IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MOZLY TECH LLC,	§	
	§	
Plaintiff,	§	Case No:
	§	
vs.	§	PATENT CASE
	§	
LINE CORPORATION	§	
	§	
Defendant.	§	
	§	

COMPLAINT

Plaintiff Mozly Tech LLC ("Plaintiff" or "Mozly") files this Complaint against Line Corporation ("Defendant" or "Line") for infringement of United States Patent No. 7,367,044 (hereinafter "the '044 Patent").

PARTIES AND JURISDICTION

1. This is an action for patent infringement under Title 35 of the United States Code. Plaintiff is seeking injunctive relief as well as damages.

2. Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331 (Federal Question) and 1338(a) (Patents) because this is a civil action for patent infringement arising under the United States patent statutes.

3. Plaintiff is a Texas limited liability company with its office address at 3400 Silverstone Dr., Suite 191-G, Plano, Texas 75023.

4. On information and belief, Defendant is a Delaware corporation with an office address of 5750 Wilshire Blvd., Suite 640, Los Angeles, California 90036.

5. On information and belief, this Court has personal jurisdiction over Defendant because Defendant has committed, and continues to commit, acts of infringement in this

District, has conducted business in this District, and/or has engaged in continuous and systematic activities in this District.

6. On information and belief, Defendant's instrumentalities that are alleged herein to infringe were and continue to be used, imported, offered for sale, and/or sold in this District.

VENUE

7. Venue is proper in this District of Texas pursuant to 28 U.S.C. § 1400(b) because Defendant is deemed to reside in this district.

COUNT I
(INFRINGEMENT OF UNITED STATES PATENT NO. 7,367,044)

8. Plaintiff incorporates paragraphs 1 through 7 herein by reference.

9. This cause of action arises under the patent laws of the United States and, in particular, under 35 U.S.C. §§ 271, *et seq*.

10. Plaintiff is the owner by assignment of the '044 Patent with sole rights to enforce the '044 Patent and sue infringers.

11. A copy of the '044 Patent, titled "System and Method for Network Operation," is attached hereto as Exhibit A.

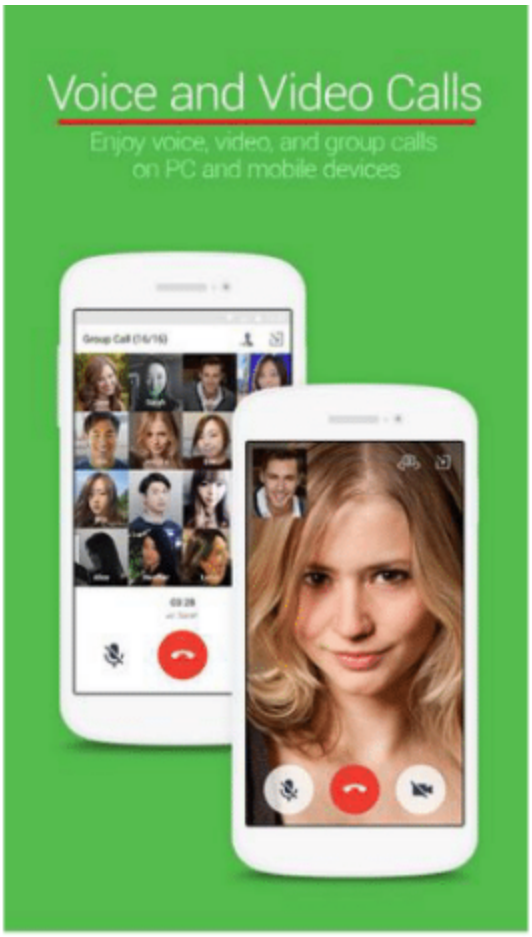
12. The '044 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

13. On information and belief, Defendant has infringed and continues to infringe one or more claims, including at least Claim 1, of the '044 patent by making, using, importing, selling, and/or offering for sale a contact management tool, which is covered by at least Claim 1 of the '044 patent. Defendant has infringed and continues to infringe the '044 patent directly in violation of 35 U.S.C. § 271.

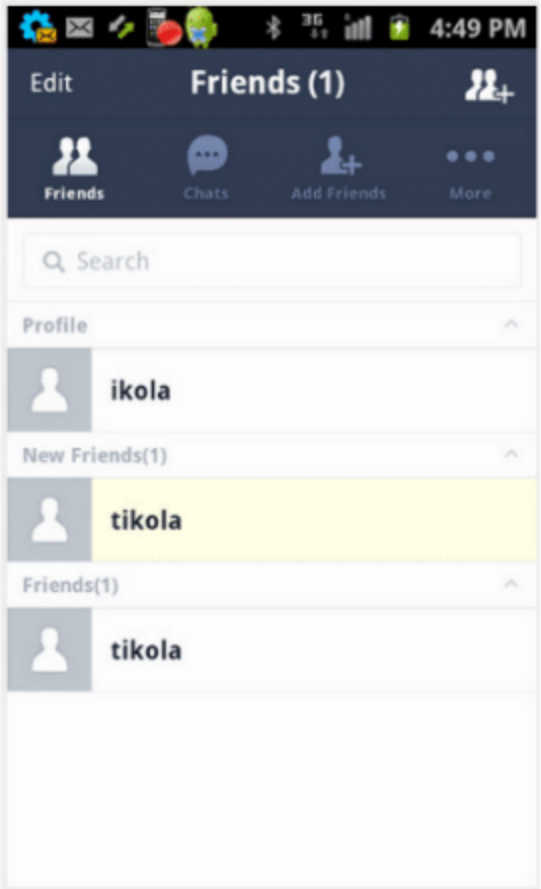
14. Defendant sells, offers to sell, and/or uses contact management tools including,

without limitation, the Line communications app, and any similar products ("Product"), which infringe at least Claim 1 of the '044 Patent. The Product allows for the creation and maintenance of contact information, such as contact phone numbers, for example, for users having accounts. The users are associated with the contact information via user accounts. A user account can be associated with a new telephone so that the new telephone can dial the phone numbers for the contacts. Various of these elements are illustrated below in the public information (screen shots):

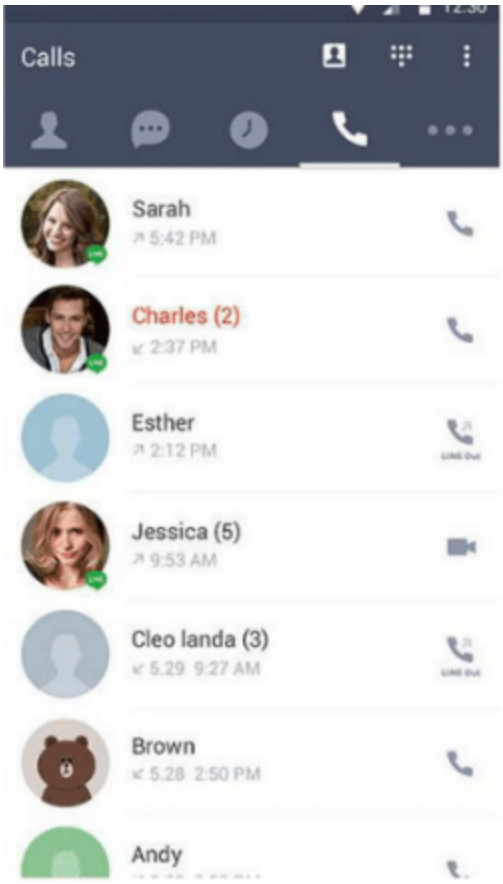
https://play.google.com/store/apps/details?id=jp.naver.line.android



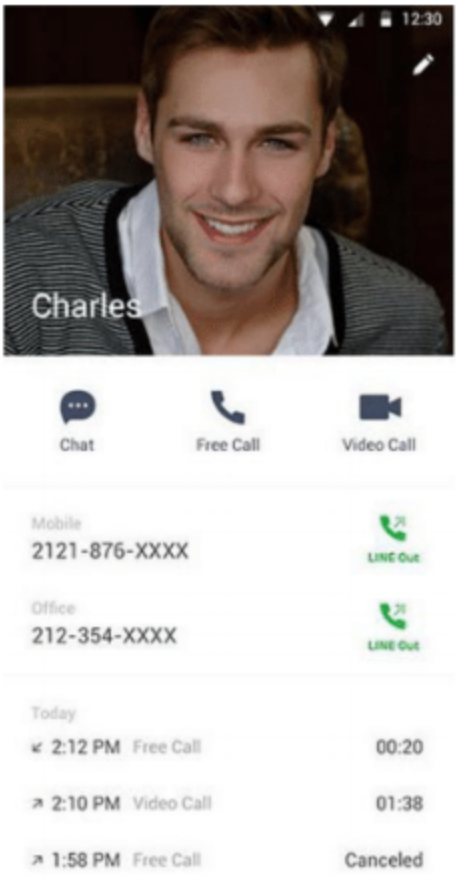
https://play.google.com/store/apps/details?id=jp.naver.line.android



http://www.qoncious.com/questions/how-block-friends-line-messenger-android



https://www.androidheadlines.com/2015/08/line-gets-updates-line-low-cost-call-service.html



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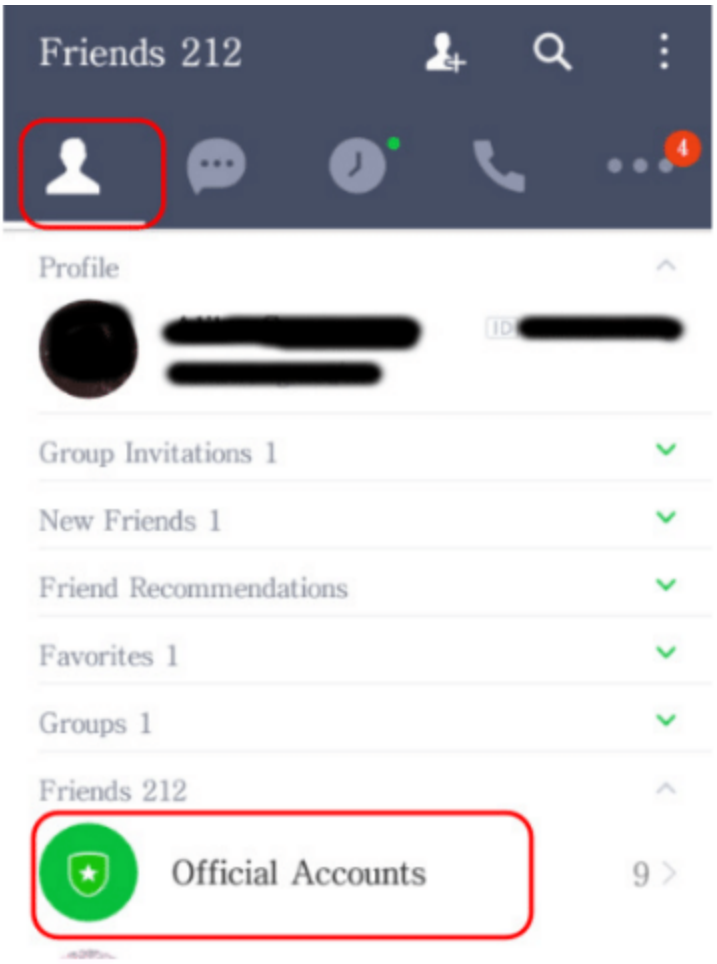
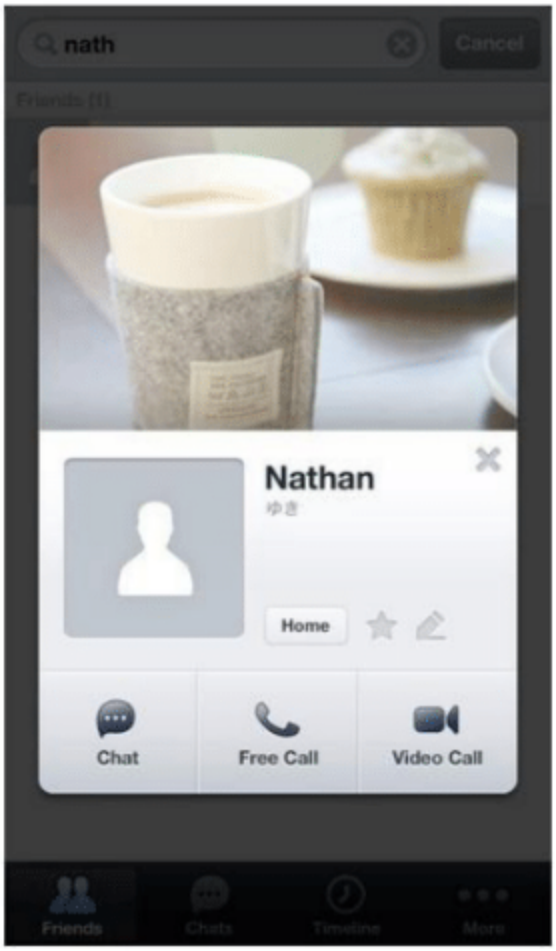
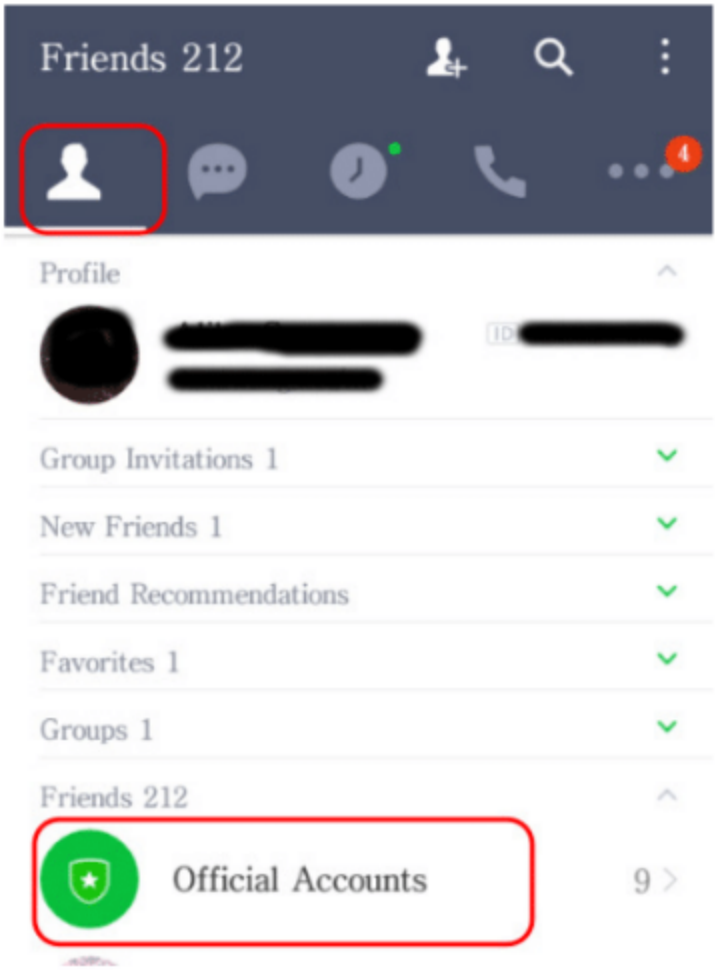


http://www.bettertechtips.com/app/stop-notification-official-account-line/



http://official-blog.line.me/en/archives/33210180.html



http://www.bettertechtips.com/app/stop-notification-official-account-line/

c. Where Is My Personal Information Transmitted and Stored?

To provide Services in a reliable and responsible manner, LINE processes and stores your information on secure servers which may be physically located in different countries around the world, including countries outside the European Economic Area, particularly to LINE Corporation located in Japan. All such transfers are performed in accordance with the requirements of applicable law.

http://terms.line.me/line_rules/?lang=en-US

i. Information Concerning Your Account

When you create a LINE account in order to access the Services (an "Account"), LINE will ask you to provide your phone number. This information is necessary because we may send a text message via SMS to the phone number you provide, as part of our ongoing efforts to detect and deter unauthorized or fraudulent use of or abuse of Services. We may also use your registered phone number to provide you important information about Services.

Alternatively, you may choose to create an Account using your Facebook account when, for example, you do not wish to provide your phone number. In such a case, phone number provision is optional. Please note that we do not collect your Facebook password.

If you choose to enable the "Allow Others to Add" feature, your phone number is used to let other users who have your phone number in their address books add you as a LINE Friend, and to allow other LINE users who have your phone number to find you. Please note that you can at any time choose to enable or disable this "Allow Others to Add" feature in the App, in "Settings" > "Friends".

http://terms.line.me/line_rules/?lang=en-US

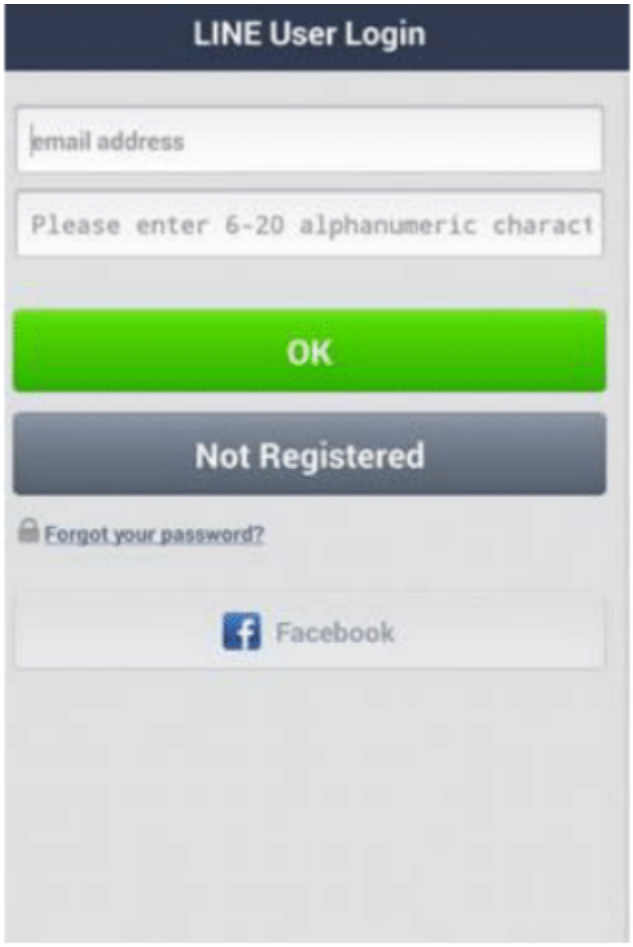
15. The network includes a number of client telephones that use contact information stored on the Product. The contact information includes telephone numbers.

16 On information and belief the network includes one or more servers (e.g., a cloud server) on which user accounts are hosted. For example, the Product stores accounts associated with users of the Product.

17. The network also provides for communication (e.g., VOIP call data) between the server and client telephones. For example, a mobile application provided by Defendant permits communication between the server and client telephones via Internet or LTE services.

18. For each user account, the Product maintains contact information for the associated user. For example, the Product maintains a user profile for a given user account and the user profile includes the user's personal information such as name and contact information.

Various of these elements are illustrated above and below in the public information (screen shots):



http://www.hongkiat.com/blog/line-tips-tricks/

19. The Product maintains a contact list of telephone numbers that a given user has selected. The contact list can be accessed and dialed by the user's client telephone.

20. The Product can associate a user account with a new telephone so that the new telephone can dial the contact telephone numbers for that particular user account. For example, when a user has a new telephone, the user account is associated with the new telephone by way of the user logging in to the Product's application.

21. Defendant's actions complained of herein will continue unless Defendant is

enjoined by this court.

22. Defendant's actions complained of herein are causing irreparable harm and monetary damage to Plaintiff and will continue to do so unless and until Defendant is enjoined and restrained by this Court.

23. Plaintiff is in compliance with 35 U.S.C. § 287.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff asks the Court to:

(a) Enter judgment for Plaintiff on this Complaint on all causes of action asserted herein;

(b) Enter an Order enjoining Defendant, its agents, officers, servants, employees, attorneys, and all persons in active concert or participation with Defendant who receive notice of the order from further infringement of United States Patent No. 7,367,044 (or, in the alternative, awarding Plaintiff a running royalty from the time of judgment going forward);

(c) Award Plaintiff damages resulting from Defendant's infringement in accordance with 35 U.S.C. § 284;

(d) Award Plaintiff pre-judgment and post-judgment interest and costs; and

(e) Award Plaintiff such further relief to which the Court finds Plaintiff entitled under law or equity.

Dated: October 19, 2017

Respectfully submitted,

/s/Stamatios Stamoulis

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