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

UNILOC USA, INC. et al
        Plaintiffs,
   v.
 	
PAYCHEX, INC.
        Defendant.
 	
RIOT GAMES, INC.,
Defendant.
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		CIVIL ACTION NO. 2:16-cv-1316-RWS
		CONSOLIDATED LEAD CASE
		
		JURY TRIAL DEMANDED
		
		CIVIL ACTION NO. 2:17-cv-284-RWS

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ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

1.   Plaintiffs, Uniloc USA, Inc. and Uniloc Luxembourg, S.A. (together "Uniloc"), as

and for their complaint against defendant, Riot Games, Inc. ("Riot Games"), allege as follows:

THE PARTIES

2.   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.

3.   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). Uniloc Luxembourg owns several patents in

the field of application management in a computer network.

4.   Upon information and belief, Riot Games, Inc. is a Delaware corporation having a

place of business in 12333 W Olympic Blvd, Los Angeles CA 90064 and offering its products

and/or services, including those accused herein of infringement, for purchase or download to

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customers and/or potential customers located in Texas and in the judicial Eastern District of Texas. Riot Games, Inc. may be served with process through its registered agent: CT Corp 818 West Seventh St. Ste 930 Los Angeles, CA 90017.

JURISDICTION AND VENUE

1.   Uniloc USA and Uniloc Luxembourg (collectively, "Uniloc") bring 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.
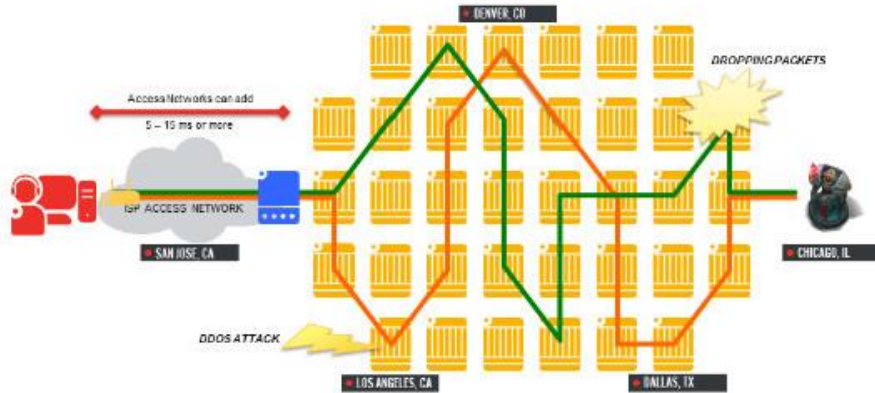
2.   Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(d) and 1400(b). This Court has personal jurisdiction over Riot Games, in part, because Riot Games provides infringing online services to subscribers who reside in this district. Upon information and belief, Riot Games is deemed to reside in this judicial district, has committed acts of infringement in this judicial district, and/or has purposely transacted business involving the accused products and/or services in Texas and this judicial district.

3.   Riot Games is subject to this Court's jurisdiction pursuant to due process and/or the Texas Long Arm Statute due at least to its substantial presence and business in this State and judicial district, including: (A) at least part of its past infringing activities, (B) regularly doing and/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. Riot also has multiple facilities in the EDTX and NDTX.

4.   Riot's gameplay relies on a behind-the-scenes network infrastructure designed to allow critical low latency connections between players. To enable such infrastructure in the central part of the U.S, Riot employs a massive network infrastructure located in the EDTX and NDTX.

5.   Riot's engineering website identifies its only central U.S. server facility in Dallas,

TX. This sever facility – called CyrusOne at 1649 West Frankford Road – is located in the EDTX.

This particular facility is the biggest of its kind in Texas.

Source: https://engineering.riotgames.com/news/fixing-internet-real-time-applications-part-ii

6. Riot also provide the following high- level snapshot for its architecture:

Source:
https://boards.na.leagueoflegends.com/en/c/help-support/0hVNFnPH-na-server-roadmap-update-pops-peering-and-the-north-bridge

7. Riot also has its servers and other network infrastructure in at least three other

Eastern EDTX facilities located in the DFW area.

8.   Riot additionally places its equipment inside facilities in the EDTX and NDTX in a peering relationship to more quickly serve Riot game users.

9.   Riot games is also believed to other infrastructure and equipment as part of so - called edge tier.

10.   Riot also describes itself as an eSports tournament organizer.

11.   Riot sponsors Riot Games tournaments, viewing parties, and other events in the Eastern District of Texas (EDTX) and the Northern District of Texas (NDTX).

12.   These Riot Games events in EDTX and NDTX are contracted and registered directly with Riot and displayed on Riot's website.

13.   Riot's interactive website seeks out EDTX residents and NDTX residents allowing them to locate local EDTX and NDTX events as well as register for those events directly on Riot's website using Riot login credentials assigned to each of those EDTX or NDTX residents. EDTX and NDTX residents may later return to Riot's website, login, and continue to obtain additional details of such Riot sponsored events.

14.   For these EDTX and NDTX events, Riots also provides prizes to EDTX and NDTX residents.

15.   Riot contracts with partner companies and venues located within EDTX and NDTX for these tournaments.

16.   As a contractual obligation of these tournaments in the EDTX and the NDTX, only Riot permits only Riot's League of Legend game to be played.

17.   Another contractual obligation of these tournaments, one may not use any element of Riot's intellectual property without Riot's prior approval.

18.   For Riot Game tournaments in the EDTX and NDTX, Riot sets and requires EDTX and NDTX users to follow Riot established protocol concerning game-play.

19.   Riot Games also advertises its EDTX events in the EDTX venues such as shown below:

Coke eSports and Cinemark bring the 2014 Worlds Final to theaters

Want to watch the League of Legends 2014 World Championship Final on a movie screen? Are you in Plano, Texas, Bellevue, Washington, or Evanston, Illinois? Then head over to one of the official Coke eSports and Cinemark viewing parties on October 18th. Each event will feature a selfie wall and giveaways where you can collect limited edition League of Legends cups, Coke Zero gaming hats, and stress balls to help you through all of the Finals' tense

3 YEARS AGO

    Source: http://na.leagueoflegends.com/en/tag/viewing-party

20.   One example of an Riot sponsored EDTX event on Riot's website was a viewing party at 7201 N. Central Expressway, Plano, TX on October 31, 2015 attended by 100's of attendees.

21.   Another example of a Riot event in EDTX listed on Riot's website was a two-day tournament where Riot also provided prizes on July 8, 2017 and July 9, 2017 at the Microsoft Store 2601 Preston Road Frisco, TX 75034.

22.   One example of aRiot Event in NDTX listed on Riot's website was a May 1, 2016 tournament where Riot also provided prizes at Shadow Lan, 300 North Coit Rd., Suite 175 Richardson TX, 75080.

23.   Multiple other Riot events have also occurred in the NDTX and EDTX.

24.   In addition to these tournaments, Riot markets to high-schools and colleges for competitive team-play.

25.   Multiple colleges and high schools in the EDTX and NDTX have teams that specifically compete with Riot's games.

26.   Texas A&M, which has campuses in the EDTX and other Texas districts, was one of the eight final teams in Riot's collegiate tournament.

27.   Riot maintains a list of collegiate teams on the following website:
                    https://ulol.na.leagueoflegends.com/

28.   On its collegiate website, Riot lists the following EDTX teams: Texas A&M

University Commerce (team Lion Esports); Stephen F. Austin State University (team SFASU LOL); The University of Texas at Dallas (team LOLUTD); Prairie View A&M University (team Panther Gaming); and the University of North Texas (Team UNT Gaming and esports).

29.   On its collegiate website, Riot lists the following NDTX teams: Texas Christian University (team TCU ESPORTS) and the University of Texas at Arlington (team 1997).

30.   Much like collegiate football games, Riot broadcast collegiate games from its website which are also broadcast to EDTX and NDYX residents:

http://watch.na.lolesports.com/en_US/

COUNT I
(INFRINGEMENT OF U.S. PATENT NO.
6,510,466)

5.   Uniloc incorporates by reference the preceding paragraphs.

6.   Uniloc Luxembourg is the owner, by assignment, of U.S. Patent No. 6,510,466 ("the '466 Patent"), entitled METHODS, SYSTEMS AND COMPUTER PROGRAM PRODUCTS FOR CENTRALIZED MANAGEMENT OF APPLICATION PROGRAMS ON A NETWORK that issued on January 21, 2003. A true and correct copy of the '466 Patent is attached as Exhibit A hereto.
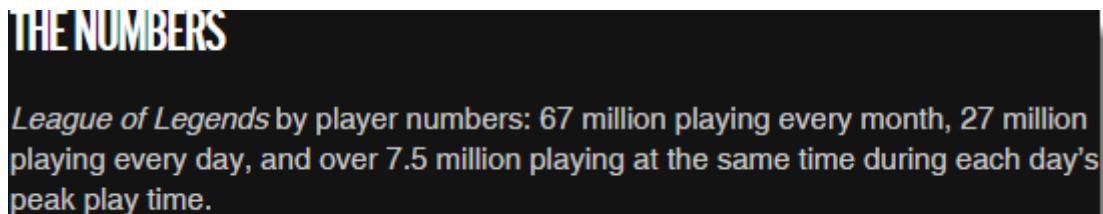
7.   Uniloc USA is the exclusive licensee of the '466 Patent with ownership of all substantial rights therein, including the right to grant sublicenses, to exclude others, and to enforce, sue and recover past damages for the infringement thereof.

8.   The '466 Patent has been referenced by over four hundred other patent applications/patents including patents applications/patents by IBM, HP, Network Associates, Microsoft, Fujitsu, Alcatel, SAP, AT&T, Citrix, Sharp, Computer Associates, Oracle, Google, and Intel.

9.   Riot Games provides a platform called "League of Legends," which includes client

software and server software that services such client software. Riot Games refers to these as "Riot Services." Riot Games system operates as a software licensing and delivery system:

10. Upon information and belief, the following graphic illustrates, at least in part, how certain aspects of a representative sample of Riot Games' software licensing and delivery system operates (unless otherwise noted, Riot Games is the source for each graphic in this complaint):

Source: http://www.riotgames.com/our-games

11. Upon information and belief, the following graphic illustrates, at least in part, how certain aspects of a representative sample of Riot Games' software licensing and delivery system operate:

Source: http://gameinfo.na.leagueoflegends.com/en/game-info/

12.   Upon information and belief, the following graphic illustrates, at least in part, how certain aspects of a representative sample of Riot Games' software licensing and delivery system operate:
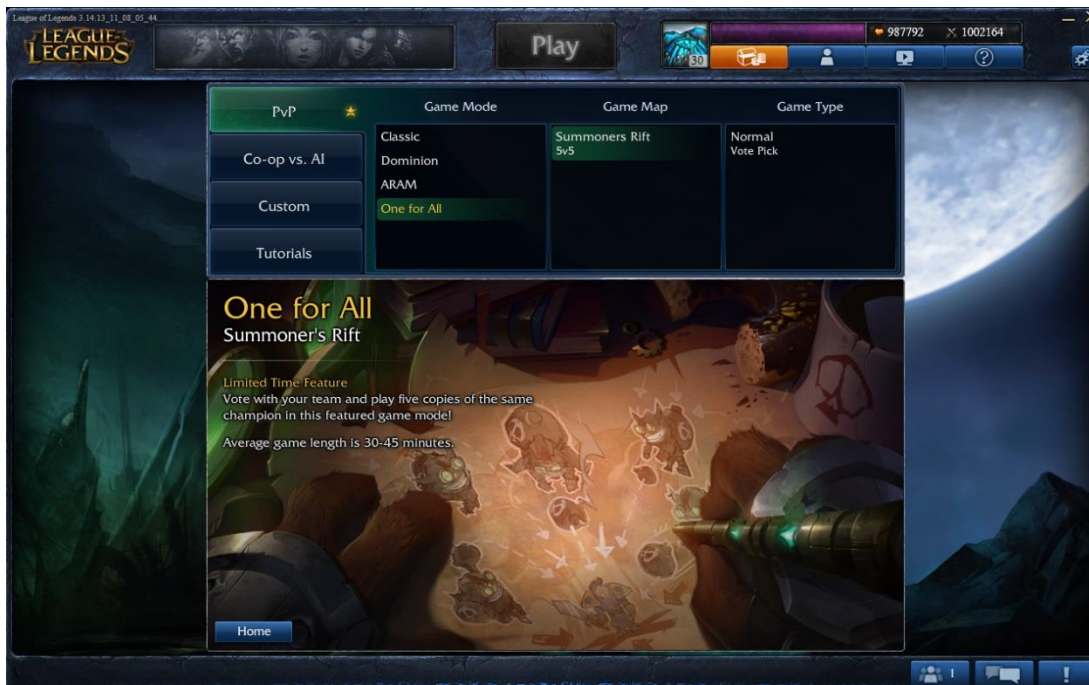
Source: https://i.ytimg.com/vi/_xbRBbLhooA/maxresdefault.jpg

13.   Upon information and belief, the following graphic illustrates, at least in part, how certain aspects of a representative sample of Riot Games' software licensing and delivery system operate:

Source: http://riot-web-

static.s3.amazonaws.com/images/news/November_2013/OFA/OneForAllFlow.jpg

14.   Upon information and belief, the following graphic illustrates, at least in part, how certain aspects of a representative sample of Riot Games' software licensing and delivery system operate:

15.   Upon information and belief, the following graphic illustrates, at least in part, how certain aspects of a representative sample of Riot Games' software licensing and delivery system operate:
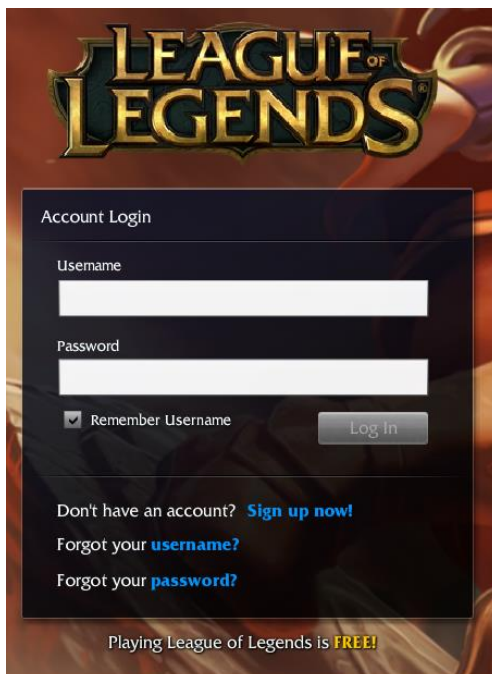
16.   Upon information and belief, the following graphic illustrates, at least in part, how certain aspects of a representative sample of Riot Games' software licensing and delivery system operate:

Source: https://cdn.mmos.com/wp-content/gallery/league-of-legends-overview/League-of-Legends-main-gameplay.jpg

17.   Upon information and belief, the following graphic illustrates, at least in part, how certain aspects of a representative sample of Riot Games' software licensing and delivery system operate:
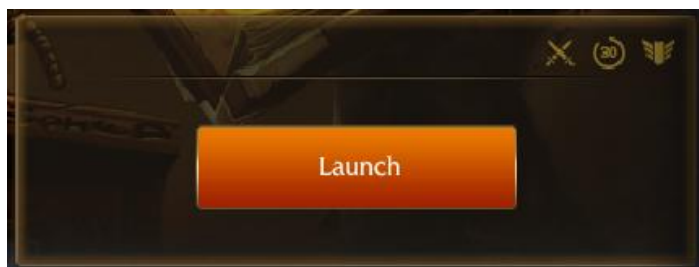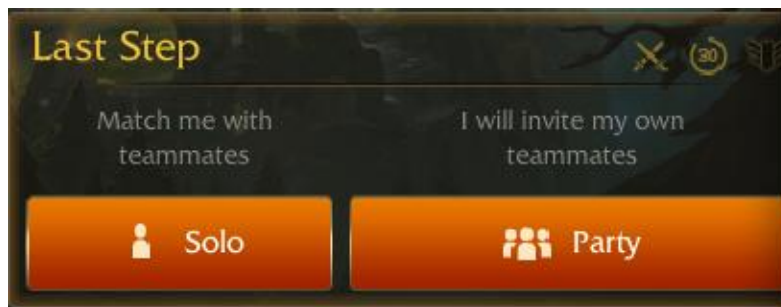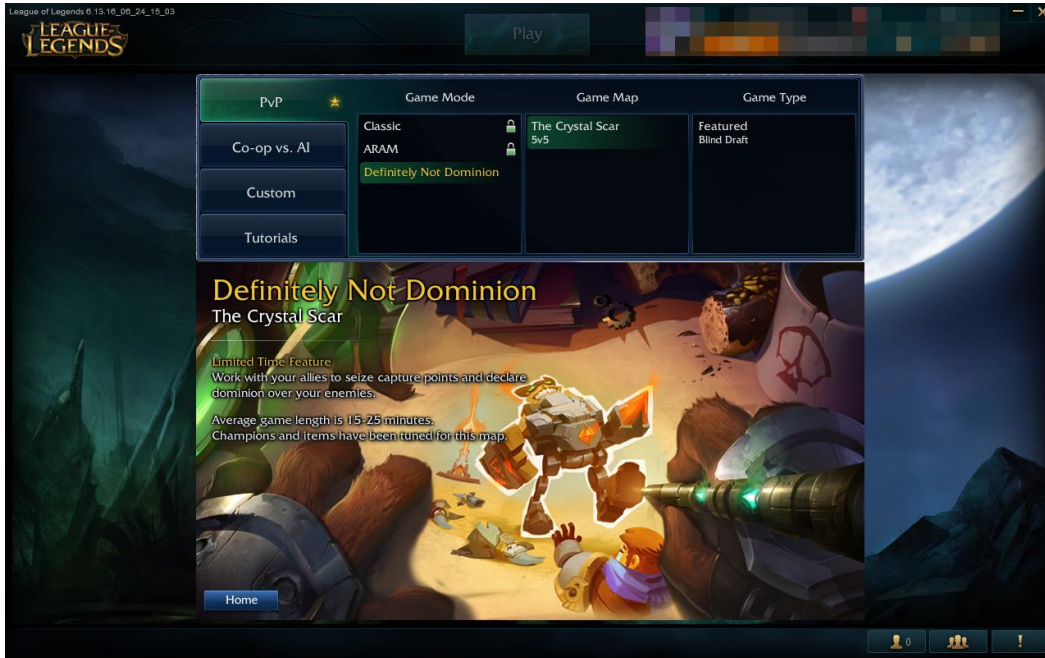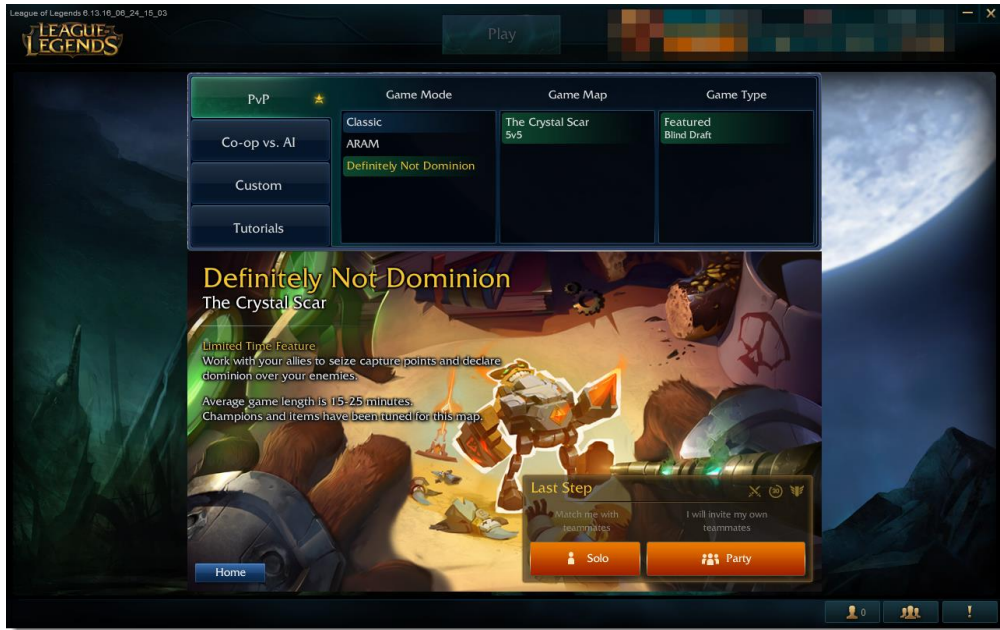
18.   Riot Games has directly infringed, and continues to directly infringe one or more

claims of the '466 Patent, including at least Claim 15, in this judicial district and elsewhere in

Texas, literally and/or under the doctrine of equivalents, by or through making, using, importing,

offering for sale and/or selling its software licensing and delivery system during the pendency of

the '466 Patent which software and associated backend server architecture inter alia allow for

installing application programs on a server, receiving a login request, establishing a user desktop,

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receiving a selection of one or more programs displayed in the user desktop and providing a program for execution.

19.   In addition, should Riot Games' software licensing and delivery system be found to not literally infringe one or more claims of the '466 Patent, Riot Games' would nevertheless infringe one or more claims of the '466 Patent under the doctrine of equivalents. More specifically, Riot Games' system performs substantially the same function (making computer games/software available for digital download/management), in substantially the same way (via a client/server environment), to yield substantially the same result (providing authorized games/software to a client for execution). Riot Games would thus be liable for direct infringement under the doctrine of equivalents.

20.   Riot Games may have infringed the '466 Patent through other software utilizing the same or reasonably similar functionality, including other versions of its software licensing and delivery system. Uniloc reserves the right to discover and pursue all such additional infringing software.

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COUNT II
(INFRINGEMENT OF U.S. PATENT NO.
6,728,766)

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21.   Uniloc incorporates the paragraphs above by reference.

22.   Uniloc Luxembourg is the owner, by assignment, of U.S. Patent No. 6,728,766 ("the '766 Patent") entitled METHODS, SYSTEMS AND COMPUTER PROGRAM PRODUCTS FOR LICENSE USE MANAGEMENT ON A NETWORK that issued on April 27, 2004. A true and correct copy of the '766 Patent is attached as Exhibit B hereto.

23.   Uniloc USA is the exclusive licensee of the '766 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.

24.   The '766 Patent has been referenced by over fifty other patent applications/patents including patents applications/patents by IBM, Microsoft, Netapp, Time Warner Cable, Fujitsu, AT&T, Toshiba, and Computer Associates.

25.   Riot Games has directly infringed, and continues to directly infringe one or more claims of the '766 Patent, including at least Claim 7, in this judicial district and elsewhere in Texas, literally and/or under the doctrine of equivalents, by or through making, using, importing, offering for sale and/or selling its software licensing and delivery system during the pendency of the '766 Patent which software and associated backend server architecture inter alia allow for maintaining user policy based license management information for application programs at a server, receiving a request for a license at the server, determining license availability based on the policy information, and providing an indication of availability or unavailability.

26.   In addition, should Riot Games' software licensing and delivery system be found to not literally infringe one or more claims of the '766 Patent, Riot Games would nevertheless infringe one or more claims of the '766 Patent under the doctrine of equivalents. More specifically, the accused software delivery system performs substantially the same function (making computer games/software available for digital download/management), in substantially the same way (via a client/server environment), to yield substantially the same result (providing authorized games/software to a client for execution). Riot Games would thus be liable for direct infringement under the doctrine of equivalents.

27.   Riot Games may have infringed the '766 Patent through other software utilizing the same or reasonably similar functionality, including other versions of its software licensing and delivery system. Uniloc reserves the right to discover and pursue all such additional infringing

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software.

COUNT III
(INFRINGEMENT OF U.S. PATENT NO.
6,324,578)

28.   Uniloc incorporates the paragraphs above by reference.

29.   Uniloc Luxembourg is the owner, by assignment, of U.S. Patent No. 6,324,578 ("the '578 Patent"), entitled METHODS, SYSTEMS AND COMPUTER PROGRAM PRODUCTS FOR MANAGEMENT OF CONFIGURABLE APPLICATION PROGRAMS ON A NETWORK that issued on November 27, 2001. A true and correct copy of the '578 Patent is attached as Exhibit C hereto.

30.   Uniloc USA is the exclusive licensee of the '578 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.

31.   The '578 Patent has been referenced by over one-hundred forty other patent applications/patents including patents applications/patents by IBM, Microsoft, Lucent, Netscape, General Electric, Hewlett Packard, Cisco, SAP, and Siemens.

32.   Riot Games has directly infringed, and continues to directly infringe one or more claims of the '578 Patent, including at least claim 1, in this judicial district and elsewhere in Texas, literally and/or under the doctrine of equivalents, by or through making, using, importing, offering for sale and/or selling its software licensing and delivery system during the pendency of the '578 Patent which software and associated backend server architecture inter alia allows for installing application programs having a plurality of configurable preferences and authorized users on a network, distributing an application launcher program to a user, the user obtaining a set of configurable preferences, obtaining an administrator set of configurable preferences and executing

the application program using the user and administrator sets of configurable preferences responsive to a request from a user.

33.   In addition, should Riot Games' software licensing and delivery system be found to not literally infringe one or more claims of the '578 Patent, Riot Games products would nevertheless infringe one or more claims of the '578 Patent under the doctrine of equivalents. More specifically, the accused software/system performs substantially the same function (making computer games available for digital download/management), in substantially the same way (via a client/server environment), to yield substantially the same result (distributing application programs to a target on-demand server on a network). Riot Games would thus be liable for direct infringement under the doctrine of equivalents.

34.   Riot Games may have infringed the '578 Patent through other software utilizing the same or reasonably similar functionality, including other versions of its software licensing and delivery system. Uniloc reserves the right to discover and pursue all such additional infringing software.

COUNT IV
(INFRINGEMENT OF U.S. PATENT NO.
7,069,293)

35.   Uniloc incorporates the paragraphs above by reference.

36.   Uniloc Luxembourg is the owner, by assignment, of U.S. Patent No. 7,069,293 ("the '293 Patent"), entitled METHODS, SYSTEMS AND COMPUTER PROGRAM PRODUCTS FOR DISTRIBUTION OF APPLICATION PROGRAMS TO A TARGET STATION ON A NETWORK that issued on June 27, 2006. A true and correct copy of the '293 Patent is attached as Exhibit D hereto.

37.   Uniloc USA is the exclusive licensee of the '293 Patent with ownership of all

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substantial rights therein, including the right to grant sublicenses, to exclude others, and to enforce, sue and recover past damages for the infringement thereof.

38.   The '293 Patent has been referenced by over eighty other patent applications/patents including patents applications/patents by Cisco, AT&T, Microsoft, AOL, SAP, and Samsung.

39.   Riot Games has directly infringed, and continues to directly infringe one or more claims of the '293 Patent, including at least Claim 1, in this judicial district and elsewhere in Texas, literally and/or under the doctrine of equivalents, by or through making, using, importing, offering for sale and/or selling its software licensing and delivery system during the pendency of the '293 Patent which software and associated backend server architecture *inter alia* allow for providing an application program for distribution to a network server, specifying source and target directories for the program to be distributed, preparing a file packet associated with the program including a segment configured to initiate registration and distributing the file packet to the target on-demand server to make the program available for use by a client user.

40.   In addition, should Riot Games' software licensing and delivery system be found to not literally infringe one or more claims of the '293 Patent, Riot Games would nevertheless infringe one or more claims of the '293 Patent under the doctrine of equivalents. More specifically, the accused software distribution and management system performs substantially the same function (distributing application programs to a target on-demand server on a network), in substantially the same way (via a client/server environment to target on-demand users), to yield substantially the same result (making application programs available for use by target on-demand users). Riot Games would thus be liable for direct infringement under the doctrine of equivalents.

41.   Riot Games may have infringed the '293 Patent through other software utilizing the same or reasonably similar functionality, including other versions of its software licensing and

delivery system. Uniloc reserves the right to discover and pursue all such additional infringing software.

PRAYER FOR RELIEF

Uniloc requests that the Court enter judgment against Riot Games as follows:

(A)   that Riot Games has infringed the '466 Patent, the '766 Patent, the '578 Patent, and the '293 Patent;

(B)   awarding Uniloc its damages suffered as a result of Riot Games' infringement of the '466 Patent, the '766 Patent, the '578 Patent, and the '293 Patent pursuant to 35 U.S.C. § 284;

(C)   enjoining Riot Games, 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 '466 Patent, the '766 Patent, the '578 Patent, and the '293 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. 38.

Dated: October 2, 2017   Respectfully submitted,

                                          /s/ Ryan S. Loveless

                                          James L. Etheridge
                                          Texas State Bar No. 24059147
                                          Ryan S. Loveless
                                          Texas State Bar No. 24036997
                                          Brett A. Mangrum
                                          Texas State Bar No. 24065671
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                                          **Counsel for Plaintiffs Uniloc USA, Inc. and
                                          Uniloc Luxembourg S.A.**

CERTIFICATE OF SERVICE

I certify that on October 2, 2017 a true and correct copy of the foregoing document was

served upon all counsel of record via email under this Court's Local Rules.

                                   /s/ Ryan S. Loveless
                                   Ryan S. Loveless