

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IMMERSION CORPORATION,

Plaintiff,

v.

MOTOROLA MOBILITY LLC and

MOTOROLA MOBILITY HOLDINGS LLC,

Defendants.

Civil Action No.

DEMAND FOR JURY TRIAL

COMPLAINT FOR PATENT INFRINGEMENT

Immersion Corporation (“Immersion”) brings this action against Motorola Mobility LLC (“Motorola Mobility”) and Motorola Mobility Holdings LLC (“Motorola Holdings”) (collectively, “Motorola”), and alleges as follows:

NATURE OF THE ACTION

1. This action is based on Motorola’s infringement of several patents developed and owned by Immersion, sometimes referred to as “basic haptics” patents, covering Motorola’s use of haptic feedback technology (“haptic feedback”) in mobile devices. For many years, Motorola had paid for a license to use Immersion’s patent portfolio. Although Motorola decided not to renew its patent license with Immersion when it expired in November 2015, Motorola did not stop using the haptic feedback technology covered by the patents. Despite its continuing use of Immersion’s patented technology, Motorola has declined to enter into a new license agreement

with Immersion.

2. The patents at issue (collectively, the “Asserted Patents”) are U.S. Patent Nos. 6,429,846 (“the ’846 patent”), 7,969,288 (“the ’288 patent”), 7,982,720 (“the ’720 patent”), 8,031,181 (“the ’181 patent”), and 9,323,332 (“the ’332 patent”). All except the ’332 patent were specifically identified in the previous patent license. As for the ’332 patent, it issued on April 26, 2016, after Motorola’s license had expired.

PARTIES

3. Immersion is a Delaware corporation with its principal place of business located at 50 Rio Robles, San Jose, California 95134. Immersion owns the Asserted Patents.

4. Founded in 1993, Immersion develops products for the mobile electronics industry, including creating software for implementing advanced haptic effects on cellular phones, smartphones, smart wearable devices (such as smart watches), and other handheld computers. Immersion also owns and licenses a broad portfolio of pioneering patents related to the use of haptics technology. Immersion’s software is used in products that are sold and used worldwide, including cell phones, tablets, medical simulation devices, automobiles, and other consumer devices. Immersion’s patented technology is used even more widely, pursuant to patent licenses entered into by Immersion.

5. On information and belief, Defendant Motorola Mobility is a limited liability company chartered under the laws of the State of Delaware that has its principal place of business at 600 North U.S. Highway 45, Libertyville, Illinois 60048. Motorola Mobility may be served via its registered agent, The Corporation Trust Company, 1201 Orange Street, Wilmington, Delaware 19801.

6. On information and belief, Defendant Motorola Holdings is a limited liability

company chartered under the laws of the State of Delaware that has its principal place of business at 600 North U.S. Highway 45, Libertyville, Illinois 60048. Motorola Holdings may be served via its registered agent, The Corporation Trust Company, 1201 Orange Street, Wilmington, Delaware 19801.

JURISDICTION AND VENUE

7. This is an action for patent infringement arising under the patent laws of the United States, 35 U.S.C. § 1 *et seq.*, including, but not limited to, 35 U.S.C. § 271.

8. This Court has subject-matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

9. This Court has general and specific personal jurisdiction over Motorola Mobility and Motorola Holdings. Motorola Mobility and Motorola Holdings are chartered in the State of Delaware; Motorola has sufficient contacts with Delaware, including, but not limited to, importing and allowing infringing devices to enter the stream of commerce in the state; and Motorola receives the benefits and protection of the state's laws.

10. Venue in this judicial district is proper pursuant to 28 U.S.C. § 1400(b) because Motorola Mobility and Motorola Holdings are chartered in the State of Delaware.

HAPTIC FEEDBACK TECHNOLOGY

11. Haptic feedback provides touch or tactile sensations to users of electronic applications, and may include tactile sensations produced by an actuator, such as a motor, a linear resonant actuator, or a piezoelectric actuator in an electronic device. Haptic feedback is integrated into many mobile electronic devices, including cell phones and tablets. The infringing Motorola devices include haptic feedback technology.

12. A common application of haptic feedback is to provide confirmation that a user

has pressed a virtual key or selected an icon in a graphical user interface, such as the touch screen of a smart phone or handheld computer. When the key or icon is touched the user feels a vibration or pulse.

13. Haptic feedback is especially useful in electronic devices containing touchscreens, which tend to have primarily virtual buttons to control the device and very few physical buttons. Vibrations restore a mechanical feel to electronic devices, immediately reassuring a user that he or she has successfully engaged a virtual button and improving the interface for consumers.

14. Motorola has used basic haptics features in its phones for many years. For several years, Motorola licensed the right to use Immersion's patented technology in its phones. When Motorola's license expired, Motorola decided not to renew its license. However, Motorola continues to use Immersion's patented haptic technology. Immersion is bringing this suit based on Motorola's unauthorized use of its patented technology.

15. All of the Asserted Patents but the '332 patent were at issue in previous litigation between Immersion and Motorola. On February 7, 2012, Immersion filed a Complaint with the International Trade Commission ("ITC"), requesting that the ITC initiate an investigation into Motorola's infringement of Immersion's patents. Immersion simultaneously filed a Complaint in this District for patent infringement, C. A. No. 12-148-RGA. The ITC and District Court complaints included four patents at issue in this action: U.S. Patent Nos. 6,429,846; 7,969,288; 7,782,720; and 8,031,181.

16. The District Court action was stayed pending the ITC investigation, per Motorola's statutory right. The ITC initiated an investigation, and the matter proceeded in the ITC. The parties participated in extensive discovery, including written discovery and depositions. The parties settled the ITC investigation and the District Court action by entering

into a patent license, which has since expired.

CLAIMS FOR RELIEF

17. Immersion incorporates by reference and repeats each and every preceding paragraph with the same force and effect as if set forth in full here.

18. On information and belief, Motorola has infringed and continues to infringe; has induced and continues to induce others to infringe; and/or has committed and continues to commit acts of contributory infringement of one or more of the claims of each of the Asserted Patents. Motorola's infringing activities include the development, manufacture, use, importation, sale, and/or offer for sale of touch screen mobile phones that either (1) Motorola had not commenced commercially producing, distributing, and selling before November 21, 2015 or (2) Motorola distributed after November 21, 2016 (collectively, the "Accused Phones"), and contributing to and inducing others to do the same. On information and belief, these products include, but are not limited to, the Moto G4, Moto G4 Play, Moto G4 Plus, Moto G5, Moto G5 Plus, Moto Z, Moto Z Force, and Moto Z Play. Motorola is in the best position to know what other similar devices it developed, manufactured, used, imported, sold, and/or offered for sale (and that were not licensed under the patent license that expired on November 21, 2015), and, on information and belief, Immersion accuses all such other devices of infringement in this action whether or not specifically listed above.

COUNT I: INFRINGEMENT OF THE '846 PATENT

19. Immersion incorporates by reference and repeats each and every preceding paragraph with the same force and effect as if set forth in full here.

20. Immersion owns, by assignment, all rights, title, and interests in and to United States Patent No. 6,429,846, entitled "Haptic Feedback for Touchpads and Other Touch

Controls,” which was duly and legally issued on August 6, 2002. A copy of the ’846 patent, including three Certificates of Correction that correct clerical errors in the patent, is attached as Exhibit A.

21. Each of Motorola’s Accused Phones infringes at least one claim of the ’846 patent, literally or under the doctrine of equivalents.

22. By way of example and not limitation, Motorola’s Moto G4 meets or embodies every element of at least claim 1 of the ’846 patent, as set forth below:

- a. A haptic feedback touch control for inputting signals to a portable computer and for outputting forces to a user of the touch control, the touch control comprising:

The Moto G4 includes a haptic feedback touch control wherein a user can input a signal to the computer by touching an area of the device’s touch screen display. The Moto G4 also outputs forces to the user, such as in the form of vibrations when a user types on the keyboard or touches the home, recent, or back keys.

- i. A touch input device integrated in a housing of said portable computer, said touch input device including an approximately planar touch surface operative to input a position signal to a processor of said computer based on a location on said touch surface which said user contacts, said position signal representing a location in two dimensions;

The Moto G4 is a portable device that houses a touch screen that is approximately planar. The touch screen is configured to sense the location of a user’s contact. This allows the user to select displayed icons or applications, or to place a cursor at a specific location within text. The touch screen outputs coordinates of the contacted location on the touch screen to the Moto G4’s application processor. Thus, the touch screen is operative to input a position signal, based on the location on the touch surface that the user contacts, to a processor of the computer, where the

signal indicates a location (the location of the user contact) in two dimensions.

- ii. wherein said computer positions a cursor in a graphical environment displayed on a display device based at least in part on said position signal; and

The Moto G4 positions a variety of cursors in the graphical environment displayed on the touch screen based at least in part on the position signal. For example, a cursor may be used to mark the location where text will be input. A user may change the location of this mark by tapping a different position on the screen, or by pressing, holding, and dragging the cursor to a new location.

- iii. at least one actuator coupled to said touch input device, said actuator outputting a force on said touch input device to provide a haptic sensation to said user contacting said touch surface, wherein said actuator outputs said force based on force information output by said processor, said actuator outputting a force directly on said touch input device.

The Moto G4 has an actuator, which is coupled to the touch screen. The actuator outputs a force on the touch screen to provide a haptic sensation to a user when, for example the user types on the keyboard or touches the home, recent, or back keys. The Moto G4 contains an applications processor that outputs a signal indicating the force to be output by the actuator, which in turn outputs a force directly on the touch input device.

23. Additionally or in the alternative, Motorola has induced or contributed to infringement with respect to the '846 patent and the Accused Phones.

24. Motorola has been aware of the '846 patent since at least August 21, 2011. This was long before the Accused Phones were conceived or introduced. Motorola conceived, designed, and built the Accused Phones with full and detailed knowledge of the '846 patent. Despite this knowledge and history, Motorola provides directions, instruction manuals, guides,

and/or other materials that instruct and encourage the purchaser of an Accused Phone to use the device in a manner that infringes one or more claims of the '846 patent, either literally or under the doctrine of equivalents. The accused haptic functionality of the Accused Phones is a material part of the patented invention and especially made or especially adapted for use in the infringement, and not a staple article or commodity of commerce suitable for substantial noninfringing use.

25. Despite having knowledge of the '846 patent, having been involved in extensive negotiations regarding the patent, having licensed the patent in the past, and knowing that its license to the '846 patent had expired, Motorola has continued to make, use, offer to sell, sell, and import the Accused Phones. Motorola's infringement has been, and continues to be, willful and deliberate and has caused substantial damage to Immersion.

26. Immersion is entitled to damages, attorneys' fees, costs, and other remedies available under the law based on Motorola's infringement.

COUNT II: INFRINGEMENT OF THE '288 PATENT

27. Immersion incorporates by reference and repeats each and every preceding paragraph with the same force and effect as if set forth in full here.

28. Immersion owns, by assignment, all rights, title, and interests in and to United States Patent No. 7,969,288, entitled "Force Feedback System Including Multi-Tasking Graphical Host Environment and Interface Device," which was duly and legally issued on April 15, 1998. The '288 patent was the subject of a request for reexamination filed July 30, 2012. The third party requestor filed an extremely detailed, 195-page request for *ex parte* reexamination. The USPTO conducted the reexamination, and upheld the validity of the patent. Specifically, the USPTO determined claim 18 to be patentable with a minor amendment, and

claims 1-17 were not reexamined. A copy of the '288 patent and the reexamination certificate are attached as Exhibit B.

29. Each of Motorola's Accused Phones infringes at least one claim of the '288 patent, literally or under the doctrine of equivalents.

30. By way of example and not limitation, Motorola's Moto G4 meets or embodies every element of at least claim 18 of the '288 patent, as set forth below:

a. A software method in a multi-tasking environment comprising:

The Moto G4 provides the user with a multi-tasking environment. Its operating system, Android, is a Linux-based operating system. Linux is a multi-tasking environment that permits multiple applications to run concurrently.

i. storing a plurality of data sets in memory, each data set comprising a representation of one or more force effects, wherein each one of the plurality of data sets is associated with one software application;

The Moto G4 stores a plurality of data sets in memory, where each data set includes information indicative of one or more force effects. Each software application that performs haptic feedback will include one or more data sets of haptic feedback constants or haptic method parameters that represent one or more force effects that the particular application may call. An application's haptic feedback constants and haptic method parameters are a data set that is associated with that particular application. Thus, each one of the plurality of data sets is associated with one haptic-enabled software application. Examples of haptic methods include `performHapticFeedback(int feedbackConstant, int flags)` and `performHapticFeedback(int feedbackConstant)`, which are implemented in the `View` class, and `vibrate(long[] pattern, int repeat)` and `vibrate(long milliseconds)`, which are implemented in the `Vibrator` class.

- ii. calling an application programming interface;

The Moto G4 generates haptic effects by calls to the application programming interfaces provided by the Vibrator and View classes, as examples.

- iii. determining which one of a plurality of concurrently running application programs is active in the multi-tasking environment; and

The Moto G4 includes application programs and can run multiple applications concurrently. A user may select an application program, at which point the Moto G4's Android operating system makes the newly selected application program active. The Android operating system determines which one of a plurality of application programs is active.

- iv. generating a signal representing the data set associated with the active application program.

The Moto G4 is configured to generate a signal representing the data set associated with the active application program in order to output a haptic effect. For example, signals representing a given haptic feedback method parameter or constant in an active application are generated after the application's call to the Vibrator class is passed to the actuator driver, so information representing or relating to a force effect can be transmitted to the actuator.

31. Additionally or in the alternative, Motorola has induced or contributed to infringement with respect to the '288 patent and the Accused Phones.

32. Motorola has been aware of the '288 patent since at least August 21, 2011, long before the Accused Phones were conceived or introduced. Motorola conceived, designed, and built the Accused Phones with full and detailed knowledge of the '288 patent. Despite this knowledge and history, Motorola provides directions, instruction manuals, guides, and/or other materials that instruct and encourage the purchaser of an Accused Phone to use the device in a

manner that infringes one or more claims of the '288 patent, either literally or under the doctrine of equivalents. The accused haptic functionality of the Accused Phones is a material part of the patented invention and especially made or especially adapted for use in the infringement, and not a staple article or commodity of commerce suitable for substantial noninfringing use.

33. Despite having knowledge of the '288 patent, having been involved in extensive negotiations regarding the patent, having licensed the patent in the past, and knowing that its license to the '288 patent had expired, Motorola has continued to make, use, offer to sell, sell, and import the Accused Phones. Motorola's infringement has been, and continues to be, willful and deliberate and has caused substantial damage to Immersion.

34. Immersion is entitled to damages, attorneys' fees, costs, and other remedies available under the law based on Motorola's infringement.

COUNT III: INFRINGEMENT OF THE '720 PATENT

35. Immersion incorporates by reference and repeats each and every preceding paragraph with the same force and effect as if set forth in full here.

36. Immersion owns, by assignment, all rights, title, and interests in and to United States Patent No. 7,982,720, entitled "Haptic Feedback for Touchpads and Other Touch Controls," which was duly and legally issued on July 19, 2011. The '720 patent was the subject of a request for reexamination filed September 12, 2012. The third party requestor filed an extremely detailed, 200-page request for *ex parte* reexamination. The USPTO conducted the reexamination, and upheld the validity of the patent. On February 18, 2014, pursuant to 35 U.S.C. § 307, an *ex parte* reexamination certificate was issued. The USPTO determined claims 10-11 and 30 to be patentable with minor amendments. Claims 12-13, 15-17, 19, 22-23, 29, and 33 were also determined to be patentable. Claims 1-4 were cancelled. Claims 5-9, 14, 18, 20-

21, 24-28, 31-32 were not reexamined. A copy of the '720 patent, including the reexamination certificate and two Certificates of Correction that correct clerical errors in the patent, are attached as Exhibit C.

37. Each of Motorola's Accused Phones infringes at least one claim of the '720 patent, literally or under the doctrine of equivalents.

38. By way of example and not limitation, Motorola's Moto G4 meets or embodies every element of at least claim 10 of the '720 patent, as set forth below:

a. A haptic feedback device, comprising:

The Moto G4 includes an actuator for providing haptic feedback and is therefore a haptic feedback device.

i. a touch screen operative to output a first signal comprising coordinates of a contacted location on the touch screen, wherein the touch screen includes a first region associated with a cursor positioning, and at least one other non-overlapping control region not related to cursor positioning;

The Moto G4 includes a touch screen that allows a user to provide input by touching an area of the touch screen, which is configured to sense the location of a user's contact. This allows the user to select displayed icons or applications or to place a cursor at a specific location within text. The touch screen outputs coordinates of the contacted location on the touch screen to the Moto G4's application processor. The Moto G4 has a first region associated with a cursor positioning (*e.g.*, a graphical text box in which a user can type at the location of the cursor, or move the cursor to a different location; and then type in that new location). The Moto G4 also has a non-overlapping second region associated with control functionality (*e.g.*, keys to return home, view recently used applications, or go back).

ii. a computer configured to receive at least the first signal; and

The Moto G4 has an applications processor system with integrated or associated processors, memory, and I/O that is configured to receive the signal output by the touch screen.

- iii. at least one actuator coupled to the touch screen and configured to impart a force to the touch screen to thereby provide a haptic effect in response to said contact, said force being based on a second signal output by the computer.

The Moto G4 has an actuator, which is coupled to the touch screen. The actuator outputs a force on the touch screen to provide a haptic sensation to a user when, for example, the user types on the keyboard or touches the home, recent, or back keys. The applications processor outputs a signal indicating the force to be output by the actuator.

39. Additionally or in the alternative, Motorola has induced or contributed to infringement with respect to the '720 patent and the Accused Phones.

40. Motorola has been aware of the '720 patent since at least August 21, 2011. This was long before the Accused Phones were conceived or introduced. Motorola conceived, designed, and built the Accused Phones with full and detailed knowledge of the '720 patent. Despite this knowledge and history, Motorola provides directions, instruction manuals, guides, and/or other materials that instruct and encourage the purchaser of an Accused Phone to use the device in a manner that infringes one or more claims of the '720 patent, either literally or under the doctrine of equivalents. The accused haptic functionality of the Accused Phones is a material part of the patented invention and especially made or especially adapted for use in the infringement, and not a staple article or commodity of commerce suitable for substantial noninfringing use.

41. Despite having knowledge of the '720 patent, having been involved in extensive negotiations regarding the patent, having licensed the patent in the past, and knowing that its

license to the '720 patent had expired, Motorola has continued to make, use, offer to sell, sell, and import the Accused Phones. Motorola's infringement has been, and continues to be, willful and deliberate and has caused substantial damage to Immersion.

42. Immersion is entitled to damages, attorneys' fees, costs, and other remedies available under the law based on Motorola's infringement.

COUNT IV: INFRINGEMENT OF THE '181 PATENT

43. Immersion incorporates by reference and repeats each and every preceding paragraph with the same force and effect as if set forth in full here.

44. Immersion owns, by assignment, all rights, title, and interests in and to United States Patent No. 8,031,181, entitled "Haptic Feedback for Touchpads and Other Touch Controls," which was duly and legally issued on October 4, 2011. A copy of the '181 patent, including a Certificate of Correction that correct clerical errors in the patent, is attached as Exhibit D.

45. Each of Motorola's Accused Phones infringes at least one claim of the '181 patent, literally or under the doctrine of equivalents.

46. By way of example and not limitation, Motorola's Moto G4 meets or embodies every element of at least claim 1 of the '181 patent, as set forth below:

a. A haptic feedback device, comprising:

The Moto G4 includes an actuator for providing haptic feedback and is therefore a haptic feedback device.

i. a touch screen operative to display a graphical image and to output a position signal associated with cursor positioning, wherein the touch screen comprises a first region associated with the cursor positioning and a second region configured to provide a second signal different from the first signal and associated with a control

functionality different from cursor positioning, and wherein the first and second regions are associated with different haptic effects; and

The Moto G4 has a touch screen that displays graphical images and allows a user to provide input by touching an area of the touch screen, which is configured to sense the location of a user's contact. This allows the user to select displayed icons or applications or to place a cursor at a specific location within text. The touch screen outputs coordinates of the contacted location on the touch screen to the Moto G4's application processor. It has a first region that is associated with cursor positioning (*e.g.*, a graphical text box in which a user can type at the location of the cursor, or move the cursor to a different location and then type in that new location). It has a second, non-overlapping region associated with control functionality (*e.g.*, keys to return home, view recently used applications, or go back). The first and second regions are associated with different haptic effects.

- ii. at least a first actuator configured to impart a first force to the touch screen to thereby provide a haptic effect in response to the cursor positioning or the control functionality different from cursor positioning, the first force based on information output by a computer device.

The Moto G4 has an actuator, which is coupled to the touch screen. The actuator outputs a force on the touch screen to provide a haptic sensation to a user when, for example, the user types on the keyboard or touches the home, recent, or back keys. The applications processor outputs a signal indicating the force to be output by the actuator.

47. Additionally or in the alternative, Motorola has induced or contributed to infringement with respect to the '181 patent and the Accused Phones.

48. Motorola has been aware of the '181 patent since at least August 21, 2011. This was long before the Accused Phones were conceived or introduced. Motorola conceived,

designed, and built the Accused Phones with full and detailed knowledge of the '181 patent. Despite this knowledge and history, Motorola provides directions, instruction manuals, guides, and/or other materials that instruct and encourage the purchaser of an Accused Phone to use the device in a manner that infringes one or more claims of the '181 patent, either literally or under the doctrine of equivalents. The accused haptic functionality of the Accused Phones is a material part of the patented invention and especially made or especially adapted for use in the infringement, and not a staple article or commodity of commerce suitable for substantial noninfringing use.

49. Despite having knowledge of the '181 patent, having been involved in extensive negotiations regarding the patent, having licensed the patent in the past, and knowing that its license to the '181 patent had expired, Motorola has continued to make, use, offer to sell, sell, and import the Accused Phones. Motorola's infringement has been, and continues to be, willful and deliberate and has caused substantial damage to Immersion.

50. Immersion is entitled to damages, attorneys' fees, costs, and other remedies available under the law based on Motorola's infringement.

COUNT V: INFRINGEMENT OF THE '332 PATENT

51. Immersion incorporates by reference and repeats each and every preceding paragraph with the same force and effect as if set forth in full here.

52. Immersion owns, by assignment, all rights, title, and interests in and to United States Patent No. 9,323,332 entitled "Force Feedback System Including Multi-Tasking Graphical Host Environment," which was duly and legally issued on April 26, 2016. A copy of the '332 patent is attached as Exhibit E.

53. Each of Motorola's Accused Phones infringes at least one claim of the '332

patent, literally or under the doctrine of equivalents.

54. By way of example and not limitation, Motorola's Moto G4 meets or embodies every element of at least claim 11 of the '332 patent, as set forth below:

- a. A haptic computer system comprising:

The Moto G4 includes an actuator for providing haptic feedback and is therefore a haptic computer system.

- i. a computer memory configured to store a plurality of application programs that command force sensations;

The Moto G4 stores in memory a plurality of application programs that command force sensations.

- ii. a processor configured to run more than one of the plurality of application programs concurrently;

The Moto G4's applications processor is configured to run more than one application program concurrently.

- iii. an operating system configured to provide a multi-tasking environment for the plurality of application programs, wherein one of the plurality of concurrently running applications is an active application program; and;

The Moto G4 uses an Android operating system, which provides a multi-tasking environment for application programs. A user may select an application program, at which point the Moto G4's Android operating system makes the newly selected application program active.

- iv. an actuator configured to output one or more force sensations commanded by the active application program.

The Moto G4 has an actuator, which outputs one or more force sensations when commanded to do so by the active application program. Applications may command force sensations through calls to the application programming interfaces provided by the Vibrator and View classes, as

examples. Examples include performHapticFeedback(int feedbackConstant, int flags) and performHapticFeedback(int feedbackConstant), which are implemented in the View class, and vibrate(long[] pattern, int repeat) and vibrate (long milliseconds), which are implemented in the Vibrator class.

55. Additionally or in the alternative, Motorola has induced or contributed to infringement with respect to the '332 patent and the Accused Phones.

56. On information and belief, Motorola has been aware of the '332 patent since it issued, or shortly thereafter. On information and belief, Motorola conceived, designed, and built the Accused Phones with full and detailed knowledge of the '332 patent. Despite this knowledge and history, Motorola provides directions, instruction manuals, guides, and/or other materials that instruct and encourage the purchaser of an Accused Phone to use the device in a manner that infringes one or more claims of the '332 patent, either literally or under the doctrine of equivalents. The accused haptic functionality of the Accused Phones is a material part of the patented invention and especially made or especially adapted for use in the infringement, and not a staple article or commodity of commerce suitable for substantial noninfringing use.

57. On information and belief, despite having knowledge of the '332 patent, and also knowing that it did not have a license to the '332 patent, Motorola has continued to make, use, offer to sell, sell, and import the Accused Phones. Motorola's infringement has been, and continues to be, willful and deliberate and has caused substantial damage to Immersion.

58. Immersion is entitled to damages, attorneys' fees, costs, and other remedies available under the law based on Motorola's infringement.

PRAYER FOR RELIEF

WHEREFORE, Immersion prays for the following relief:

- A. That the Court enter judgment declaring that Motorola directly and indirectly infringes the '846 patent, the '288 patent, the '720 patent, the '181 patent, and the '332 patent, literally or under the doctrine of equivalents, in violation of 35 U.S.C. § 271;
- B. That the Court enter judgment declaring Motorola's infringement of the '846 patent, the '288 patent, the '720 patent, the '181 patent, and the '332 patent willful and deliberate;
- C. That the Court award Immersion damages adequate to compensate Immersion for Motorola's infringement of the '846 patent, the '288 patent, the '720 patent, the '181 patent, and the '332 patent;
- D. That the Court temporarily, preliminarily, and permanently enjoin Motorola, its successors, assigns, subsidiaries and transferees, and its officers, directors, agents, employees, as follows:
 - i. from selling or offering for sale any product falling within the scope of the claims of the '846 patent, the '288 patent, the '720 patent, the '181 patent, and the '332 patent, including, but not limited to, the Motorola Moto G4, Moto G4 Play, Moto G4 Plus, Moto G5, Moto G5 Plus, Moto Z, Moto Z Force, and Moto Z Play;
 - ii. from importing into the United States any product falling within the scope of the claims of the '846 patent, the '288 patent, the '720 patent, the '181 patent, and the '332 patent, including, but not limited to, the Motorola Moto G4, Moto G4 Play, Moto G4 Plus, Moto G5, Moto G5 Plus, Moto Z, Moto Z Force, and Moto Z Play;

- iii. from manufacturing any product falling within the scope of the claims of the '846 patent, the '288 patent, the '720 patent, the '181 patent, and the '332 patent, including, but not limited to, the Motorola Moto G4, Moto G4 Play, Moto G4 Plus, Moto G5, Moto G5 Plus, Moto Z, Moto Z Force, and Moto Z Play;
- iv. from using any product or method falling within the scope of any of the claims of the '846 patent, the '288 patent, the '720 patent, the '181 patent, and the '332 patent, including, but not limited to, the Motorola Moto G4, Moto G4 Play, Moto G4 Plus, Moto G5, Moto G5 Plus, Moto Z, Moto Z Force, and Moto Z Play;
- v. from actively inducing others to infringe any of the claims of the '846 patent, the '288 patent, the '720 patent, the '181 patent, and the '332 patent, including, but not limited to, the Motorola Moto G4, Moto G4 Play, Moto G4 Plus, Moto G5, Moto G5 Plus, Moto Z, Moto Z Force, and Moto Z Play;
- vi. from engaging in any acts constituting contributory infringement of any of the claims of the '846 patent, the '288 patent, the '720 patent, the '181 patent, and the '332 patent, including, but not limited to, the Motorola Moto G4, Moto G4 Play, Moto G4 Plus, Moto G5, Moto G5 Plus, Moto Z, Moto Z Force, and Moto Z Play;
- vii. from all other acts of infringement of any of the claims of the '846 patent, the '288 patent, the '720 patent, the '181 patent, and the '332 patent, including, but not limited to, the Motorola Moto G4, Moto G4

Play, Moto G4 Plus, Moto G5, Moto G5 Plus, Moto Z, Moto Z Force,
and Moto Z Play;

- E. That the Court enter judgment declaring this to be an exceptional case;
- F. That the Court award treble damages to Immersion for the unlawful practices described in this Complaint;
- G. That the Court enter judgment against Motorola for the maximum damages and awards determined by the Court to be just and proper; and
- H. That the Court award Immersion its costs of suit, including reasonable attorneys' fees.

JURY DEMAND

Pursuant to Rule 38(a) of the Federal Rules of Civil Procedure and D. Del. LR 38.1, Immersion demands a trial by a jury of any and all issues triable to a jury.

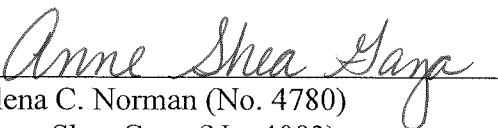
Dated: August 3, 2017

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