

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

UNILOC USA, INC. and UNILOC
LUXEMBOURG S.A.,

Plaintiffs,

v.

TENCENT AMERICA LLC and
TENCENT HOLDINGS LIMITED,

Defendants.

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CIVIL ACTION NO. 2:16-cv-694-JRG

JURY TRIAL DEMANDED

FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT

Plaintiffs, Uniloc USA, Inc. and Uniloc Luxembourg, S.A. (together “Uniloc”), as and for their first amended complaint against defendants, Tencent America LLC and Tencent Holdings Limited (collectively “Defendants”), 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, Tencent America LLC is a Delaware corporation having a principal place of business at 661 Bryant Street, Palo Alto, CA 94301 and offers its products, including those accused herein of infringement, to customers and/or potential customers

located in Texas and in the judicial Eastern District of Texas. Among other things, Defendant Tencent America LLC engages in marketing activities that promote the use of WeChat app and its associated system. Defendant Tencent America LLC also purchases and owns servers in the U.S. that allow users to download clients. Defendant Tencent America LLC may be served with process through its registered agent: Offshore Incorporations Limited, 1013 Centre Road, Wilmington DE 19805.

5. On information and belief, Defendant Tencent Holdings Limited is incorporated in the Caymen Islands with limited liability and offers its products, including those accused herein of infringement, to customers and/or potential customers located in Texas and in the judicial Eastern District of Texas.

JURISDICTION AND VENUE

6. 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.

7. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(c) and 1400(b). Upon information and belief, Defendants are deemed to reside in this judicial district, have committed acts of infringement in this judicial district, and/or have purposely transacted business involving the accused products in this judicial district, including sales to one or more customers in Texas.

8. Defendants are 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)

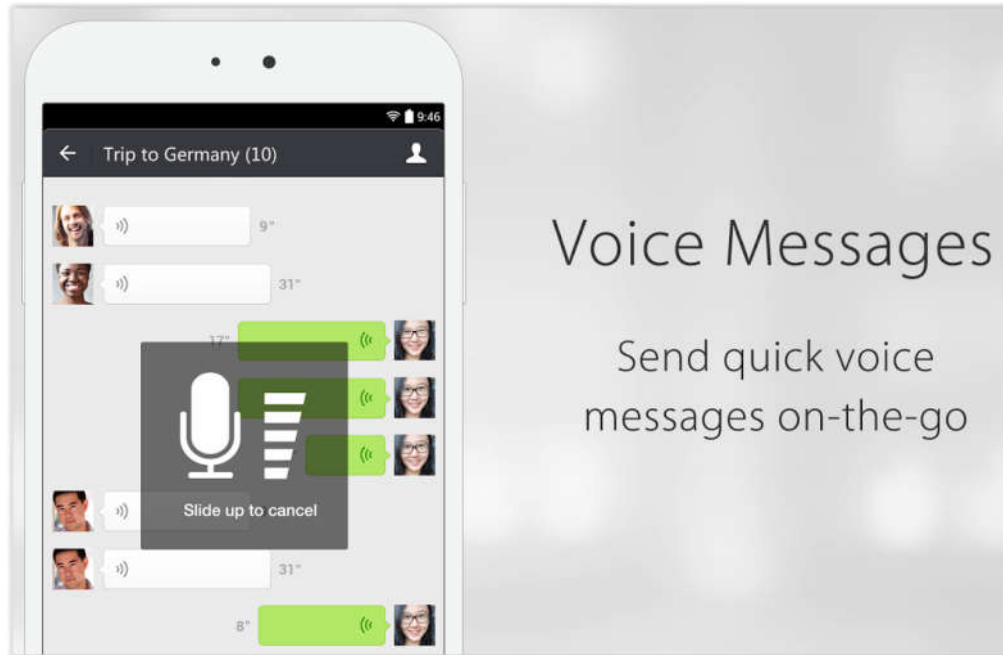
9. Uniloc incorporates by reference the above paragraphs.

10. 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.

11. 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.

12. Defendants have marketed and currently markets a voice and mobile messaging application (or “app”) under the name “WeChat” which can be downloaded to a device from links provided at <http://www.wechat.com/en/> as well as the through other sites such as Google Play and the Apple App Store. The WeChat app is serviced by a system that facilitates its operation. Such a system includes one or more servers.

13. Upon information and belief, the following describes, at least in part, certain aspects of a representative sample of Defendants’ WeChat app and associated system:



Source: <https://play.google.com/store/apps/details?id=com.tencent.mm>

14. Upon information and belief, the following describes, at least in part, certain aspects of a representative sample of Defendants' WeChat app and associated system:

What can WeChat do?

With WeChat, you can chat with your friends instantly via voice messages, texts, or images. You can also create group chats to chat with several friends together.

Source: <http://www.wechat.com/en/faq.html#iphone>

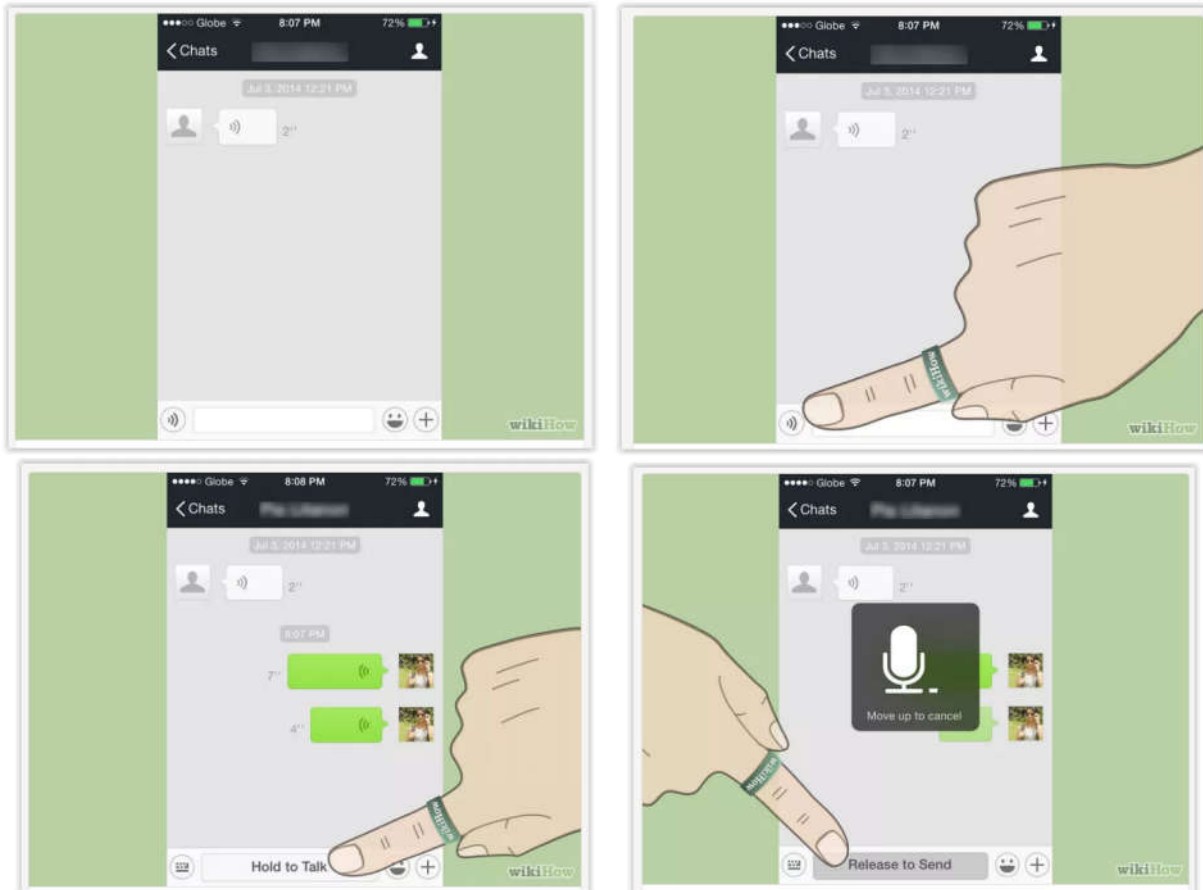
15. Upon information and belief, the following describes, at least in part, certain aspects of a representative sample of Defendants' WeChat app and associated system:

2. Simplify your chat messages

Next time you're spending hours drafting a long text message, think about sending a WeChat voice message instead. You just press and hold the "Hold to Talk" button to record and release to send. Or you can send an animated **sticker** that perfectly sums up your emotion with one tap.

Source: <http://blog.wechat.com/2014/08/05/6-ways-to-simplify-your-life-with-wechat/>

16. Upon information and belief, the following describes, at least in part, certain aspects of a representative sample of Defendants' WeChat app and associated system:



Source: <http://pt.wikihow.com/Usar-os-Recursos-do-Wechat>

17. Upon information and belief, the following describes, at least in part, certain aspects of a representative sample of Defendants' WeChat app and associated system:

What is the difference between WeChat and SMS?

SMS is the traditional text messaging service that allows users to send short, text-based messages to their contacts. The cost to send one text message will vary depending on the network provider and the user's mobile device plan.

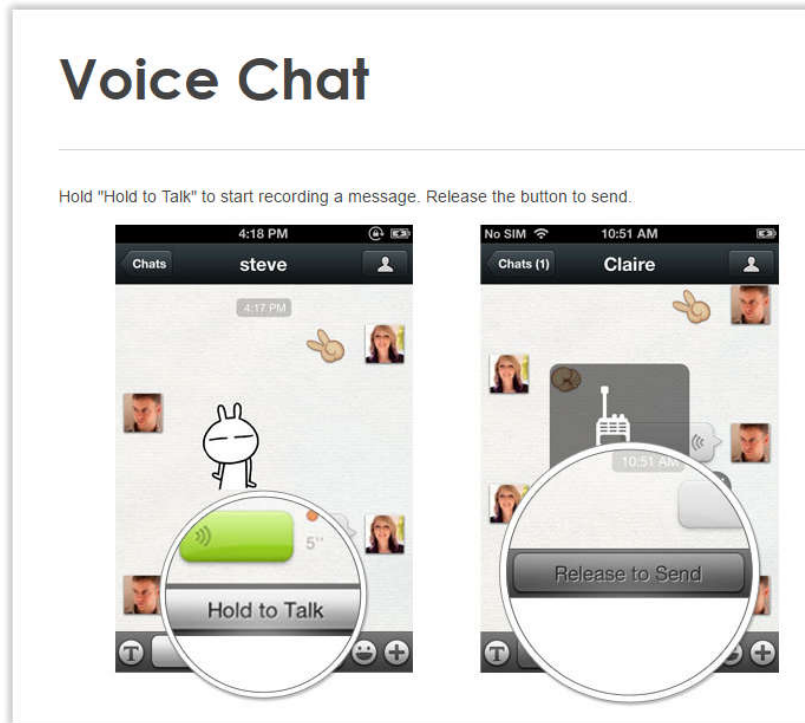
WeChat is a chat app that allows you to communicate with your friends and family through free services within the app, like text messages, voice and video calls, voice messages and more.

Note: WeChat is accessible through both Wi-Fi or cellular data. It is completely free to use when connected to Wi-Fi. Cellular data usage is charged by your network provider. For details on your data usage, please contact your network provider.

https://help.wechat.com/cgi-bin/micromsg-bin/oshelpcenter?t=help_center/topic_detail&opcode=2&plat=ios{{getLang}}&id=1208117b2m

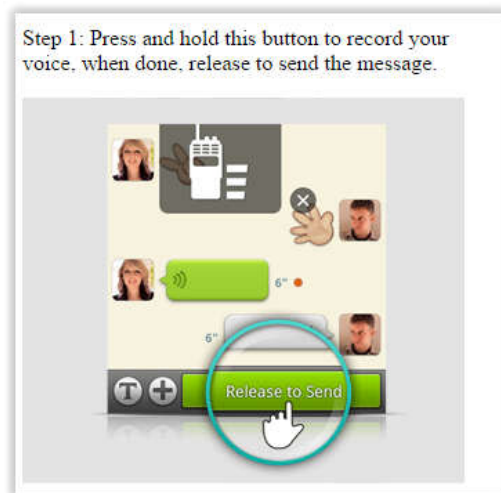
ai141024naQz6z&lang=en&Channel=helpcenter

18. Upon information and belief, the following describes, at least in part, certain aspects of a representative sample of Defendants' WeChat app and associated system:

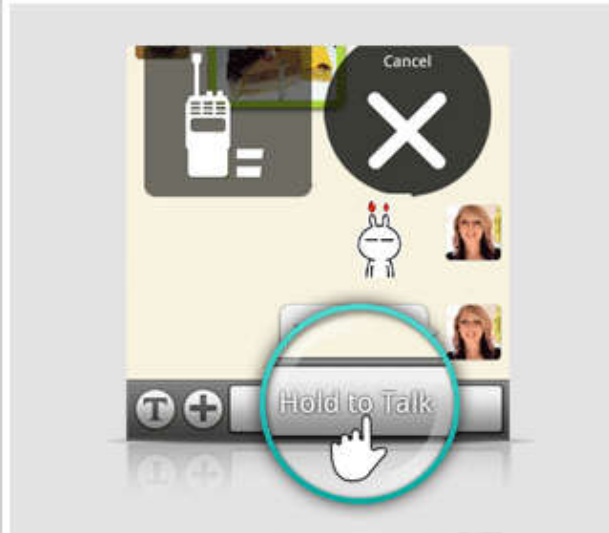


Source: <http://www.wechat.com/en/features.html#voice>

19. Upon information and belief, the following describes, at least in part, certain aspects of a representative sample of Defendants' Defendants' WeChat app and associated system:



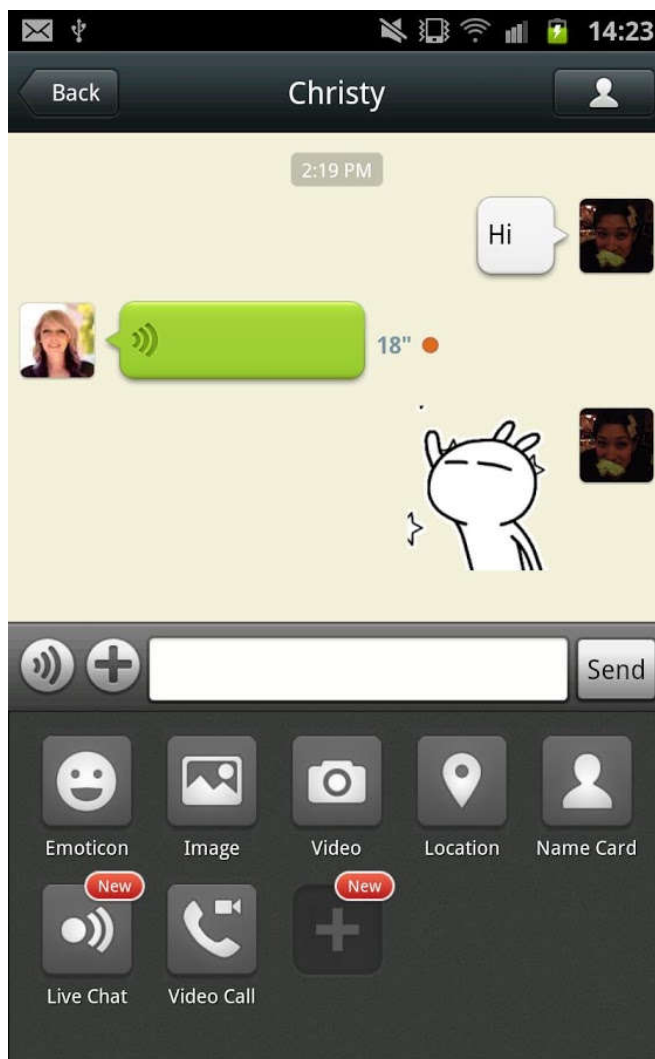
Step 2: If you want to delete the messages you are recording, continue processing your finger to the screen, move it upwards, and release on the 'X' graphic.



Just press and release, more fun than a walkie-talkie!

Source: <http://tips.wechat.com/posts/4509.html>

20. Upon information and belief, the following describes, at least in part, certain aspects of a representative sample of Defendants' WeChat app and associated system:



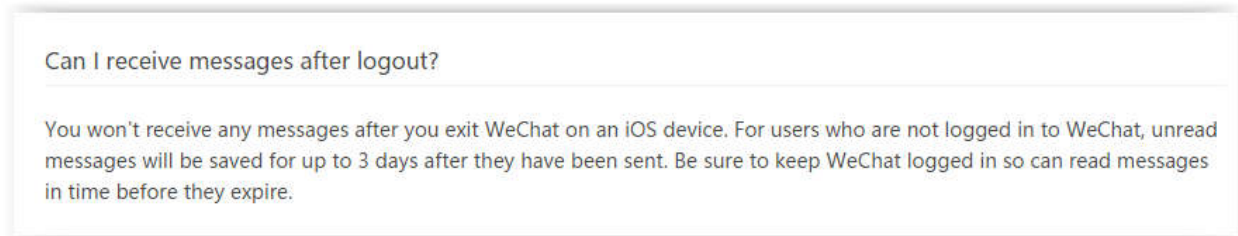
Source: <http://www.nairaland.com/1375249/download-wechat-nokia-blackberry-htc>

21. Upon information and belief, the following describes, at least in part, certain aspects of a representative sample of Defendants' WeChat app and associated system:

• **Better Privacy:** Unlike WhatsApp, WeChat does not tell other people whether you are online, offline or when you were last seen. And it won't notify the sender if you received their message. While WhatsApp allows anyone with your number to send you an instant chat (whether you like them or not), WeChat lets you approve people before allowing them send you a message. WeChat also lets you "log out" – good for when you don't want to be notified of incoming messages but you don't want to shut down your mobile phone entirely.

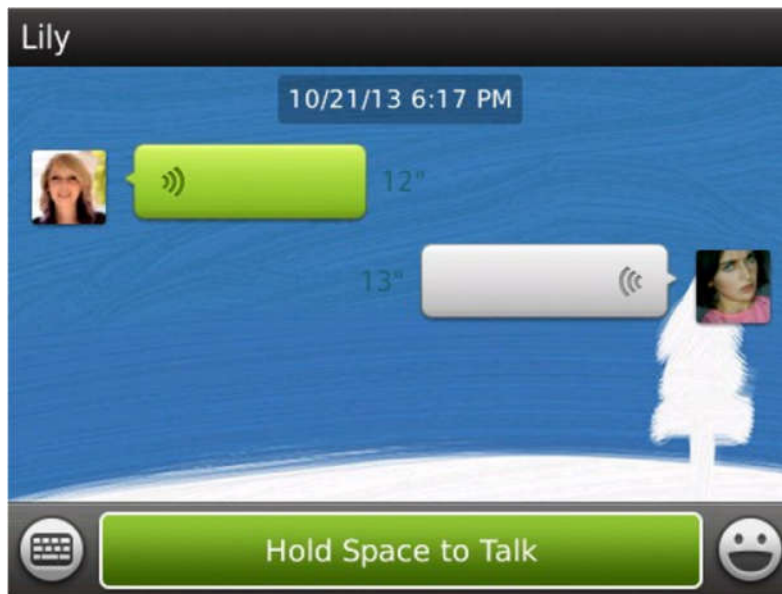
Source: <http://sinopundit.com/2013/04/how-chinas-wechat-messaging-app-disrupts-the-global-mobile-landscape-taking-on-whatsapp-facebook-and-soon-the-world/>

22. Upon information and belief, the following describes, at least in part, certain aspects of a representative sample of Defendants' WeChat app and associated system:



Source: <http://help.wechat.com/cgi-bin/micromsg-bin/oshelpcenter?opcode=2&plat=ios&lang=en&id=1208117b2mai141024MfqQjY&Channel=helpcenter>

23. Upon information and belief, the following describes, at least in part, certain aspects of a representative sample of Defendants' WeChat app and associated system:



Source: <https://appworld.blackberry.com/webstore/content/18536566/?countrycode=US&lang=en>

24. Defendants have directly infringed, and continue 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, 11, 13-23, and 38 literally and/or under the doctrine of equivalents, by or through making, using, importing, offering for sale and/or selling one or more versions of the WeChat app

and associated system during the pendency of the '622 Patent which software and associated 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.

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

26. Defendants have indirectly infringed and continue to indirectly infringe at least claims 3, 4, 6-8, 10, 11, 13-23, and 38 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 WeChat app and associated system. Defendant's customers who obtain the WeChat app and associated system and operate such app in accordance with Defendants' instructions directly infringe one or more of the foregoing claims of the '622 Patent in violation of 35 U.S.C. § 271. Defendants instruct its customers directly and indirectly through training videos, demonstrations, brochures, installation and/or user guides, such as those located at the following:

<https://www.wechat.com>

<https://help.wechat.com>

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

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

www.youtube.com

<https://www.youtube.com/user/WeChatVideo>

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

27. Defendant has indirectly infringed and continues to indirectly infringe at least claims 3, 4, 6-8, 10, 11, 13-23, and 38 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 WeChat app and associated system, 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.

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

29. Defendants will have been on notice of the '622 Patent since, at the latest, the service of this complaint upon Defendant. By the time of trial, Defendant 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, 11, 13-23, and 38 of the '622 Patent.

30. Defendants may have infringed the '622 Patent through other software utilizing the same or reasonably similar functionality, including other versions of its WeChat app and associated system. Uniloc reserves the right to discover and pursue all such additional infringing software/devices.

31. Uniloc has been damaged, reparably and irreparably, by Defendants' infringement of the '622 Patent and such damage will continue unless and until Defendants are enjoined.

COUNT II

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

32. Uniloc incorporates by reference the above paragraphs.

33. 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.

34. 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.

35. Defendants have 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, 6, and 8 literally and/or under the doctrine of equivalents, by or through making, using, importing, offering for sale and/or selling one or more versions of the WeChat app and associated system during the pendency of the '433 Patent which software and associated 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.

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

37. Defendants have indirectly infringed and continue to indirectly infringe at least claims 1, 6, and 8 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 WeChat app and associated system. Defendant's customers who obtain the WeChat app and associated system and operate such app in accordance with Defendants' instructions directly infringe one or more of the foregoing claims of the '433 Patent in violation of 35 U.S.C. § 271. Defendants instruct its customers directly and indirectly through training videos, demonstrations, brochures, installation and/or user guides, such as those located at the following:

<https://www.wechat.com>

<https://help.wechat.com>

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

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

www.youtube.com

<https://www.youtube.com/user/WeChatVideo>

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

38. Defendants have indirectly infringed and continue to indirectly infringe at least claims 1, 6, and 8 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 WeChat app and associated system, 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.

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

40. Defendants will have been on notice of the '433 Patent since, at the latest, the service of this complaint upon them. By the time of trial, Defendant 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, and 8 of the '433 Patent.

41. Defendants may have infringed the ‘433 Patent through other software utilizing the same or reasonably similar functionality, including other versions of the WeChat app and associated system. Uniloc reserves the right to discover and pursue all such additional infringing software/devices.

42. Uniloc has been damaged, reparably and irreparably, by Defendants’ infringement of the ‘433 Patent and such damage will continue unless and until Defendants are enjoined.

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

43. Uniloc incorporates by reference the above paragraphs.

44. 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.

45. 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.

46. Defendants have 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, 14, 15, 17-20, 28, 29, 31-34, 40-43, 51-54, and 62-65 literally and/or under the doctrine of equivalents, by or through making, using, importing, offering for sale and/or selling one or more versions of the WeChat app and associated system during the pendency of the ‘890 Patent which software and associated 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.

47. In addition, should the WeChat app and associated system be found to not literally infringe the asserted claims of the '890 Patent, the accused WeChat app and associated system would nevertheless infringe the asserted claims of the '890 Patent. More specifically, the accused WeChat app and associated 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). Defendants would thus be liable for direct infringement under the doctrine of equivalents.

48. Defendants have indirectly infringed and continue to indirectly infringe at least claims 1-6, 14, 15, 17-20, 28, 29, 31-34, 40-43, 51-54, and 62-65 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 WeChat app and associated system. Defendant's customers who obtain the WeChat app and associated system and operate such app in accordance with Defendants' instructions directly infringe one or more of the foregoing claims of the '890 Patent in violation of 35 U.S.C. § 271. Defendants instruct its customers directly and indirectly through training videos, demonstrations, brochures, installation and/or user guides, such as those located at the following:

<https://www.wechat.com>

<https://help.wechat.com>

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

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

www.youtube.com

<https://www.youtube.com/user/WeChatVideo>

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

49. Defendant has indirectly infringed and continues to indirectly infringe at least claims 1-6, 14, 15, 17-20, 28, 29, 31-34, 40-43, 51-54, and 62-65 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 WeChat app and associated system, 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.

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

51. Defendants will have been on notice of the '890 Patent since, at the latest, the service of this complaint upon Defendant. By the time of trial, Defendant 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, 14, 15, 17-20, 28, 29, 31-34, 40-43, 51-54, and 62-65 of the '890 Patent.

52. Defendants may have infringed the '890 Patent through other software utilizing the same or reasonably similar functionality, including other versions of its WeChat app and

associated system. Uniloc reserves the right to discover and pursue all such additional infringing software/devices.

53. Uniloc has been damaged, reparably and irreparably, by Defendants' infringement of the '890 Patent and such damage will continue unless and until Defendants are enjoined.

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

54. Uniloc incorporates by reference the above paragraphs.

55. 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.

56. 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.

57. Defendants have 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 and 12 literally and/or under the doctrine of equivalents, by or through making, using, importing, offering for sale and/or selling one or more versions of the WeChat app and associated system during the pendency of the '747 Patent which software and associated 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.

58. In addition, should the WeChat app and associated system be found to not literally

infringe the asserted claims of the '747 Patent, the accused WeChat app and associated system would nevertheless infringe the asserted claims of the '747 Patent. More specifically, the accused WeChat app and associated 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). Defendants would thus be liable for direct infringement under the doctrine of equivalents.

59. Defendants have indirectly infringed and continue to indirectly infringe at least claims 1 and 12 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 WeChat app and associated system. Defendant's customers who obtain the WeChat app and associated system and operate such app in accordance with Defendants' instructions directly infringe one or more of the foregoing claims of the '747 Patent in violation of 35 U.S.C. § 271. Defendants instruct its customers directly and indirectly through training videos, demonstrations, brochures, installation and/or user guides, such as those located at the following:

<https://www.wechat.com>

<https://help.wechat.com>

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

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

www.youtube.com

<https://www.youtube.com/user/WeChatVideo>

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

60. Defendant has indirectly infringed and continues to indirectly infringe at least claims 1 and 12 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 WeChat app and associated system, 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.

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

62. Defendants will have been on notice of the '747 Patent since, at the latest, the service of this complaint upon them. By the time of trial, Defendant 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 and 12 of the '747 Patent.

63. Defendants may have infringed the '747 Patent through other software utilizing the same or reasonably similar functionality, including other versions of its WeChat app and associated system. Uniloc reserves the right to discover and pursue all such additional infringing software/devices.

64. Uniloc has been damaged, reparably and irreparably, by Defendants' infringement of the '747 Patent and such damage will continue unless and until Defendants are enjoined.

PRAYER FOR RELIEF

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

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

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

(C) enjoining each Defendant, 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, and '747 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: September 7, 2016

Respectfully submitted,

/s/ James L. Etheridge

James L. Etheridge
Texas State Bar No. 24059147
Ryan S. Loveless
Texas State Bar No. 24036997
Brett A. Mangrum
Texas State Bar No. 24065671
Travis L. Richins
Texas State Bar No. 24061296
ETHERIDGE LAW GROUP, PLLC
2600 E. Southlake Blvd., Suite 120 / 324
Southlake, Texas 76092
Telephone: (817) 470-7249
Facsimile: (817) 887-5950
Jim@EtheridgeLaw.com
Ryan@EtheridgeLaw.com
Brett@EtheridgeLaw.com
Travis@EtheridgeLaw.com

***Counsel for Plaintiffs Uniloc USA, Inc. and
Uniloc Luxembourg S.A.***

CCERTIFICATE OF SERVICE

I hereby certify that all counsel of record, who are deemed to have consented to electronic service are being served this September 7, 2016, with a copy of this document *via* the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ James L. Etheridge
James L. Etheridge