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

X-MOBILE TECHNOLOGIES LLC,	CIVIL ACTION NO. 4:17-cv-702
Plaintiff,	ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT
v.	
APPLE INC.,	**JURY TRIAL DEMANDED**
Defendant.	

ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff X-Mobile Technologies LLC ("X-Mobile") files this original complaint against

Apple Inc. ("Defendant" or "Apple"), alleging, based on its own knowledge as to itself and its own

actions and based on information and belief as to all other matters, as follows:

PARTIES

1.   X-Mobile is a limited liability company formed under the laws of the State of

Texas.

2.   Defendant Apple Inc. is a corporation organized under the laws of the state of

California. Apple has a substantial presence in Texas, including, for example, its "Americas

Operations Center" in Austin. Apple also has a substantial presence in the district, including at

least two Apple Store retail stores (one in Frisco and one in Plano). Apple can be served with

process by serving its registered agent: National Registered Agents, Inc., 1999 Bryan St., Ste.

900 Dallas, Texas, 75201-3136.

JURISDICTION AND VENUE

3.   This is an action for infringement of United States patents arising under 35 U.S.C. §§ 271, 281, and 284–85, among others. This Court has subject matter jurisdiction of the action under 28 U.S.C. §1331 and §1338(a).

4.   Venue is proper in this district pursuant to 28 U.S.C. §§ 1391 and 1400(b). Upon information and belief, Defendant has transacted business in this district and has committed, by itself or in concert with others, acts of patent infringement in this district. And as set forth above, Apple has a regular and established place of business in this district.

5.   Defendant is subject to this Court's specific and general personal jurisdiction pursuant to due process and/or the Texas Long Arm Statute, due at least to Defendant's substantial business in this forum, including: (i) at least a portion of the infringements alleged herein; and/or (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct, and/or deriving substantial revenue from goods and services provided to individuals in Texas and in this district.

COUNT I

DIRECT INFRINGEMENT OF U.S. PATENT NO. 7,162,426

6.   On January 9, 2007, United States Patent No. 7,162,426 ("the '426 Patent") was duly and legally issued by the United States Patent and Trademark Office for an invention entitled "Computer Motherboard Architecture with Integrated DSP for Continuous and Command and Control Speech Processing."

7.   X-Mobile is the owner of the '426 Patent, with all substantive rights in and to that patent, including the sole and exclusive right to prosecute this action and enforce the '426 Patent against infringers, and to collect damages for all relevant times.

8.   Defendant made, had made, used, imported, provided, supplied, distributed, sold, and/or offered for sale products and/or systems including, for example, its iPhone family of products that have a co-processor such as the M9 or M10 for Siri functionality (the "accused products"):

(Source: https://www.apple.com/iphone-7/ios/)

9.   By doing so, Defendant has directly infringed (literally and/or under the doctrine of equivalents) at least Claims 1 and 20 of the '426 Patent. Defendant's infringement in this regard is ongoing.

10.   Apple has infringed the '426 Patent by making, having made, using, importing, providing, supplying, distributing, selling or offering for sale products with a computer motherboard architecture.
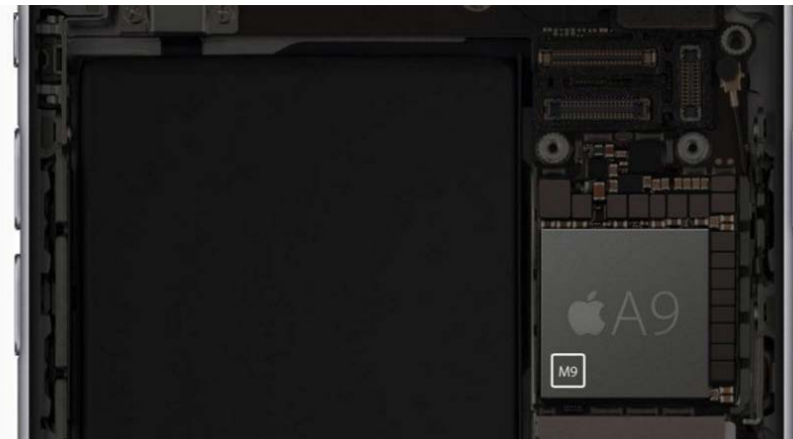
11.   The accused products include a computer motherboard possessing typical components including a CPU, a data bus, a power interface, and an audio input data pathway connecting the audio input of the motherboard to the CPU.

12.   The accused products include a DSP chip in the audio input data path, wherein the DSP chip is co-located with the CPU on the motherboard:

Apple's efficient M9 coprocessor will let your iPhone 6s track pace, make 'Hey Siri' always on

By Neil Hughes
Thursday, September 10, 2015, 11:51 am PT (02:51 pm ET)

Inside the new iPhone 6s and iPhone 6s Plus is an upgraded M9 motion coprocessor that borrows new fitness capabilities from the Apple Watch, by estimating your walking or running pace.

(Source: http://appleinsider.com/articles/15/09/10/apples-efficient-m9-coprocessor-will-let-your-iphone-6s-track-pace-make-hey-siri-always-on)

Unlike in previous iPhones, where the M-series chip was separate from the main CPU, Apple has integrated the M9 processor into the A9. The M9 is found in the forthcoming iPhone 6s, iPhone 6s Plus, and the iPad Pro.

This new integration into the main CPU has allowed Apple to let the motion sensor to run constantly without draining the device's battery life.

In a first for the iPhone series, the iPhone 6s will measure a user's walking or running pace when they exercise, without the need for battery draining GPS. Previously, this functionality was limited to the S1 chip in the Apple Watch.

The M9 also allows for Siri to be always on. That means users will be able to use the device's "Hey Siri" voice command at all times.

In older devices, "Hey Siri" only works if the iPhone or iPad is plugged into a power source. AppleInsider's own sources were first to reveal earlier this week that the iPhone 6s would be Apple's first device to support always-on voice commands.

(Source: http://appleinsider.com/articles/15/09/10/apples-efficient-m9-coprocessor-will-let-your-iphone-6s-track-pace-make-hey-siri-always-on)

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(Source : https://web.archive.org/web/20150909193953/https://www.apple.com/iphone-6s/technology/)

13.   The accused products include a bridge interfacing between said DSP chip and the bus on the computer motherboard.

14.   The accused products include a memory in said DSP chip.

15.   The accused products include a command and control speech engine (for example, Siri) residing in said memory of said DSP chip:

(Source: https://www.apple.com/ios/siri/)

16.   The accused products include a DSP enabled to operate in either command and control mode or continuous speech mode and that serves as the preprocessor of all speech input prior to execution of instructions by the CPU to process the speech input.

17.   The accused products include a speech engine that includes a vocabulary of speech terms enabled to be loaded into said memory which are associated with specific instructions or contextual environments.

18.   The accused products include a DSP enabled to be dynamically set by a user in either a continuous speech mode or a command and control mode.

19.   Apple has also infringed the '426 Patent by making, having made, using, importing, providing, supplying, distributing, selling or offering for sale products using a method of processing speech.

20.   The method practiced by the accused products includes setting a computer in either command and control mode or continuous speech mode.

21.   The method practiced by the accused products includes inputting speech into an audio input device wherein said audio input device is electrically connected to said computer.

22.   The method practiced by the accused products includes converting speech from an analog format to an audio digital signal.

23.   The method practiced by the accused products includes transmitting said digital signal to a digital signal processor, wherein said digital signal processor is co-located with a CPU on a motherboard of said computer:

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Unlike in previous iPhones, where the M-series chip was separate from the main CPU, Apple has integrated the M9 processor into the A9. The M9 is found in the forthcoming iPhone 6s, iPhone 6s Plus, and the iPad Pro.

This new integration into the main CPU has allowed Apple to let the motion sensor to run constantly without draining the device's battery life.

In a first for the iPhone series, the iPhone 6s will measure a user's walking or running pace when they exercise, without the need for battery draining GPS. Previously, this functionality was limited to the S1 chip in the Apple Watch.

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In older devices, "Hey Siri" only works if the iPhone or iPad is plugged into a power source. *AppleInsider's* own sources were first to reveal earlier this week that the iPhone 6s would be Apple's first device to support always-on voice commands.

(Source: http://appleinsider.com/articles/15/09/10/apples-efficient-m9-coprocessor-will-let-your-iphone-6s-track-pace-make-hey-siri-always-on)

(Source : https://web.archive.org/web/20150909193953/https://www.apple.com/iphone-6s/technology/)

24.   The method practiced by the accused products includes said digital signal processor is enabled to function as a preprocessor of all speech input, analyzing said digital signal with at least said digital signal processor and a speech engine residing in a memory of said digital signal processor on said motherboard and electrically connected to said digital signal processor,

25.   The method practiced by the accused products includes loading an appropriate vocabulary into said speech engine in said or of said digital signal processor, depending on the context of the operation being performed by a user

26.   The method practiced by the accused products includes transmitting said analyzed digital signal of a computer command to a processor in electrical connection to said digital signal processor and said computer and transmitting said analyzed digital signal of continuous speech to a processor in electrical connection to said digital signal processor and said computer.

27.   The method practiced by the accused products includes performing an operation or command representative of said analyzed digital signal by said processor:

(Source: https://www.apple.com/ios/siri/)

28.   Apple has had knowledge of the '426 Patent at least as of the date when it was notified of the filing of this action.

29.   X-Mobile has been damaged as a result of the infringing conduct by Defendant alleged above. Thus, Defendant is liable to X-Mobile in an amount that adequately compensates it for such infringements, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

30.   X-Mobile and/or its predecessors-in-interest have satisfied all statutory obligations required to collect pre-filing damages for the full period allowed by law for infringement of the '426 Patent.

COUNT II

DIRECT INFRINGEMENT OF U.S. PATENT NO. 6,690,351

31.   On February 10, 2004, United States Patent No. 6,690,351 ("the '351 Patent") was duly and legally issued by the United States Patent and Trademark Office for an invention entitled "Computer Display Optimizer."

32.   X-Mobile is the owner of the '351 Patent, with all substantive rights in and to that patent, including the sole and exclusive right to prosecute this action and enforce the '351 Patent against infringers, and to collect damages for all relevant times.

33.   Defendant made, had made, used, imported, provided, supplied, distributed, sold, and/or offered for sale products and/or systems including its iPad, iPhone, and Apple Watch families of products (the "accused products"):

(Source: https://www.apple.com/iphone-7/ios/)

iPad

(Source: https://www.apple.com/iPad-9.7/)

(Source: https://www.apple.com/watch/watch-reimagined/)

34.   By doing so, Defendant has directly infringed (literally and/or under the doctrine of equivalents) at least Claim 1 of the '351 Patent. Defendant's infringement in this regard is ongoing.

35.   Apple has infringed the '351 Patent by making, having made, using, importing, providing, supplying, distributing, selling or offering for sale hands free user or operator supported mobile computer systems having hands free, activating means, a processor and a display means, with the processor in electrical connection to the display means.

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36.   The accused products include at least one sensor for optimizing internal settings

in said display when said sensor and said display are in communication:

Sensors   Touch ID fingerprint sensor
                           Barometer
                           Three-axis gyro
                           Accelerometer
                           Proximity sensor
                           Ambient light sensor

(Source: https://www.apple.com/iphone-7/specs/)

Sensors   Touch ID
                           Three-axis gyro
                           Accelerometer
                           Barometer
                           Ambient light sensor

(Source : https://www.apple.com/iPad-9.7/specs/)

Apple Watch features
- Stainless steel or space black stainless steel case
- Sapphire crystal
- Retina display with Force Touch
- Ceramic back
- Digital Crown
- Heart rate sensor, accelerometer, and gyroscope
- Ambient light sensor
- Speaker and microphone
- Wi-Fi (802.11b/g/n 2.4GHz)
- Bluetooth 4.0
- Up to 18 hours of battery life[1]
- Water resistant[2]
- Apple Watch may ship with watchOS. But watchOS 2 is available as a free download.

(Source : https://support.apple.com/kb/SP735?locale=en_US)

37.   The accused products include means in the computer to receive information from

the sensor and to transmit it to a data processing means.

38.   The accused products include means to translate the data into computer

commands to effect control and alteration of the computer system to coincide with any changes

resulting from input of the sensor:

Adjust the display settings on your iPhone, iPad, or iPod touch

Find out how to use Auto-Brightness, True Tone, Raise to Wake, and more.

Set brightness or use Auto-Brightness

To adjust brightness, use Control Center. You can also do this from Settings, where you can find extra options like Auto-Brightness. Here's how:

1. Go to Settings > Display & Brightness.
2. Drag the slider to the right or left.
3. If your iOS device has an ambient-light sensor, you'll see an Auto-Brightness setting under the slider. Auto-Brightness uses a light sensor to adjust brightness based on your surroundings. This setting can sometimes improve battery life.

If you want to raise or lower the Auto-Brightness levels, you can customize the setting:

1. Go to Settings > Display & Brightness and turn on Auto-Brightness. The brightness slider moves according to the lighting conditions.
2. Use the slider to adjust the Auto-Brightness setting.

If Auto-Brightness isn't working as expected, reset it. Go to Settings > Display & Brightness and turn off Auto-Brightness. Then turn it on again.

Want the colors of your display to automatically shift to the warmer end of the color spectrum after dark? Just turn on Night Shift on your iOS device.

(Source: https://support.apple.com/en-us/HT202613)
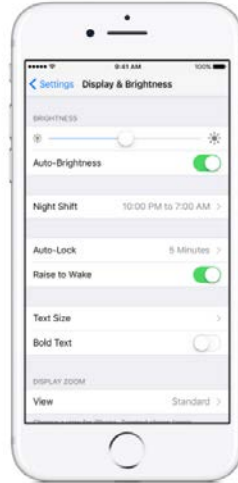
We also confirmed that the Apple Watch indeed features an ambient light sensor, so it'll be able to adjust brightness to match whatever lighting conditions it's in.

(Source : https://www.engadget.com/2014/09/09/iwatch-hands-on/)

39.   The accused products include that the sensor is enabled to at least measure conditions and optimize internal settings based upon environmental conditions and the type of the display means and reflectivity characteristics of a physical glass and coatings of the display means.

40.   Apple has had knowledge of the '351 Patent at least since on or around June 28, 2010, when Apple cited the '351 Patent in an Information Disclosure Statement submitted during the prosecution of U.S. Patent No. 9,417,665, which is assigned to Apple. Apple also cited the

'351 Patent in an Information Disclosure Statement submitted on October 28, 2015 in the

ongoing prosecution of U.S. Application No. 14/500,458.

41.   X-Mobile has been damaged as a result of the infringing conduct by Defendant

alleged above. Thus, Defendant is liable to X-Mobile in an amount that adequately compensates

it for such infringements, which, by law, cannot be less than a reasonable royalty, together with

interest and costs as fixed by this Court under 35 U.S.C. § 284.

42.   X-Mobile and/or its predecessors-in-interest have satisfied all statutory

obligations required to collect pre-filing damages for the full period allowed by law for

infringement of the '351 Patent.

COUNT III

DIRECT INFRINGEMENT OF U.S. PATENT NO. 6,262,889

43.   On July 17, 2001, United States Patent No. 6,262,889 ("the '889 Patent") was

duly and legally issued by the United States Patent and Trademark Office for an invention

entitled "Insulated Mobile Computer."

44.   X-Mobile is the owner of the '889 Patent, with all substantive rights in and to that

patent, including the sole and exclusive right to prosecute this action and enforce the '889 Patent

against infringers, and to collect damages for all relevant times.

45.   Defendant made, had made, used, imported, provided, supplied, distributed, sold,

and/or offered for sale products and/or systems including its iPhone 5C, iPhone 4S, and iPhone 8

families of products (the "accused products"):

iPhone 5c

Year introduced: 2013
Capacity: 8, 16, 32 GB
Colors: White, blue, pink, green, yellow
Model number on the back cover: A1456,
A1507, A1516, A1529, A1532

Details: The front is flat and made of glass. The
back is hard-coated polycarbonate (plastic).
There's a SIM tray on the right side that holds a
"fourth form factor" (4FF) or nano-SIM card. The
IMEI is etched on the back cover.

See the tech specs for iPhone 5c.

(Source: https://support.apple.com/en-us/HT201296)

iPhone 4s

Year introduced: 2011
Capacity: 8, 16, 32, 64 GB
Colors: Black and white
Model number on the back
cover: A1431, A1387

Details: The front and back are flat and made of
glass, and there's a stainless steel band around the
edges. The volume up and down buttons are
marked with a "+" and "-" sign. There's a SIM tray
on the right side that holds a "third form factor"
(3FF) micro-SIM card.

See the tech specs for iPhone 4s.

(Source: https://support.apple.com/en-us/HT201296)

iPhone 8

Year introduced: 2017
Capacity: 64, 256 GB
Colors: Gold, silver, space gray
Model number: A1863, A1905, A1906 (Japan[1])

Details: The display is 4.7 inches (diagonal). The glass front is
flat with curved edges. The back is glass, and there's an
anodized aluminum band around the frame. The Side button
is on the right side of the device. The device has a solid-state
Home button with Touch ID. There's a Quad-LED True Tone
LED flash on the back and a SIM tray on the right side that
holds a "fourth form factor" (4FF) nano-SIM card. The IMEI is
etched on the SIM tray.

See the tech specs for iPhone 8.

(Source: https://support.apple.com/en-us/HT201296)

46.   By doing so, Defendant has directly infringed (literally and/or under the doctrine of equivalents) at least Claim 1 of the '889 Patent. Defendant's infringement in this regard is ongoing.

47.   Apple has infringed the '889 Patent by making, having made, using, importing, providing, supplying, distributing, selling or offering for sale user supported, hands-free activation computer systems having a computer housing and a display means, the computer housing consisting of all of the components of a conventional computer and having located therein a battery to supply power to the system.

48.   The accused products include hands-free activation:

Intelligent Assistant[4]
- Siri
  Use your voice to send messages, set reminders, and more.

(Source: https://support.apple.com/kb/SP684?locale=en_US)

Apple Reveals Siri Voice Interface: The "Intelligent Assistant" Only For iPhone 4S

(Source : https://techcrunch.com/2011/10/04/apple-reveals-siri-voice-interface-the-intelligent-assistant/)

Siri[7]
- Use your voice to send messages, set reminders, and more
- Get intelligent suggestions in Messages, Mail, QuickType, and more
- Activate with only your voice using "Hey Siri"
- Listen and identify songs

Learn more about Siri

(Source : https://support.apple.com/kb/SP767?locale=en_US)

49.   The accused products include the computer housing having a section that will be adjacent the user when in use and supported by the user.

50.   The accused products include that the section is constructed of a heat insulating material and forming thereby an internal insulating wall.

51.   The accused products include the battery comprising an insulating cover which is located in said housing immediately adjacent the internal insulating wall to provide thereby double insulation for any heat generated by the system within the computer housing at a location closest to the user when in use.

(Source: https://www.ifixit.com/Teardown/iPhone+5c+Teardown/17382)

(Source : https://www.ifixit.com/Teardown/iPhone+4S+Teardown/6610)

(Source : https://www.ifixit.com/Teardown/iPhone+8+Teardown/97481)

52.   Apple has had knowledge of the '889 Patent at least as of the date when it was

notified of the filing of this action.

53.   X-Mobile has been damaged as a result of the infringing conduct by Defendant

alleged above. Thus, Defendant is liable to X-Mobile in an amount that adequately compensates

it for such infringements, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

54.   X-Mobile and/or its predecessors-in-interest have satisfied all statutory obligations required to collect pre-filing damages for the full period allowed by law for infringement of the '889 Patent.

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COUNT IV

DIRECT INFRINGEMENT OF U.S. PATENT NO. 6,958,905

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55.   On October 25, 2005, United States Patent No. 6,958,905 ("the '905 Patent") was duly and legally issued by the United States Patent and Trademark Office for an invention entitled "Mobile Body-Supported Computer with Battery."

56.   X-Mobile is the owner of the '905 Patent, with all substantive rights in and to that patent, including the sole and exclusive right to prosecute this action and enforce the '905 Patent against infringers, and to collect damages for all relevant times.

57.   Defendant made, had made, used, imported, provided, supplied, distributed, sold, and/or offered for sale products and/or systems including its Apple Watch family of products (the "accused products"):

(Source: https://www.apple.com/watch/watch-reimagined/)

58.   By doing so, Defendant has directly infringed (literally and/or under the doctrine of equivalents) at least Claim 14 of the '905 Patent. Defendant's infringement in this regard is ongoing.

59.   Apple has infringed the '905 Patent by making, having made, using, importing, providing, supplying, distributing, selling or offering for sale mobile body supported computers.

60.   The accused products include a computer housing including substantially all components of a conventional computer, with a first surface near a user's body, and a second surface located opposite to the first surface.
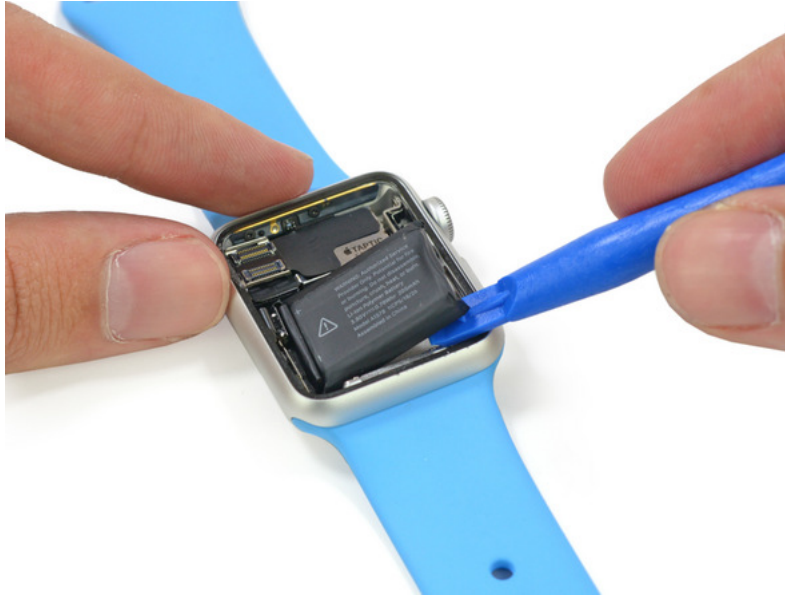
61.   The accused products include a heat insulating member positioned on at least one of the first surface or the second surface.

Apple Watch features
- Stainless steel or space black stainless steel case
- Sapphire crystal
- Retina display with Force Touch
- Ceramic back
- Digital Crown
- Heart rate sensor, accelerometer, and gyroscope
- Ambient light sensor
- Speaker and microphone
- Wi-Fi (802.11b/g/n 2.4GHz)
- Bluetooth 4.0
- Up to 18 hours of battery life[1]
- Water resistant[2]
- Apple Watch may ship with watchOS. But watchOS 2 is available as a free download.

(Source: https://support.apple.com/kb/SP735?locale=en_US)

62.   The accused products include an integral battery with casing, the casing being partially constructed of a thermally non-conducting material:

(Source: https://www.ifixit.com/Teardown/Apple+Watch+Teardown/40655)

63.   The accused products include means for activating the computer hands-free:

Need something
done? Just ask Siri.

Of all the ways to interact with Apple
Watch, Siri may be the quickest. And the
most fun. To access it, just press and hold
the Digital Crown. Or, if your hands are full,
simply raise your wrist and say "Hey Siri" for
help with all kinds of things.

(Source: https://www.apple.com/watch/watch-reimagined/)

64.   The accused products include means for supporting the computer housing by a

user.

65.   Apple has had knowledge of the '905 Patent at least as of the date when it was

notified of the filing of this action.

66.   X-Mobile has been damaged as a result of the infringing conduct by Defendant

alleged above. Thus, Defendant is liable to X-Mobile in an amount that adequately compensates

it for such infringements, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

67.   X-Mobile and/or its predecessors-in-interest have satisfied all statutory obligations required to collect pre-filing damages for the full period allowed by law for infringement of the '905 Patent.

ADDITIONAL ALLEGATIONS REGARDING INDIRECT INFRINGEMENT

68.   Defendant has also indirectly infringed the '426, '351, '889, and '905 Patents by inducing others to directly infringe the '426, '351, '889, and '905 Patents. Defendant has induced the end-users, Defendant's customers, to directly infringe (literally and/or under the doctrine of equivalents) the '426, '351, '889, and '905 Patents by using the accused products. Defendant took active steps, directly and/or through contractual relationships with others, with the specific intent to cause them to use the accused products in a manner that infringes one or more claims of the patents-in-suit, including, for example, claim 20 of the '426 Patent, claim 1 of the '351 Patent, claim 1 of the '889 Patent, and claim 14 of the '905 Patent. Such steps by Defendant included, among other things, advising or directing customers and end-users to use the accused products in an infringing manner; advertising and promoting the use of the accused products in an infringing manner; and/or distributing instructions that guide users to use the accused products in an infringing manner. Defendant performed these steps, which constitute induced infringement, with the knowledge of the '426, '351, '889, and '905 Patents and with the knowledge that the induced acts would constitute infringement. Defendant was and is aware that the normal and customary use of the accused products by Defendant's customers would infringe the '426, '351, '889, and '905 Patents. Defendant's inducement is ongoing.

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69.   Defendant has also indirectly infringed by contributing to the infringement of the '426, '351, '889, and '905 Patents. Defendant has contributed to the direct infringement of the '426, '351, '889, and '905 Patents by the end-user of the accused products. The accused products have special features that are specially designed to be used in an infringing way and that have no substantial uses other than ones that infringe the '426, '351, '889, and '905 Patents, including, for example, claim 20 of the '426 Patent, claim 1 of the '351 Patent, claim 1 of the '889 Patent, and claim 14 of the '905 Patent. The special features include the Alexa feature used in a manner that infringes the '426 Patent. The special features also include automatic brightness settings to be used in a manner that infringes the '351 Patent. The special features also include voice activation features used in a manner that infringes the '889 Patent and in a manner that infringes the '905 Patent. The special features constitute a material part of the invention of one or more of the claims of the '426, '351, '889, and '905 Patents and are not staple articles of commerce suitable for substantial non-infringing use. Defendant's contributory infringement is ongoing.

70.   Defendant also has knowledge of the '426, '351, '889, and '905 Patents at least as of the date when it was notified of the filing of this action.

71.   Defendant's direct and indirect infringement of the '426, '351, '889, and '905 Patents is, has been, and continues to be willful, intentional, deliberate, and/or in conscious disregard of X-Mobile's rights under the patent.

72.   X-Mobile has been damaged as a result of the infringing conduct by defendant alleged above. Thus, Defendant is liable to X-Mobile in an amount that adequately compensates it for such infringements, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

JURY DEMAND

X-Mobile hereby requests a trial by jury on all issues so triable by right.

PRAYER FOR RELIEF

X-Mobile requests that the Court find in its favor and against Defendant, and that the Court grant X-Mobile the following relief:

a.   Judgment that one or more claims of the '426, '351, '889, & '905 Patents have been infringed, either literally and/or under the doctrine of equivalents, by Defendant and/or all others acting in concert therewith;

b.   A permanent injunction enjoining Defendant and its officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in concert therewith from infringement of the '426, '351, '889, & '905 Patents;

c.   Judgment that Defendant accounts for and pays to X-Mobile all damages to and costs incurred by X-Mobile because of Defendant's infringing activities and other conduct complained of herein;

d.   That X-Mobile be granted pre-judgment and post-judgment interest on the damages caused by Defendant's infringing activities and other conduct complained of herein;

e.   That this Court declare this an exceptional case and award X-Mobile its reasonable attorney's fees and costs in accordance with 35 U.S.C. § 285; and

f.   That X-Mobile be granted such other and further relief as the Court may deem just and proper under the circumstances.

Dated: October 2, 2017   Respectfully submitted,

                                          /s/ *Zachariah S. Harrington*
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CERTIFICATE OF SERVICE

I hereby certify that on the 2nd day of October 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ *Zachariah S. Harrington*
Zachariah S. Harrington