

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

UNILOC 2017 LLC,

Plaintiff,

v.

AKAMAI TECHNOLOGIES, INC.,

Defendant.

Civil Action No. 19-cv-11276

**COMPLAINT**

Plaintiff, Uniloc 2017 LLC (“Uniloc”), for its complaint against defendant, Akamai Technologies, Inc. (“Akamai”), alleges:

**THE PARTIES**

1. Uniloc is a Delaware limited liability company.
2. Akamai is a Delaware corporation having a principal place of business in Cambridge, Massachusetts.

**JURISDICTION**

3. 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 subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

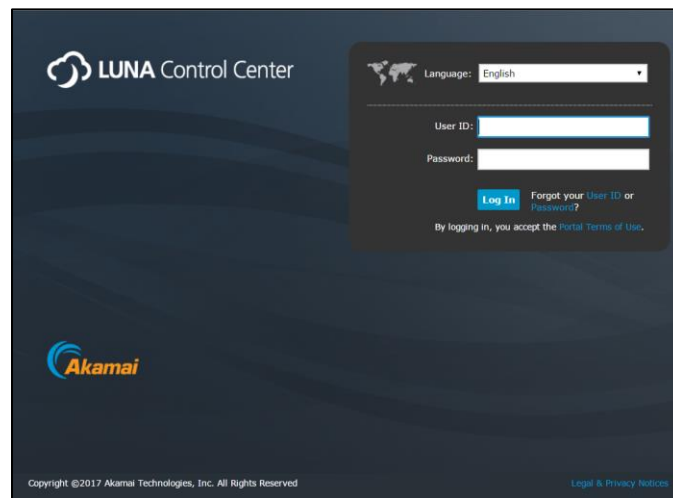
**COUNT I**

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

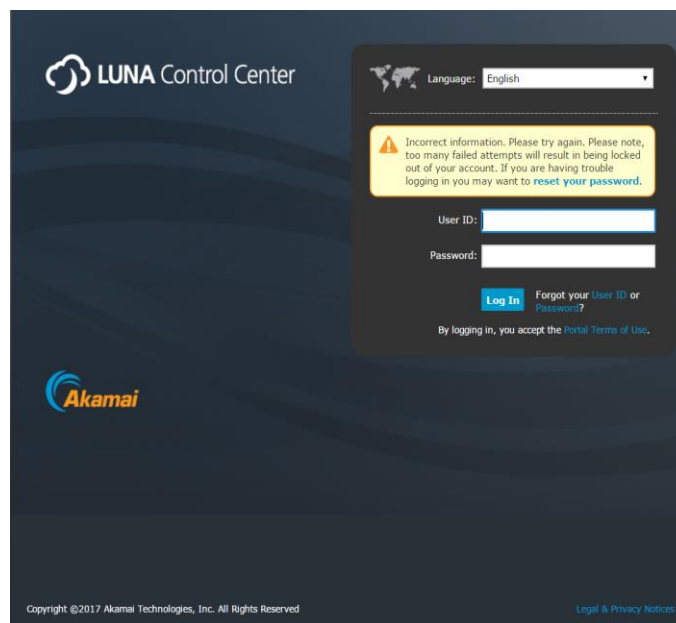
4. Uniloc incorporates by reference paragraphs 1-3 above.
5. Uniloc is the owner, by assignment, of U.S. Patent No. 6,324,578 (“the ’578 Patent”), entitled METHODS, SYSTEMS AND COMPUTER PROGRAM PRODUCTS FOR MANAGEMENT OF CONFIGURABLE APPLICATION PROGRAMS ON A NETWORK, that

issued on November 27, 2001 on an application filed on December 14, 1998. A copy of the '578 Patent is attached as Exhibit A.

6. The following image from [www.control.akamai.com](http://www.control.akamai.com) shows that Akamai operated a Content Delivery Network (“CDN”), known as Luna Control Center:



7. The following image from [www.control.akamai.com](http://www.control.akamai.com) shows that the Luna Control Center CDN would refuse to run if the user’s credentials were not valid:



8. Via the Luna Control Center portal, Akamai offered users solutions and services including Luna Resolve network troubleshooting tools.

9. According to [www.akamai.com](http://www.akamai.com), “Luna Control Center has flexible mechanisms to secure, control and protect access to different web content and applications.”

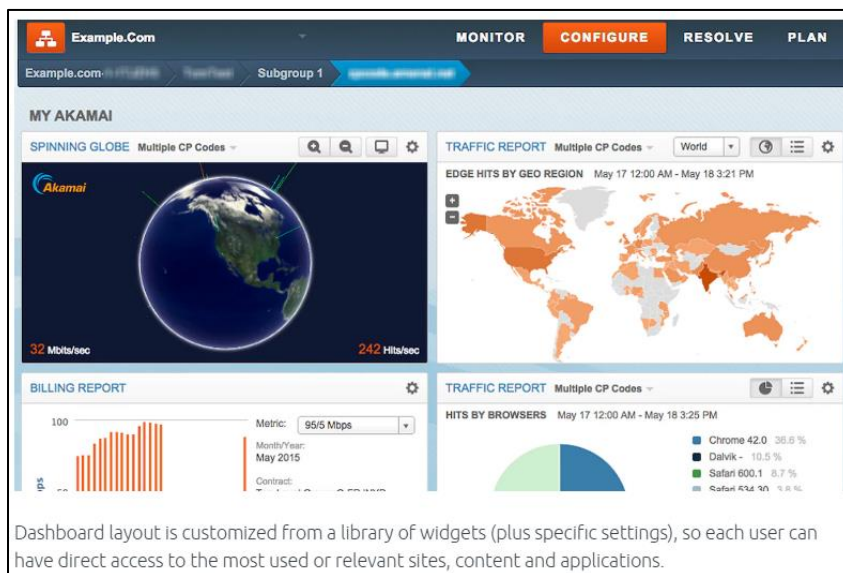
10. As shown above, Users had to log in to gain access to the Luna Control Center.

11. According to [www.akamai.com](http://www.akamai.com), customers using the Luna Control Center “can arrange and customize widgets to layout a dashboard with the most relevant information in a consumable and comprehensive way.”

12. The following image from [www.akamai.com](http://www.akamai.com) also shows that, upon accessing the Luna Control Center CDN, users could customize their home page:

Upon entry to Luna Control Center, users may customize their home page to reference the most relevant CDN management information quickly.

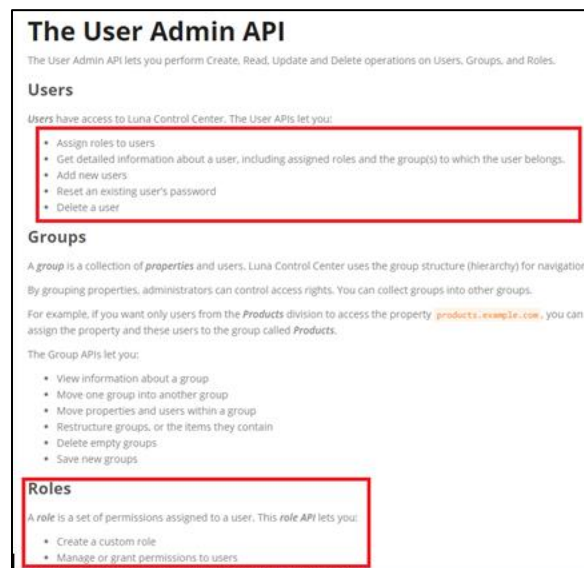
13. The following image from [www.akamai.com](http://www.akamai.com) shows that each user could configure his home page using a “library of widgets”:



14. The Luna Control Center CDN software was stored on Akamai servers that could be accessed by entering <http://control.akamai.com> into a web browser.

15. An administrator using the Luna Control Center CDN could assign custom roles and settings to users, add new users, and reset an existing password.

16. The following image from <https://developer.akamai.com> shows how an administrator using the Akamai Luna Control Center User Admin API could assign custom roles and settings to users, add new users and reset an existing password:



17. Akamai infringed at least claim 1 of the '578 Patent by making, using, offering for sale, and/or selling its Luna Control Center CDN, which software and associated architecture allowed for installing an application program having configurable preferences and authorized users on a server coupled to a network, distributing an application launcher program to a client, obtaining a user set of the 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.

18. Akamai also infringed the '578 Patent by actively inducing the use of the Luna Control Center CDN. Akamai's customers who used the system as Akamai instructed infringed the '578 Patent, as described above. Akamai intentionally instructed its users to infringe, with knowledge they were infringing, by providing instructions with Luna Control Center.

19. Akamai also infringed the '578 Patent by offering to sell, selling, and/or otherwise commercializing the Luna Control Center CDN, which was used to infringe the '578 patent, and constituted a material part of the invention. Akamai knew portions of the software in the system that provide the infringing functionality were especially written solely for use to implement what it knew was infringement of the '578 Patent, as described above. Akamai also knew these portions had no use, other than for infringement.

20. Akamai has been on notice of the '578 Patent since, at the latest, the service upon Akamai of the complaint in the previous action for infringement of the '578 Patent in the Eastern District of Texas on May 16, 2017. Akamai knew and intended (since receiving that notice) that its continued actions actively induced infringement of the '578 Patent.

21. Akamai may have infringed the '578 Patent through other software and architecture utilizing the same or reasonably similar functionality, including other versions of the Luna Control Center CDN.

22. Uniloc has been damaged by Akamai's infringement of the '578 Patent.

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

23. Uniloc incorporates by reference paragraphs 1-22 above.

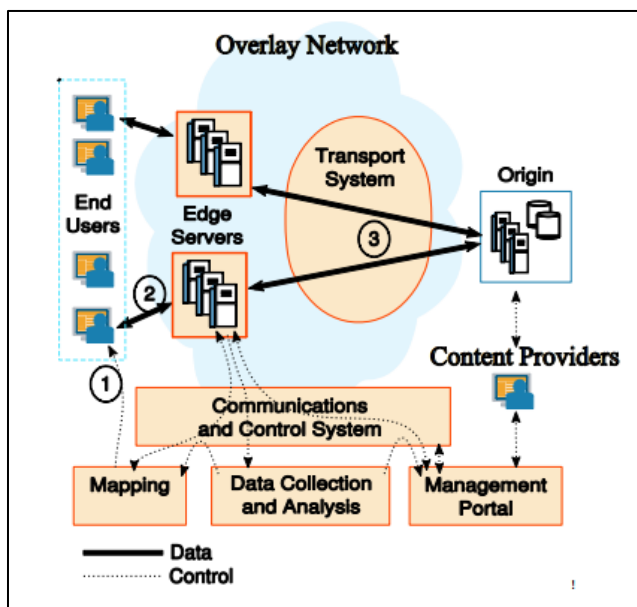
24. Uniloc is the owner, by assignment, of U.S. Patent No. 7,069,293 ("the '293 Patent"), entitled METHODS, SYSTEMS AND COMPUTER PROGRAM PRODUCTS FOR DISTRIBUTION OF APPLICATION PROGRAMS TO A TARGET STATION ON A

NETWORK, which issued on June 27, 2006, claiming priority to an application filed on December 14, 1998. A copy of the '293 Patent is attached as Exhibit B.

25. As the following image shows, Akamai uses on-demand servers, such as those designated “AkamaiGHost,” to host and distribute Luna Control Center software:

Hosting History				
Netblock owner	IP address	OS	Web server	Last seen
Akamai Technologies	2.19.152.194	Linux	AkamaiGHost	31-Jan-2017
Akamai International, BV Prins Bernhardplein 200 Amsterdam NL 1097 JB	104.82.155.178	Linux	AkamaiGHost	30-Jan-2017
Akamai International, BV Prins Bernhardplein 200 Amsterdam NL 1097 JB	23.195.112.221	Linux	AkamaiGHost	31-Oct-2014

26. According to the following image from www.akamai.com, Akamai uses central servers that communicate with edge servers to distribute solutions and services from a source “Origin” directory to a user target directory:



27. Akamai infringed, and continues to infringe, at least claim 1 of the '293 Patent by making, using, offering for sale, and/or selling its Luna Control Center CDN, which software and associated architecture 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

operations for the application program at a target on-demand server, and distributing the file packet to the target on-demand server to make the program available for use by a client user.

28. Akamai has been on notice of the '293 Patent since, at the latest, the service of the complaint on Akamai on May 16, 2017 in the previous action for infringement of the '293 Patent. By the time of trial, Akamai will have known and intended (since receiving such notice) that its continued actions would infringe the '293 Patent.

29. Akamai may have infringed the '293 Patent through other software and architecture utilizing the same or reasonably similar functionality, including other versions of the Luna Control Center CDN.

30. Uniloc has been damaged by Akamai's infringement of the '293 Patent.

**PRAYER FOR RELIEF**

Uniloc requests that the Court enter judgment against Akamai:

- (A) that Akamai has infringed the '578 Patent and the '293 Patent;
- (B) awarding Uniloc its damages suffered as a result of Akamai's infringement of the '578 Patent and the '293 Patent;
- (C) awarding Uniloc its costs, attorneys' fees, expenses, and interest, and
- (E) granting Uniloc such further relief as the Court may deem proper.

**DEMAND FOR JURY TRIAL**

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

Date: June 7, 2019

Respectfully submitted,

*/s/ Paul J. Hayes*

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**ATTORNEYS FOR THE PLAINTIFF**