

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

UNILOC USA, INC. and	§	
UNILOC LUXEMBOURG, S.A.,	§	
	§	Civil Action No. 1:17-cv-01527-JFB-SRF
Plaintiffs,	§	
	§	
v.	§	
	§	
MOTOROLA MOBILITY, LLC,	§	
	§	
Defendant.	§	JURY TRIAL DEMANDED
	§	

AMENDED COMPLAINT FOR PATENT INFRINGEMENT

Plaintiffs, Uniloc USA, Inc. and Uniloc Luxembourg, S.A. (together, “Uniloc”), amend their earlier Complaint¹ against defendants, Motorola Mobility, LLC (“Motorola”), to allege:

THE PARTIES

1. Uniloc USA, Inc. is a Texas corporation, having a principal place of business at Legacy Town Center I, Suite 380, 7160 Dallas Parkway, Plano, Texas 75024.
2. Uniloc Luxembourg S.A. is a Luxembourg public limited liability company, having a principal place of business at 15, Rue Edward Steichen, 4th Floor, L-2540, Luxembourg (R.C.S. Luxembourg B159161).
3. Motorola is a Delaware corporation, having its principal place of business in Chicago, Illinois.

¹ As this Amended Complaint supersedes the original Complaint in its entirety, it moots the pending Motion to Dismiss (Dkt. 8).

JURISDICTION

4. Uniloc brings this action for patent infringement under the patent laws of the United States, 35 U.S.C. § 271, *et seq.* This Court has jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

PATENT INFRINGEMENT

5. Uniloc Luxembourg is the owner, by assignment, of U.S. Patent No. 6,580,422 (“the ’422 Patent”), entitled REMOTE COMPUTER DISPLAY USING GRAPHICS PRIMITIVES SENT OVER A WIRELESS LINK, which issued June 17, 2003. (A copy of the ’422 Patent is attached as Exhibit A to this Amended Complaint.)

6. Uniloc USA is the exclusive licensee of the ’422 Patent, with ownership of all substantial rights in that patent, including the right to grant sublicenses, to exclude others, and to enforce, sue, and recover past damages for infringement.

7. The ’422 Patent describes, in detail, and claims, in various ways and at different levels of specificity, an invention Hewlett-Packard Development Company, L.P. (“HP”) developed in 1995 as a wireless computer display for portable computing devices. The invention improved upon existing wireless display technology by converting the transmitted data into graphics primitives capable of being easily transmitted and received by the wireless display, thereby conserving bandwidth.

8. The approach HP invented, and the methods and systems the ’422 patent claims, were not conventional or generic in the industry in 1995, but rather involved, or contained programming that represented, a novel, and not obvious, approach, which other companies in this field had not reduced to practice.

9. The invention represented a technological solution to a technological problem. The written description of the '422 patent describes, in technical detail, each of the limitations in the claims, allowing a person of skill in the art to understand what those limitations cover, and therefore what was claimed, and also understand how the nonconventional and non-generic ordered combination of the elements of the claims differ markedly from what had been conventional or generic in the industry in 1995.

10. Motorola makes, uses, offers for sale, sells, and imports smartphones that use Android version 4.4.2 or later and have Cast/Cast Screen capability, including the following models: DROID Maxx, Droid Maxx 2, DROID Mini, DROID RAZR HD, DROID RAZR M, DROID RAZR MAXX HD, DROID Turbo, Droid Turbo 2, DROID Ultra, Luge, Moto C, Moto C Plus, Moto E, Moto E (2nd gen), Moto E Dual SIM, Moto E Dual SIM (2nd gen), Moto E3, Moto E3 Power, Moto E4, Moto E4 Plus, Moto E4 Plus (USA), Moto G, Moto G (2nd gen), Moto G (3rd gen), Moto G 4G, Moto G 4G (2nd gen), Moto G 4G Dual SIM (2nd gen), Moto G Dual SIM, Moto G Dual SIM (2nd gen), Moto G Dual SIM (3rd gen), Moto G Turbo Edition, Moto G4, Moto G4 Play, Moto G4 Plus, Moto G5, Moto G5 Plus, MotoG5S, Moto G5S Plus, Moto M, Moto Maxx, Moto X, Moto X (2nd Gen), Moto X Force, Moto X Play, Moto X Play Dual SIM, Moto X Style, Moto Z, Moto Z Force, Moto Z Play, Moto Z2, Moto Z2 Force, Nexus 6, RAZR D1, RAZR D3 XT919, RAZR HD XT925, RAZR iXT890 (together, "Accused Infringing Devices").

11. The Accused Infringing Devices are portable computing devices that incorporate wireless transmitters.

12. In response to a request, the Accused Infringing Devices send video signals, including video converted to graphics primitives (encoded and compressed video data) wirelessly to remote devices, such as smart TVs.

13. Upon receipt of the video signals, the remote device (e.g., a smart TV) can convert the signals into digital graphical data for display on the TV screen.

14. Motorola has infringed, and continues to infringe, one or more claims of the '422 Patent, including at least claims 20-21 by making, using, offering for sale, selling, and importing the Accused Infringing Devices. (Attached as Exhibit B is a chart identifying, as specifically as possible without discovery, where each element of each asserted claim is found within the accused instrumentalities.)

15. Motorola has infringed, and continues to infringe, those same claims of the '422 Patent, as well as claims 1, 3, 6, 8-9, 11, 14, 16-17, and 19, by actively inducing others to use, offer for sale, or sell the Accused Infringing Devices. Motorola's customers who use these devices in accordance with Motorola's instructions infringe claims of the '422 Patent. Motorola intentionally instructs its customers to infringe through training videos, demonstrations, brochures, and installation and user guides, such as:

- www.motorola.com, including:
www.motorola.com/products/
- www.motorola-mobility-en-in.custhelp.com
- [https://forums/lenovo.com](https://forums.lenovo.com)
- <https://help.motorola.com>
- www.youtube.com, including:
www.youtube.com/user/motorola

Motorola also induces infringement by failing to remove or diminish infringing features of the Accused Infringement Devices.

16. Motorola has infringed, and continues to infringe, claims of the '422 Patent by contributing to the infringement by others, including customers who use the Accused Infringing Devices, by offering to sell, selling, and importing a component of a patented machine, manufacture, or combination, constituting a material part of the invention, knowing the same to be especially made or especially adapted for use in infringing the '422 Patent and not a staple article or commodity of commerce suitable for substantial non-infringing use.

17. For example, the software that causes the Accused Infringing Devices to operate as described above is a component of a patented machine, manufacture, or combination. The software is a material part of the claimed inventions and is not a staple article or commodity of commerce suitable for substantial non-infringing use.

18. Motorola has been on notice of the '422 Patent since, at the latest, the service of the Complaint. By the time of trial, Motorola will have known and intended (since receiving such notice) that its continued actions would actively induce, and contribute to, the infringement of claims of the '422 Patent.

19. Motorola may have infringed the '422 Patent through other devices and software utilizing the same or reasonably similar functionality.

20. Uniloc has been damaged by Motorola's infringement of the '422 Patent.

PRAYER FOR RELIEF

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

(A) declaring that Motorola has infringed the '422 Patent;

- (B) awarding Uniloc its damages suffered as a result of Motorola's infringement of the '422 Patent;
- (C) awarding Uniloc its costs, attorneys' fees, expenses, and interest, and
- (D) granting Uniloc such further relief as the Court may decide is warranted.

DEMAND FOR JURY TRIAL

Uniloc hereby demands trial by jury on all issues so triable pursuant to Fed. R. Civ. P. 38.

Respectfully submitted,

Date: February 8, 2018

O'KELLY ERNST & JOYCE, LLC

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