.

27. For example, the Messenger application is a component of a patented machine, manufacture, or combination, or an apparatus for use in practicing a patent process. Furthermore, the Messenger application is a material part of the claimed inventions and upon information and belief is not a staple article or commodity of commerce suitable for substantial non-infringing use. Messenger is, therefore, liable for infringement under 35 U.S.C. § 271(c).

28. Messenger will have been on notice of the '622 Patent since, at the latest, the service of this complaint upon Messenger. By the time of trial, Messenger will have known and

intended (since receiving such notice) that its continued actions would actively induce, and contribute to, the infringement of one or more of claims 3-4, 6-8, 10-19, 21-23 and 38-39 of the '622 Patent.

29. Facebook may have infringed the '622 Patent through other software utilizing the same or reasonably similar functionality, including other versions of the Messenger application. Uniloc reserves the right to discover and pursue all such additional infringing software/devices.

30. Uniloc has been damaged, reparably and irreparably, by Facebook's infringement of the '622 Patent and such damage will continue unless and until Facebook is enjoined.

COUNT II
(INFRINGEMENT OF U.S. PATENT NO. 8,995,433)

31. Uniloc incorporates paragraphs 1-30 above by reference.

32. Uniloc Luxembourg is the owner, by assignment, of U.S. Patent No. 8,995,433 ("the '433 Patent"), entitled SYSTEM AND METHOD FOR INSTANT VOIP MESSAGING that issued on March 31, 2015. A true and correct copy of the '433 Patent is attached as Exhibit B hereto.

33. Uniloc USA is the exclusive licensee of the '433 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.

34. Facebook has directly infringed, and continues to directly infringe one or more claims of the '433 Patent in this judicial district and elsewhere in Texas, including at least claims 1-5, 7-12, 14-17 and 25-27 literally and/or under the doctrine of equivalents, by or through making, using, importing, offering for sale and/or selling the Messenger application for/on mobile and/or desktop devices during the pendency of the '433 Patent which software and associated Facebook servers perform instant voice messaging over Wi-Fi and the Internet

between persons using cellphones and/or other devices capable of instant voice messaging; wherein a list of one or more potential recipients is displayed on the device, the instant messages are temporarily stored using a unique identifier, and a file manager stores, retrieves and/or deletes the messages in response to the users request.

35. In addition, should the Messenger system be found to not literally infringe the asserted claims of the '433 Patent, the Messenger system would nevertheless infringe the asserted claims of the '433 Patent. More specifically, the accused Messenger system performs substantially the same function (instant voice messaging), in substantially the same way (identifying potentially available recipients, storing messages using unique identifiers and a file manager for storing, retrieving and/or deleting the messages), to yield substantially the same result (delivering voice messages to available intended recipients and wherein the messages may be stored, retrieved and/or deleted). Facebook would thus be liable for direct infringement under the doctrine of equivalents.

36. Facebook has indirectly infringed and continues to indirectly infringe at least claims 1-5, 7-12, 14-17 and 25-27 of the '433 Patent in this judicial district and elsewhere in the United States by, among other things, actively inducing the using, offering for sale, selling, or importing the Messenger application. Facebook's customers who purchase the Messenger application and operate such application in accordance with Facebook's instructions directly infringe one or more of the forgoing claims of the '433 Patent in violation of 35 U.S.C. § 271. Facebook directly and/or indirectly instructs its customers through training videos, demonstrations, brochures, installation and/or user guides, such as those located at the following:

www.facebook.com

www.messenger.com

<https://messengerplatform.fb.com>

Facebook is thereby liable for infringement of the '433 Patent under 35 U.S.C. § 271(b).

37. Facebook has indirectly infringed and continues to indirectly infringe at least claims 1-5, 7-12, 14-17 and 25-27 of the '433 Patent in this judicial district and elsewhere in the United States by, among other things, contributing to the direct infringement by others including, without limitation customers using the Messenger application, by making, offering to sell, selling and/or importing into the United States, a component of a patented machine, manufacture or combination, or an apparatus for use in practicing a patented process, constituting a material part of the invention, knowing the same to be especially made or especially adapted for use in infringing the '433 Patent and not a staple article or commodity of commerce suitable for substantial non-infringing use.

38. For example, the Messenger application is a component of a patented machine, manufacture, or combination, or an apparatus for use in practicing a patent process. Furthermore, the Messenger application is a material part of the claimed inventions and upon information and belief is not a staple article or commodity of commerce suitable for substantial non-infringing use. Facebook is, therefore, liable for infringement under 35 U.S.C. § 271(c).

39. Facebook will have been on notice of the '433 Patent since, at the latest, the service of this complaint upon Facebook. By the time of trial, Facebook will have known and intended (since receiving such notice) that its continued actions would actively induce, and contribute to, the infringement of one or more of claims 1-5, 7-12, 14-17 and 25-27 of the '433 Patent.

40. Facebook may have infringed the '433 Patent through other software utilizing the same or reasonably similar functionality, including other versions of the Messenger application. Uniloc reserves the right to discover and pursue all such additional infringing software/devices.

41. Uniloc has been damaged, reparably and irreparably, by Facebook's infringement of the '433 Patent and such damage will continue unless and until Facebook is enjoined.

COUNT III
(INFRINGEMENT OF U.S. PATENT NO. 7,535,890)

42. Uniloc incorporates paragraphs 1-41 above by reference.

43. Uniloc Luxembourg is the owner, by assignment, of U.S. Patent No. 7,535,890 ("the '890 Patent"), entitled SYSTEM AND METHOD FOR INSTANT VOIP MESSAGING that issued on May 19, 2009. A true and correct copy of the '890 Patent is attached as Exhibit C hereto.

44. Uniloc USA is the exclusive licensee of the '890 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.

45. Facebook has directly infringed, and continues to directly infringe one or more claims of the '890 Patent in this judicial district and elsewhere in Texas, including at least claims 1-6, 9, 14-15, 17-20, 23, 28-29, 31-34, 37, 40-43, 46, 51-54, 57, 62-65 and 68-69 literally and/or under the doctrine of equivalents, by or through making, using, importing, offering for sale and/or selling the Messenger application for/on mobile and desktop devices during the pendency of the '890 Patent which software and associated Facebook servers perform instant voice messaging over Wi-Fi and the Internet between persons using cellphones and/or other devices capable of instant voice messaging; wherein the instant messages are temporarily stored if an

intended message recipient is unavailable and thereafter delivered once the intend recipient becomes available.

46. In addition, should the Messenger system be found to not literally infringe the asserted claims of the '890 Patent, the Messenger system would nevertheless infringe the asserted claims of the '890 Patent. More specifically, the accused Messenger system performs substantially the same function (instant voice messaging), in substantially the same way (via a client/server environment), to yield substantially the same result (delivering voice messages to available intended recipients). Facebook would thus be liable for direct infringement under the doctrine of equivalents.

47. Facebook has indirectly infringed and continues to indirectly infringe at least claims 1-6, 9, 14-15, 17-20, 23, 28-29, 31-34, 37, 40-43, 46, 51-54, 57, 62-65 and 68-69 of the '890 Patent in this judicial district and elsewhere in the United States by, among other things, actively inducing the using, offering for sale, selling, or importing the Messenger application. Facebook's customers who purchase the Messenger application and operate such application in accordance with Facebook's instructions directly infringe one or more of the forgoing claims of the '890 Patent in violation of 35 U.S.C. § 271. Facebook directly and/or indirectly instructs its customers through training videos, demonstrations, brochures, installation and/or user guides, such as those located at the following:

www.facebook.com

www.messenger.com

<https://messengerplatform.fb.com>

Facebook is thereby liable for infringement of the '890 Patent under 35 U.S.C. § 271(b).

48. Facebook has indirectly infringed and continues to indirectly infringe at least claims 1-6, 9, 14-15, 17-20, 23, 28-29, 31-34, 37, 40-43, 46, 51-54, 57, 62-65 and 68-69 of the '890 Patent in this judicial district and elsewhere in the United States by, among other things, contributing to the direct infringement by others including, without limitation customers using the Messenger application, by making, offering to sell, selling and/or importing into the United States, a component of a patented machine, manufacture or combination, or an apparatus for use in practicing a patented process, constituting a material part of the invention, knowing the same to be especially made or especially adapted for use in infringing the '890 Patent and not a staple article or commodity of commerce suitable for substantial non-infringing use.

49. For example, the Messenger application is a component of a patented machine, manufacture, or combination, or an apparatus for use in practicing a patent process. Furthermore, the Messenger application is a material part of the claimed inventions and upon information and belief is not a staple article or commodity of commerce suitable for substantial non-infringing use. Facebook is, therefore, liable for infringement under 35 U.S.C. § 271(c).

50. Facebook will have been on notice of the '890 Patent since, at the latest, the service of this complaint upon Facebook. By the time of trial, Facebook will have known and intended (since receiving such notice) that its continued actions would actively induce, and contribute to, the infringement of one or more of claims 1-6, 9, 14-15, 17-20, 23, 28-29, 31-34, 37, 40-43, 46, 51-54, 57, 62-65 and 68-69 of the '890 Patent.

51. Facebook may have infringed the '890 Patent through other software utilizing the same or reasonably similar functionality, including other versions of the Messenger application. Uniloc reserves the right to discover and pursue all such additional infringing software/devices.

52. Uniloc has been damaged, reparably and irreparably, by Facebook's infringement of the '890 Patent and such damage will continue unless and until Facebook is enjoined.

COUNT IV
(INFRINGEMENT OF U.S. PATENT NO. 8,199,747)

53. Uniloc incorporates paragraphs 1-52 above by reference.

54. Uniloc Luxembourg is the owner, by assignment, of U.S. Patent No. 8,199,747 ("the '747 Patent"), entitled SYSTEM AND METHOD FOR INSTANT VOIP MESSAGING that issued on June 12, 2012. A true and correct copy of the '747 Patent is attached as Exhibit D hereto.

55. Uniloc USA is the exclusive licensee of the '747 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.

56. Facebook has directly infringed, and continues to directly infringe one or more claims of the '747 Patent in this judicial district and elsewhere in Texas, including at least claims 1-3 and 12-14 literally and/or under the doctrine of equivalents, by or through making, using, importing, offering for sale and/or selling the Messenger application for/on mobile and/or desktop devices during the pendency of the '747 Patent which software and associated Facebook servers perform instant voice messaging over Wi-Fi and the Internet between persons using cellphones and/or other devices capable of instant voice messaging; wherein the instant message audio file is generated and one or more files attached thereto and transmitting the files to available recipients and temporarily storing the message if an intended recipient is unavailable and thereafter delivered once the intend recipient becomes available.

57. In addition, should the Messenger system be found to not literally infringe the asserted claims of the '747 Patent, the Messenger system would nevertheless infringe the

asserted claims of the '747 Patent. More specifically, the accused Messenger system performs substantially the same function (instant voice messaging), in substantially the same way (recording and transmitting a message to be audibly played by one or more recipients and temporarily storing messages for a recipient who is unavailable), to yield substantially the same result (delivering voice messages with attached file(s) to available intended recipients). Facebook would thus be liable for direct infringement under the doctrine of equivalents.

58. Facebook has indirectly infringed and continues to indirectly infringe at least claims 1-3 and 12-14 of the '747 Patent in this judicial district and elsewhere in the United States by, among other things, actively inducing the using, offering for sale, selling, or importing the Messenger application. Facebook's customers who purchase the Messenger application and operate such application in accordance with Facebook's instructions directly infringe one or more of the forgoing claims of the '747 Patent in violation of 35 U.S.C. § 271. Facebook directly and/or indirectly instructs its customers through training videos, demonstrations, brochures, installation and/or user guides, such as those located at the following:

www.messengerl.com

www.facebook.com

<https://messengerplatform.fb.com>

Facebook is thereby liable for infringement of the '747 Patent under 35 U.S.C. § 271(b).

59. Facebook has indirectly infringed and continues to indirectly infringe at least claims 1-3 and 12-14 of the '747 Patent in this judicial district and elsewhere in the United States by, among other things, contributing to the direct infringement by others including, without limitation customers using the Messenger application, by making, offering to sell, selling and/or importing into the United States, a component of a patented machine, manufacture or

combination, or an apparatus for use in practicing a patented process, constituting a material part of the invention, knowing the same to be especially made or especially adapted for use in infringing the '747 Patent and not a staple article or commodity of commerce suitable for substantial non-infringing use.

60. For example, the Messenger application is a component of a patented machine, manufacture, or combination, or an apparatus for use in practicing a patent process. Furthermore, the Messenger application is a material part of the claimed inventions and upon information and belief is not a staple article or commodity of commerce suitable for substantial non-infringing use. Facebook is, therefore, liable for infringement under 35 U.S.C. § 271(c).

61. Facebook will have been on notice of the '747 Patent since, at the latest, the service of this complaint upon Facebook. By the time of trial, Facebook will have known and intended (since receiving such notice) that its continued actions would actively induce, and contribute to, the infringement of one or more of claims 1-3 and 12-14 of the '747 Patent.

62. Facebook may have infringed the '747 Patent through other software utilizing the same or reasonably similar functionality, including other versions of the Messenger application. Uniloc reserves the right to discover and pursue all such additional infringing software/devices.

63. Uniloc has been damaged, reparably and irreparably, by Facebook's infringement of the '747 Patent and such damage will continue unless and until Facebook is enjoined.

COUNT V
(INFRINGEMENT OF U.S. PATENT NO. 8,243,723)

64. Uniloc incorporates paragraphs 1-63 above by reference.

65. Uniloc Luxembourg is the owner, by assignment, of U.S. Patent No. 8,243,723 ("the '723 Patent"), entitled SYSTEM AND METHOD FOR INSTANT VOIP MESSAGING

that issued on August 14, 2012. A true and correct copy of the '723 Patent is attached as Exhibit E hereto.

66. Uniloc USA is the exclusive licensee of the '723 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.

67. Facebook has directly infringed, and continues to directly infringe one or more claims of the '723 Patent in this judicial district and elsewhere in Texas, including at least claims 1-3 literally and/or under the doctrine of equivalents, by or through making, using, importing, offering for sale and/or selling the Messenger application for/on mobile and/or desktop devices during the pendency of the '723 Patent which software and associated Facebook servers perform instant voice messaging over Wi-Fi and the Internet between persons using cellphones and/or other devices capable of instant voice messaging; wherein the availability of the recipients' nodes is monitored, recorded and displayed and the instant message(s) are temporarily stored if an intended message recipient is unavailable and thereafter delivered once the intend recipient becomes available.

68. In addition, should the Messenger system be found to not literally infringe the asserted claims of the '723 Patent, the Messenger system would nevertheless infringe the asserted claims of the '723 Patent. More specifically, the accused Messenger system performs substantially the same function (instant voice messaging), in substantially the same way (monitoring, recording and displaying recipients' availability), to yield substantially the same result (delivering voice messages to available intended recipients and storing messages for unavailable recipients until they become available). Facebook would thus be liable for direct infringement under the doctrine of equivalents.

69. Facebook has indirectly infringed and continues to indirectly infringe at least claims 1-3 of the '723 Patent in this judicial district and elsewhere in the United States by, among other things, actively inducing the using, offering for sale, selling, or importing the Messenger application. Facebook's customers who purchase the Messenger application and operate such application in accordance with Facebook's instructions directly infringe one or more of the forgoing claims of the '723 Patent in violation of 35 U.S.C. § 271. Facebook directly and/or indirectly instructs its customers through training videos, demonstrations, brochures, installation and/or user guides, such as those located at the following:

www.messenger.com

www.facebook.com

<https://messengerplatform.fb.com>

Facebook is thereby liable for infringement of the '723 Patent under 35 U.S.C. § 271(b).

70. Facebook has indirectly infringed and continues to indirectly infringe at least claims 1-3 of the '723 Patent in this judicial district and elsewhere in the United States by, among other things, contributing to the direct infringement by others including, without limitation customers using the Messenger application, by making, offering to sell, selling and/or importing into the United States, a component of a patented machine, manufacture or combination, or an apparatus for use in practicing a patented process, constituting a material part of the invention, knowing the same to be especially made or especially adapted for use in infringing the '723 Patent and not a staple article or commodity of commerce suitable for substantial non-infringing use.

71. For example, the Messenger application is a component of a patented machine, manufacture, or combination, or an apparatus for use in practicing a patent process.

Furthermore, the Messenger application is a material part of the claimed inventions and upon information and belief is not a staple article or commodity of commerce suitable for substantial non-infringing use. Facebook is, therefore, liable for infringement under 35 U.S.C. § 271(c).

72. Facebook will have been on notice of the '723 Patent since, at the latest, the service of this complaint upon Facebook. By the time of trial, Facebook will have known and intended (since receiving such notice) that its continued actions would actively induce, and contribute to, the infringement of one or more of claims 1-3 of the '723 Patent.

73. Facebook may have infringed the '723 Patent through other software utilizing the same or reasonably similar functionality, including other versions of it's the Messenger application. Uniloc reserves the right to discover and pursue all such additional infringing software/devices.

74. Uniloc has been damaged, reparably and irreparably, by Facebook's infringement of the '723 Patent and such damage will continue unless and until Facebook is enjoined.

PRAYER FOR RELIEF

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

(A) that Facebook has infringed the '622 Patent, '433 Patent, '890 Patent, '747 Patent and the '723 Patent;

(B) awarding Uniloc its damages suffered as a result of Facebook's infringement of the '622 Patent, '433 Patent, '890 Patent, '747 Patent and the '723 Patent pursuant to 35 U.S.C. § 284;

(C) enjoining Facebook, 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 '622 Patent, '433 Patent, '890 Patent, '747 Patent and the '723 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: July 5, 2016

Respectfully submitted,

/s/ Craig Tadlock

Craig Tadlock

Texas State Bar No. 00791766

Keith Smiley

Texas State Bar No. 24067869

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Email: kgannon@c-m.com

ATTORNEYS FOR THE PLAINTIFFS