

**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-731
Plaintiffs,	§	
	§	
v.	§	PATENT CASE
	§	
GREEN TOMATO LIMITED,	§	
	§	
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, Green Tomato Limited (“GT”), 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 instant messaging.

4. Upon information and belief, GT is a limited liability company organized and existing under the laws of the Hong King Special Administrative Region of the People’s Republic of China having a principal place of business in Kowloon, Hong Kong and does

business via distributing its accused Talkbox app to users in Texas and in the judicial Eastern District of Texas.

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, GT 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. GT 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/or services provided to customers in Texas.

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

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

9. 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 A hereto.

10. 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.

11. Upon information and belief, the following identifies, at least in part, GT's Talkbox Voice Messenger app:



12. Upon information and belief, the following describes, at least in part, the features of the Talkbox app:

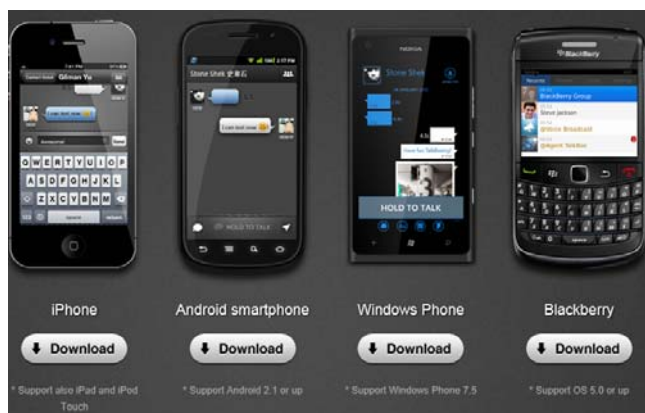
Description

ACTIVATE YOUR VOICE!! EXPERIENCE A NEW WAY OF MESSAGING!!

TalkBox is a voice messenger on mobile that allows users to exchange, share and publish their voice messages in an unprecedented way.

Experience the fastest messaging on iPhone, iPad & iPod Touch! TalkBox is sending messages with your voice and now with text input support!

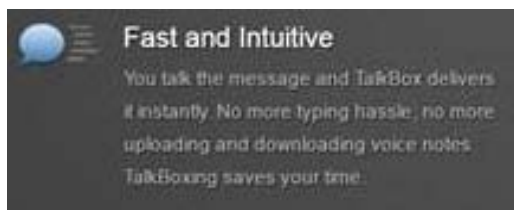
13. Upon information and belief, the following illustrates, at least in part, the Talkbox app running on various operating systems:



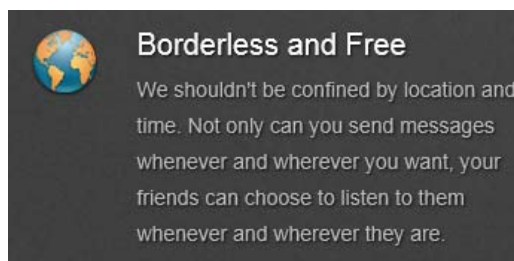
14. Upon information and belief, the following describes, at least in part, features of the Talkbox app:



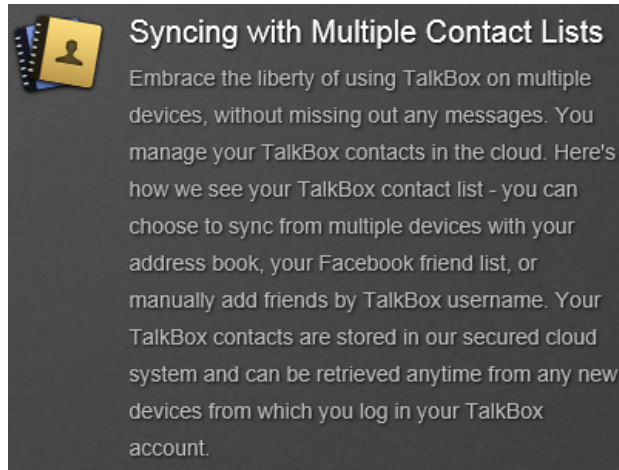
15. Upon information and belief, the following describes, at least in part, how the Talkbox app works:



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



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



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



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



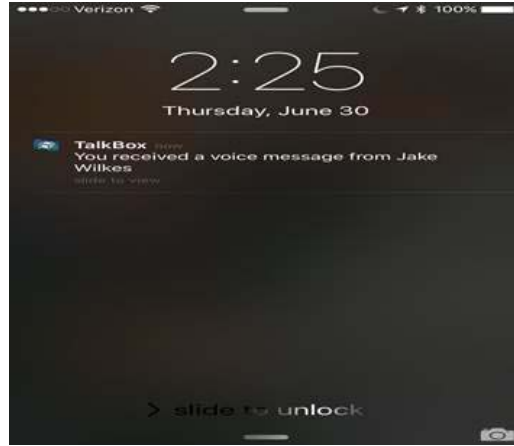
20. Upon information and belief, the following describes, at least in part, how the Talkbox app works:



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



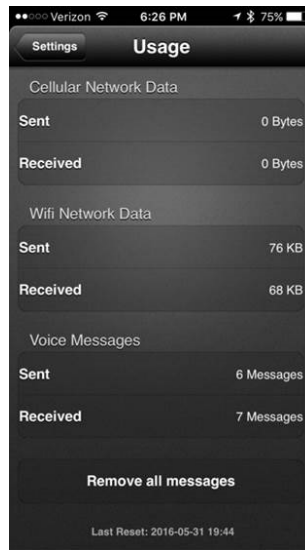
22. Upon information and belief, the following describes, at least in part, how the Talkbox app works:



23. Upon information and belief, the following describes, at least in part, how the Talkbox app works:



24. Upon information and belief, the following describes, at least in part, how the Talkbox app works:



25. Upon information and belief, the following describes, at least in part, how the Talkbox app works:

Data Security

TalkBox is dedicated to secure customer data and, to that end, TalkBox employs high standard security practices to keep your data protected. As part of the effort to keep your data protected, all personal and contact information transmitted through the TalkBox application is encrypted with SSL connection using AES-128 bit encryption between your mobile device and the TalkBox servers. That said, there are a number of risks in transmitting any kind of data over the public Internet and allowing voice recordings to reside on a physical device, so *under no circumstances should you use the TalkBox service to transmit confidential or privileged information of any sort.*

26. GT 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 Talkbox app during the pendency of the '890 Patent which software and associated GT 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.

27. In addition, should the Talkbox app system be found to not literally infringe the asserted claims of the '890 Patent, the Talkbox app system would nevertheless infringe the asserted claims of the '890 Patent. More specifically, the accused Talkbox App 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). GT would thus be liable for direct infringement under the doctrine of equivalents.

28. GT 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 Talkbox app. GT's customers who purchase the Talkbox app and operate such application in accordance with GT's instructions directly infringe one or more of the forgoing claims of the '890 Patent in violation of 35 U.S.C. § 271. GT directly and indirectly instructs its customers directly and indirectly through training videos, demonstrations, brochures, installation and/or user guides, such as those located at the following:

<http://talkboxapp.com>

<https://play.google.com/store/apps>

<https://itunes.apple.com/us/app>

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

29. GT 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 Talkbox app, 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.

30. For example, the Talkbox app is a component of a patented machine, manufacture, or combination, or an apparatus for use in practicing a patent process. Furthermore, the Talkbox app 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. GT is, therefore, liable for infringement under 35 U.S.C. § 271(c).

31. GT will have been on notice of the '890 Patent since, at the latest, the service of this complaint upon GT. By the time of trial, GT 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.

32. GT may have infringed the '890 Patent through other software utilizing the same or reasonably similar functionality, including other versions of the Talkbox app such as Push to Talk and Talkbox Teamwork. Uniloc reserves the right to discover and pursue all such additional infringing software/devices.

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

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

34. Uniloc incorporates paragraphs 1-33 above by reference.

35. 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 B hereto.

36. 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.

37. GT 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 Talkbox app for/on mobile and desktop devices during the pendency of the ’747 Patent which software and associated GT 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.

38. In addition, should the Talkbox app system be found to not literally infringe the asserted claims of the ’747 Patent, the Talkbox app system would nevertheless infringe the asserted claims of the ’747 Patent. More specifically, the accused Talkbox App 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). GT would thus be liable for direct infringement under the doctrine of equivalents.

39. GT 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 Talkbox app. GT's customers who purchase the Talkbox app and operate such application in accordance with GT's instructions directly infringe one or more of the forgoing claims of the '747 Patent in violation of 35 U.S.C. § 271. GT directly and/or indirectly instructs its customers directly and indirectly through training videos, demonstrations, brochures, installation and/or user guides, such as those located at the following:

<http://talkboxapp.com>

<https://play.google.com/store/apps>

<https://itunes.apple.com/us/app>

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

40. GT 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 Talkbox app, 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.

41. For example, the Talkbox app is a component of a patented machine, manufacture, or combination, or an apparatus for use in practicing a patent process. Furthermore, the Talkbox app 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. GT is, therefore, liable for infringement under 35 U.S.C. § 271(c).

42. GT will have been on notice of the '747 Patent since, at the latest, the service of this complaint upon GT. By the time of trial, GT 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.

43. GT may have infringed the '747 Patent through other software utilizing the same or reasonably similar functionality, including other versions of the Talkbox app such as Push to Talk and Talkbox Teamwork. Uniloc reserves the right to discover and pursue all such additional infringing software/devices.

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

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

45. Uniloc incorporates paragraphs 1-44 above by reference.

46. 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 C hereto.

47. 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.

48. GT 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 Talkbox app during the pendency of the '723 Patent which software and associated GT 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.

49. In addition, should the Talkbox app system be found to not literally infringe the asserted claims of the '723 Patent, the Talkbox app system would nevertheless infringe the asserted claims of the '723 Patent. More specifically, the accused Talkbox app 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). GT would thus be liable for direct infringement under the doctrine of equivalents.

50. GT 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 Talkbox app. GT's

customers who purchase the Talkbox app and operate such application in accordance with GT's instructions directly infringe one or more of the forgoing claims of the '723 Patent in violation of 35 U.S.C. § 271. GT directly and/or indirectly instructs its customers directly and indirectly through training videos, demonstrations, brochures, installation and/or user guides, such as those located at the following:

<http://talkboxapp.com>

<https://play.google.com/store/apps>

<https://itunes.apple.com/us/app>

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

51. GT 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 Talkbox app, 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.

52. For example, the Talkbox app is a component of a patented machine, manufacture, or combination, or an apparatus for use in practicing a patent process. Furthermore, the Talkbox app 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. GT is, therefore, liable for infringement under 35 U.S.C. § 271(c).

53. GT will have been on notice of the '723 Patent since, at the latest, the service of this complaint upon GT. By the time of trial, GT 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.

54. GT may have infringed the '723 Patent through other software utilizing the same or reasonably similar functionality, including other versions of it's the Talkbox app such as Push to Talk and Talkbox Teamwork. Uniloc reserves the right to discover and pursue all such additional infringing software/devices.

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

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

56. Uniloc incorporates paragraphs 1-55 above by reference.

57. 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 D hereto.

58. 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.

59. GT 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 Talkbox app during the pendency of the

'622 Patent which software and associated GT 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.

60. In addition, should the Talkbox app system be found to not literally infringe the asserted claims of the '622 Patent, the Talkbox app system would nevertheless infringe the asserted claims of the '622 Patent. More specifically, the accused Talkbox app 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). GT would thus be liable for direct infringement under the doctrine of equivalents.

61. GT 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 Talkbox app. GT's customers who purchase the Talkbox app and operate such application in accordance with GT's instructions directly infringe one or more of the forgoing claims of the '622 Patent in violation of 35 U.S.C. § 271. GT directly and indirectly instructs its customers directly and indirectly through training videos, demonstrations, brochures, installation and/or user guides, such as those located at the following:

<http://talkboxapp.com>

<https://play.google.com/store/apps>

<https://itunes.apple.com/us/app>

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

62. GT 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 Talkbox app, 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.

63. For example, the Talkbox app is a component of a patented machine, manufacture, or combination, or an apparatus for use in practicing a patent process. Furthermore, the Talkbox app 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. GT is therefore, liable for infringement under 35 U.S.C. § 271(c).

64. GT will have been on notice of the '622 Patent since, at the latest, the service of this complaint upon GT. By the time of trial, GT 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.

65. GT may have infringed the '622 Patent through other software utilizing the same or reasonably similar functionality, including other versions of the Talkbox app such as Push to Talk and Talkbox Teamwork. Uniloc reserves the right to discover and pursue all such additional infringing software/devices.

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

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

67. Uniloc incorporates paragraphs 1-66 above by reference.

68. 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 E hereto.

69. 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.

70. GT 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 Talkbox app during the pendency of the '433 Patent which software and associated GT 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.

71. In addition, should the Talkbox app system be found to not literally infringe the asserted claims of the '433 Patent, the Talkbox app system would nevertheless infringe the asserted claims of the '433 Patent. More specifically, the accused Talkbox app 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). GT would thus be liable for direct infringement under the doctrine of equivalents.

72. GT 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 Talkbox application. GT's customers who purchase the Talkbox app and operate such application in accordance with GT's instructions directly infringe one or more of the forgoing claims of the '433 Patent in violation of 35 U.S.C. § 271. GT directly and indirectly instructs its customers directly and indirectly through training videos, demonstrations, brochures, installation and/or user guides, such as those located at the following:

<http://talkboxapp.com>

<https://play.google.com/store/apps>

<https://itunes.apple.com/us/app>

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

73. GT 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 Talkbox app, 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.

74. For example, the Talkbox app is a component of a patented machine, manufacture, or combination, or an apparatus for use in practicing a patent process. Furthermore, the Talkbox app 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. Talkbox is, therefore, liable for infringement under 35 U.S.C. § 271(c).

75. GT will have been on notice of the '433 Patent since, at the latest, the service of this complaint upon GT. By the time of trial, GT 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.

76. GT may have infringed the '433 Patent through other software utilizing the same or reasonably similar functionality, including other versions of the Talkbox app such as Push to Talk and Talkbox Teamwork. Uniloc reserves the right to discover and pursue all such additional infringing software/devices.

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

PRAYER FOR RELIEF

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

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

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

(C) enjoining GT, 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 '890 Patent, the '747 Patent, the '723 Patent, the '622 Patent and the '433 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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ATTORNEYS FOR THE PLAINTIFFS