

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS**

SISVEL INTERNATIONAL S.A.,

3G LICENSING S.A.,

Plaintiff,

v.

ZTE (USA), INC. AND ZTE
CORPORATION,

Defendants.

Civil Action No. 3:19-CV-01694-N

JURY TRIAL DEMANDED

AMENDED COMPLAINT FOR PATENT INFRINGEMENT

Plaintiffs Sisvel International S.A. and 3G Licensing S.A. (collectively, “Plaintiffs”), for their Amended Complaint against Defendants ZTE (USA), Inc. and ZTE Corporation (“ZTE” or “Defendants”), allege the following:

NATURE OF THE ACTION

1. This is an action for patent infringement arising under the Patent Laws of the United States, 35 U.S.C. § 1 *et seq.*

THE PARTIES

2. Sisvel International S.A. (“Sisvel”) is an entity organized under the laws of Luxembourg with a place of business at 6, Avenue Marie Thérèse, 2132 Luxembourg, Grand Duchy of Luxembourg.

3. 3G Licensing S.A. (“3G Licensing”) is also an entity organized under the laws of Luxembourg with a place of business at 6, Avenue Marie Thérèse, 2132 Luxembourg, Grand Duchy of Luxembourg.

4. Founded in Italy in 1982, Sisvel is a world leader in fostering innovation and managing intellectual property. Sisvel works with its partners offering a comprehensive approach to patent licensing: from issuing initial calls for essential patents; facilitating discussions among stakeholders; developing multiparty license agreements; executing and administering licenses; to collecting and distributing royalties. At the same time, Sisvel actively promotes a culture of respect and understanding of the intellectual property and innovation ecosystem through, for example, its regular presence at the key consumer electronics trade fairs and intellectual property events, participation in policy discussions and conferences, as well as open dialogues with a number of government bodies, standard-setting organizations and industry associations.

5. In early 2016, Sisvel initiated licensing activities in North America via its U.S. subsidiary, Sisvel US Inc.

6. A subsidiary of the Sisvel Group founded in 2015, 3G Licensing, is an intellectual property company operating in the consumer electronics and telecommunications industry. The company is composed of specialists with an extensive experience in administering licensing programs on behalf of third-party companies and organizations.

7. Upon information and belief, ZTE (USA), Inc. is a corporation organized and existing under the laws of New Jersey with its principal place of business in this judicial district at 2425 North Central Expressway, Suite 800, Richardson, Texas 75080.

8. Upon information and belief, ZTE Corporation is a corporation organized and existing under the laws of the People's Republic of China, with its principal place of business at ZTE Plaza, Keji Road South, Hi-Tech Industrial Park, Nanshan District, Guangdong Province, People's Republic of China 518057.

JURISDICTION AND VENUE

9. This Court has jurisdiction over the subject matter jurisdiction of this case under 28 U.S.C. §§ 1331 (federal question) and 1338(a) (patent law – 35 U.S.C. § 101, *et seq.*).

10. This Court has personal jurisdiction over Defendants, because Defendants have sufficient minimum contacts within the State of Texas and this District, pursuant to due process and/or the Texas Long Arm Statute, Tex. Civ. Prac. & Rem. Code § 17.042, as Defendants have purposefully availed themselves of the privileges of conducting business in the State of Texas by regularly conducting and soliciting business within the State of Texas and within this District, and because Plaintiffs' causes of action arise directly from Defendants' business contacts and other activities in the State of Texas and this District. Further, this Court has personal jurisdiction over ZTE (USA), because it has its principal place of business in this judicial district. This Court has personal jurisdiction over ZTE Corporation, because it is a foreign corporation placing its products into the stream of commerce in this judicial district.

11. Venue is proper in this judicial district as to ZTE (USA), Inc. under 28 U.S.C. § 1400(b) because ZTE (USA), Inc. has committed acts of infringement in this District and has a regular and established place of business in this District.

12. Venue is proper in this judicial district as to ZTE Corporation because it is a foreign corporation that may be sued in any judicial district under 28 U.S.C. § 1391(c).

ACCUSED INSTRUMENTALITIES

13. Defendants make, use, sell and offer for sale, provide, and causes to be used, now and within the past six years the Avid 4, Gabb Z1, Maven 3, Overture 3, Visible R2, ZFive G LTE, the Axon series of products, including the Axon 7, Axon 9 Pro and the Axon 10 Pro, and the Blade series of products including the Blade 10 Prime, Blade A7, Blade Vantage 2, Blade X Max and Blade Z Max (collectively "Accused Instrumentalities"), among other such devices.

14. Defendants advertise that the Avid 4 is complaint with the 2G, 3G and 4G cellular network standards. (*See* product information for the Avid 4, attached hereto as Exhibit 1).

15. Defendants advertise that the Gabb Z1 is complaint with the 2G and 3G cellular network standards. (*See* product information for the Gabb Z1, attached hereto as Exhibit 2).

16. Defendants advertise that the Maven 3 is complaint with the 2G and 4G cellular network standards. (*See* product information for the Maven 3, attached hereto as Exhibit 3).

17. Defendants advertise that the Overture 3 is complaint with the 2G, 3G and 4G cellular network standards. (*See* product information for the Overture 3, attached hereto as Exhibit 4).

18. Defendants advertise that the Visible R2 is complaint with the 2G, 3G and 4G cellular network standards. (*See* product information for the Visible Series of products, attached hereto as Exhibit 5).

19. Defendants advertise that the ZFive G LTE are complaint with the 2G, 3G and 4G cellular network standards. (*See* product information for the ZFive G LTE, attached hereto as Exhibit 6).

20. Defendants advertise that the Axon Series of products are complaint with the 2G, 3G and 4G cellular network standards. (*See, e.g.*, product information for the Axon 7, attached hereto as Exhibit 7, the Axon 9 Pro, attached hereto as Exhibit 8 and the Axon 10 Pro, attached hereto as Exhibit 9.)

21. Defendants advertise that the Blade Series of products are complaint with the 2G, 3G and 4G cellular network standards. (*See, e.g.*, product information for the Blade 10 Prime, attached hereto as Exhibit 10, Blade A7, attached hereto as Exhibit 11, Blade Vantage 2, attached

hereto as Exhibit 12, Blade X Max, attached hereto as Exhibit 13, and Blade Z Max, attached hereto as Exhibit 14.)

BACKGROUND

22. Plaintiffs are the owners by assignment of a portfolio of patents, including the twelve patents described in detail in the counts below (collectively, the “Asserted Patents”), that relate to technology for cellular communications networks, including variations or generations of cellular communication network technology such as, but not limited to 2G, 3G, and 4G.

23. Cellular communication network technology is used to provide data transmission across mobile cellular networks.

24. U.S. Patent Nos. 6,529,561 (“the ’561 patent”), 7,433,698 (“the ’698 patent”), 8,364,196 (“the ’196 patent”), 7,751,803 (“the ’803 patent”), and 7,894,443 (“the ’443 patent”) were assigned to Nokia Corporation either directly from the inventors or through mergers. In 2011 the ’561, ’698, ’196, ’803, and the ’443 patents were assigned to a trust by Nokia Corporation. On April 10, 2012, Sisvel obtained ownership of the ’561, ’698, ’196, ’803, and the ’443 patents.

25. U.S. Patent Nos. 7,274,933 (“the ’933 patent”), 7,460,868 (“the ’868 patent”), 7,596,375 (“the ’375 patent”), 8,273,374 (“the ’374 patent”), 8,472,955 (“the ’955 patent”), 8,948,756 (“the ’756 patent”), and 8,897,503 (“the ’503 patent”) were assigned to Research in Motion Ltd. from the inventors. Research in Motion Ltd. changed its name to Blackberry, Ltd. in 2013. On November 16, 2018, the ’933, ’868, ’375, ’374, ’955, ’756, and ’503 patents were assigned to Provenance Asset Group LLC from Blackberry, Ltd. On April 5, 2019, Sisvel obtained ownership of the ’933, ’868, ’375, ’374, ’955, ’756, and ’503 patents from Provenance Asset Group LLC. On July 11, 2019, Sisvel assigned the ’933, ’868, ’375, ’374, ’955, ’756, and ’503 patents to 3G Licensing.

26. Sisvel and 3G Licensing are the rightful owners of the Asserted Patents and hold the entire right, title and interest in the Asserted Patents.

27. Sisvel first sent a letter to ZTE Corporation on December 4, 2012 offering for ZTE to license Sisvel's patents essential to cellular standards including 4G. The correspondence identified certain ZTE products that were covered by claims of Sisvel's patents including the '561 patent and the '803 patent.

28. In the months following Sisvel's December 4, 2012 letter, Sisvel and ZTE Corporation began an extensive correspondence regarding licensing of Sisvel's patent portfolio through additional letters and email. During the course of that correspondence Sisvel sent an additional letter to ZTE Corporation on August 22, 2013. The August 22, 2013 letter identified certain ZTE products that were covered by claims of Sisvel's patents including the '561 patent and the '803 patent. The August 22, 2013 letter also requested feedback from ZTE Corporation regarding licensing of Sisvel's patent portfolio. On September 4, 2013 Sisvel sent additional information regarding its patents to ZTE Corporation by email including a claim chart for the '803 patent demonstrating how the essential cellular standard practice the claims of the '803 patent.

29. Following the September 4, 2013 email, ZTE Corporation and Sisvel continued communicating regarding Sisvel's patent portfolio by email and through meetings. On November 11, 2013 Sisvel sent a letter to ZTE Corporation identifying certain ZTE products that were covered by claims of Sisvel's patents including the '561 patent and the '803 patent and requested ZTE Corporation's position regarding the licensing of Sisvel's patent portfolio.

30. Following Sisvel's November 11, 2013 letter ZTE Corporation and Sisvel continued communicating regarding Sisvel's patent portfolio by email and through meetings. During the course of this correspondence Sisvel sent a letter to ZTE Corporation on November 13,

2014 attaching a list of patents that specifically identified the '698 patent, the '196 patent, the '561 patent, the '803 patent, and the '443 patent, that was prepared specifically for Sisvel's licensing negotiations with ZTE Corporation. Sisvel and ZTE Corporation continued communications over the following months, but despite Sisvel's continuous efforts and numerous demonstrations of infringement over approximately three years, ZTE Corporation refused to take a license to Sisvel's patents.

31. Sisvel sent separate correspondence to ZTE USA, Inc. on January 30, 2017 attaching information regarding patents that Sisvel believed ZTE USA, Inc. was infringing including the '443 patent.

32. Following the January 30, 2017 correspondence, Sisvel and ZTE USA, Inc. corresponded regarding licensing of Sisvel's patent portfolio. On July 24, 2018 Sisvel sent additional correspondence to ZTE USA, Inc. offering to license Sisvel's patents essential to cellular standards including 3G and 4G. The July 24, 2018 correspondence included links to materials on Sisvel's website, which specifically identified the '698 patent, the '196 patent, the '803 patent, and the '443 patent. Despite an additional letter sent to ZTE USA, Inc. on September 21, 2018, ZTE USA, Inc. refused to take a license to Sisvel's patents.

COUNT I – INFRINGEMENT OF U.S. PATENT NO. 6,529,561

33. The allegations set forth in the foregoing paragraphs 1 through 32 are incorporated into this First Claim for Relief.

34. On March 4, 2003, the '561 patent, entitled "Data Transmission In Radio System" was duly and legally issued by the United States Patent and Trademark Office from a patent application filed on May 10, 2001, which claims priority to a PCT application filed on September 7, 2000, and further claims priority to a foreign patent application filed on September 10, 1999. A true and correct copy of the '561 patent is attached as Exhibit 15.

35. Plaintiff Sisvel is the assignee and owner of the right, title and interest in and to the '561 patent, including the right to assert all causes of action arising under said patents and the right to any remedies for infringement of them.

36. The '561 patent discloses a system and method that Plaintiff believes is essential under the 2G cellular standard as explained in attached Exhibit 16. The 2G cellular standard is incorporated in the 3G and 4G standards. Thus, Defendants' Accused Instrumentalities that are compliant with the 2G, 3G and 4G standards are necessarily infringing the '561 patent.

37. Defendants were made aware of the '561 patent and their infringement thereof by correspondence from Plaintiff on December 4, 2012 as discussed in paragraph 29 above.

38. Defendants were made further aware of the '561 patent and their infringement thereof at least as early as the date of filing of this Complaint.

39. Upon information and belief, Defendants have and continue to directly infringe at least claim 10 of the '561 patent by making, using, selling, importing, offering for sale, providing, practicing, and causing the Accused Instrumentality that infringe the patented methods.

40. Since December 4, 2012, when Defendants were first made aware of the '561 patent, Defendants' infringement has been, and continues to be willful.

41. Upon information and belief, these Accused Instrumentality are used, marketed, provided to, and/or used by or for the Defendants' partners, clients, customers/subscribers and end users across the country and in this District.

42. Upon information and belief, Defendants have induced and continue to induce others to infringe at least claim 10 of the '561 patent under 35 U.S.C. § 271(b) by, among other things, and with specific intent or willful blindness, actively aiding and abetting others to infringe, including, but not limited to Defendants' partners, clients, customers/subscribers, and end users,

whose use of the Accused Instrumentality constitutes direct infringement of at least one claim of the '561 patent.

43. In particular, the Defendants' actions that aid and abet others such as their partners, customers/subscribers, clients, and end users to infringe include advertising and distributing the Accused Instrumentality and providing instruction materials, training, and services regarding the Accused Instrumentality.

44. Any party, including Defendants' partners, clients, customers/subscribers, and end users, using the Accused Instrumentalities necessarily infringes the '561 patent because the invention of the '561 patent is required to comply with the relevant cellular standard. Defendants advertise their Accused Instrumentalities as compliant with the relevant cellular standard, which induces others to infringe the '561 patent. Defendants have knowingly induced infringement since at least December 4, 2012 when Defendants were first made aware of the '561 patent during extensive correspondence with Plaintiffs as discussed in paragraphs 29-34 above.

45. Upon information and belief, the Defendants are liable as contributory infringers of the '561 patent under 35 U.S.C. § 271(c) by offering to sell, selling and importing into the United States the Accused Instrumentality that infringe the patented methods, to be especially made or adapted for use in an infringement of the '561 patent. Each of the Accused Instrumentality is a material component for use in practicing the '561 patent and is specifically made and are not a staple article of commerce suitable for substantial non-infringing use. In particular, each Accused Instrumentality is compliant with the relevant standard and primarily used in compliance with that standard.

46. Plaintiffs have been harmed by Defendants' infringing activities.

COUNT II – INFRINGEMENT OF U.S. PATENT NO. 7,433,698

47. The allegations set forth in the foregoing paragraphs 1 through 46 are incorporated into this Second Claim for Relief.

48. On October 7, 2008, the '698 patent, entitled "Cell Reselection Signaling Method" was duly and legally issued by the United States Patent and Trademark Office from Patent Application No. 10/181,078, which is the U.S. National Stage Application of PCT application No. PCT/FI01/00038, filed on January 17, 2001, which claims priority to a foreign patent application filed on January 17, 2000. A true and correct copy of the '698 patent is attached as Exhibit 17.

49. Plaintiff Sisvel is the assignee and owner of the right, title and interest in and to the '698 patent, including the right to assert all causes of action arising under said patents and the right to any remedies for infringement of them.

50. The '698 patent discloses a system and method that Plaintiff believes is essential under the 3G cellular standard as explained in attached Exhibit 18. The 3G cellular standard is incorporated in the 4G standard. Thus, Defendants' Accused Instrumentalities that are compliant with the 3G and 4G standards are necessarily infringing the '698 patent.

51. Defendants were made aware of the '698 patent and their infringement thereof by correspondence from Plaintiff on November 13, 2014 as discussed in paragraph 32 above.

52. Defendants were made further aware of the '698 patent and their infringement thereof at least as early as the date of filing of this Complaint.

53. Upon information and belief, Defendants have and continue to directly infringe at least claims 10 and/or 11 of the '698 patent by making, using, selling, importing, offering for sale, providing, practicing, and causing the Accused Instrumentality that infringe the patented methods.

54. Since November 13, 2014, when they were first made aware of the '698 patent, Defendants' infringement has been, and continues to be willful.

55. Upon information and belief, these Accused Instrumentality are used, marketed, provided to, and/or used by or for the Defendants' partners, clients, customers/subscribers and end users across the country and in this District.

56. Upon information and belief, Defendants have induced and continue to induce others to infringe at least claims 10 and/or 11 of the '698 patent under 35 U.S.C. § 271(b) by, among other things, and with specific intent or willful blindness, actively aiding and abetting others to infringe, including, but not limited to Defendants' partners, clients, customers/subscribers, and end users, whose use of the Accused Instrumentality constitutes direct infringement of at least one claim of the '698 patent.

57. In particular, the Defendants' actions that aid and abet others such as their partners, customers/subscribers, clients, and end users to infringe include advertising and distributing the Accused Instrumentality and providing instruction materials, training, and services regarding the Accused Instrumentality.

58. Any party, including Defendants' partners, clients, customers/subscribers, and end users, using the Accused Instrumentalities necessarily infringes the '698 patent because the invention of the '698 patent is required to comply with the relevant cellular standard. Defendants advertise their Accused Instrumentalities as compliant with the relevant cellular standard, which induces others to infringe the '698 patent. Defendants have knowingly induced infringement since at least November 13, 2014 when Defendants were first made aware of the '698 patent during extensive correspondence with Plaintiffs as discussed in paragraphs 29-34 above.

59. Upon information and belief, the Defendants are liable as contributory infringers of the '698 patent under 35 U.S.C. § 271(c) by offering to sell, selling and importing into the United States the Accused Instrumentality that infringe the patented methods, to be especially made or

adapted for use in an infringement of the '698 patent. Each of the Accused Instrumentality is a material component for use in practicing the '698 patent and is specifically made and are not a staple article of commerce suitable for substantial non-infringing use. In particular, each Accused Instrumentality is compliant with the relevant standard and primarily used in compliance with that standard.

60. Plaintiffs have been harmed by Defendants' infringing activities.

COUNT III – INFRINGEMENT OF U.S. PATENT NO. 8,364,196

61. The allegations set forth in the foregoing paragraphs 1 through 60 are incorporated into this Third Claim for Relief.

62. On January 29, 2013, the '196 patent, entitled "Cell Reselection Signaling Method" was duly and legally issued by the United States Patent and Trademark Office from a patent application filed on August 19, 2008 and claims priority a foreign patent application filed on January 17, 2000. A true and correct copy of the '196 patent is attached as Exhibit 19.

63. Plaintiff Sisvel is the assignee and owner of the right, title and interest in and to the '196 patent, including the right to assert all causes of action arising under said patents and the right to any remedies for infringement of them.

64. The '196 patent discloses a system and method that Plaintiff believes is essential under the 3G cellular standard as explained in attached Exhibit 20. The 3G cellular standard is incorporated in the 4G standard. Thus, Defendants' Accused Instrumentalities that are compliant with the 3G and 4G standards are necessarily infringing the '196 patent.

65. Defendants were made aware of the '196 patent and their infringement thereof by correspondence from Plaintiff on November 13, 2014, as discussed in paragraph 32 above.

66. Defendants were made further aware of the '196 patent and their infringement thereof at least as early as the date of filing of this Complaint.

67. Upon information and belief, Defendants have and continue to directly infringe at least claims 1, 2, 14, 17 and/or 18 of the '196 patent by making, using, selling, importing, offering for sale, providing, practicing, and causing the Accused Instrumentality that infringe the patented methods.

68. Since November 13, 2014, when they were first made aware of the '196 patent, Defendants' infringement has been, and continues to be willful.

69. Upon information and belief, these Accused Instrumentalities are used, marketed, provided to, and/or used by or for the Defendants' partners, clients, customers/subscribers and end users across the country and in this District.

70. Upon information and belief, Defendants have induced and continue to induce others to infringe at least claims 1, 2, 14, 17 and/or 18 of the '196 patent under 35 U.S.C. § 271(b) by, among other things, and with specific intent or willful blindness, actively aiding and abetting others to infringe, including, but not limited to Defendants' partners, clients, customers/subscribers, and end users, whose use of the Accused Instrumentality constitutes direct infringement of at least one claim of the '196 patent.

71. In particular, the Defendants' actions that aid and abet others such as their partners, customers/subscribers, clients, and end users to infringe include advertising and distributing the Accused Instrumentality and providing instruction materials, training, and services regarding the Accused Instrumentality.

72. Any party, including Defendants' partners, clients, customers/subscribers, and end users, using the Accused Instrumentalities necessarily infringes the '196 patent because the invention of the '196 patent is required to comply with the relevant cellular standard. Defendants advertise their Accused Instrumentalities as compliant with the relevant cellular standard, which

induces others to infringe the '196 patent. Defendants have knowingly induced infringement since at least November 13, 2014 when Defendants were first made aware of the '196 patent during extensive correspondence with Plaintiffs as discussed in paragraphs 29-34 above.

73. Upon information and belief, the Defendants are liable as contributory infringers of the '196 patent under 35 U.S.C. § 271(c) by offering to sell, selling and importing into the United States the Accused Instrumentality that infringe the patented methods, to be especially made or adapted for use in an infringement of the '196 patent. Each of the Accused Instrumentality is a material component for use in practicing the '196 patent and is specifically made and are not a staple article of commerce suitable for substantial non-infringing use. In particular, each Accused Instrumentality is compliant with the relevant standard and primarily used in compliance with that standard.

74. Plaintiffs have been harmed by Defendants' infringing activities.

COUNT IV – INFRINGEMENT OF U.S. PATENT NO. 7,751,803

75. The allegations set forth in the foregoing paragraphs 1 through 74 are incorporated into this Fourth Claim for Relief.

76. On July 6, 2010, the '803 patent, entitled "Method and Arrangement For Optimizing the Re-Establishment of Connections In a Cellular Radio System Supporting Real Time and Non-Real Time Communications" was duly and legally issued by the United States Patent and Trademark Office from a patent application filed on February 22, 2001 and claims priority to foreign patent applications filed on February 24, 2000 and March 24, 2000. A true and correct copy of the '803 patent is attached as Exhibit 21.

77. Plaintiff Sisvel is the assignee and owner of the right, title and interest in and to the '803 patent, including the right to assert all causes of action arising under said patents and the right to any remedies for infringement of them.

78. The '803 patent discloses a system and method that Plaintiff believes is essential under the 3G cellular standard as explained in attached Exhibit 22. The 3G cellular standard is incorporated in the 4G standard. Thus, Defendants' Accused Instrumentalities that are compliant with the 3G and 4G standards are necessarily infringing the '803 patent.

79. Defendants were made aware of the '803 patent and their infringement thereof by correspondence from Plaintiff on December 4, 2012 as discussed in paragraph 29 above.

80. Defendants were made further aware of the '803 patent and their infringement thereof at least as early as the date of filing of this Complaint.

81. Upon information and belief, Defendants have and continue to directly infringe at least claim 17 of the '803 patent by making, using, selling, importing, offering for sale, providing, practicing, and causing the Accused Instrumentality that infringe the patented methods.

82. Since December 4, 2012, when they were first made aware of the '803 patent, Defendants' infringement has been, and continues to be willful.

83. Upon information and belief, these Accused Instrumentality are used, marketed, provided to, and/or used by or for the Defendants' partners, clients, customers/subscribers and end users across the country and in this District.

84. Upon information and belief, Defendants have induced and continue to induce others to infringe at least claim 17 of the '803 patent under 35 U.S.C. § 271(b) by, among other things, and with specific intent or willful blindness, actively aiding and abetting others to infringe, including, but not limited to Defendants' partners, clients, customers/subscribers, and end users, whose use of the Accused Instrumentality constitutes direct infringement of at least one claim of the '803 patent.

85. In particular, the Defendants' actions that aid and abet others such as their partners, customers/subscribers, clients, and end users to infringe include advertising and distributing the Accused Instrumentality and providing instruction materials, training, and services regarding the Accused Instrumentality.

86. Any party, including Defendants' partners, clients, customers/subscribers, and end users, using the Accused Instrumentalities necessarily infringes the '803 patent because the invention of the '803 patent is required to comply with the relevant cellular standard. Defendants advertise their Accused Instrumentalities as compliant with the relevant cellular standard, which induces others to infringe the '803 patent. Defendants have knowingly induced infringement since at least December 4, 2012 when Defendants were first made aware of the '803 patent during extensive correspondence with Plaintiffs as discussed in paragraphs 29-34 above.

87. Upon information and belief, the Defendants are liable as contributory infringers of the '803 patent under 35 U.S.C. § 271(c) by offering to sell, selling and importing into the United States the Accused Instrumentality that infringe the patented methods, to be especially made or adapted for use in an infringement of the '803 patent. Each of the Accused Instrumentality is a material component for use in practicing the '803 patent and is specifically made and are not a staple article of commerce suitable for substantial non-infringing use. In particular, each Accused Instrumentality is compliant with the relevant standard and primarily used in compliance with that standard.

88. Plaintiffs have been harmed by Defendants' infringing activities.

COUNT V – INFRINGEMENT OF U.S. PATENT NO. 7,894,443

89. The allegations set forth in the foregoing paragraphs 1 through 88 are incorporated into this Fifth Claim for Relief.

90. On February 22, 2011, the '443 patent, entitled "Radio Link Control Unacknowledged Mode Header Optimization" was duly and legally issued by the United States Patent and Trademark Office from a patent application filed on August 23, 2006, and claims priority to provisional patent application No. 60/710,193 filed on August 23, 2005. A true and correct copy of the '443 patent is attached as Exhibit 23.

91. Plaintiff Sisvel is the assignee and owner of the right, title and interest in and to the '443 patent, including the right to assert all causes of action arising under said patents and the right to any remedies for infringement of them.

92. The '443 patent discloses a system and method that Plaintiff believes is essential under the 3G cellular standard as explained in attached Exhibit 24. The 3G cellular standard is incorporated in the 4G standard. Thus, Defendants' Accused Instrumentalities that are compliant with the 3G and 4G standards are necessarily infringing the '443 patent.

93. Defendants were made aware of the '443 patent and their infringement thereof by correspondence from Plaintiff on November 13, 2014, as discussed above in paragraph 32.

94. Defendants were made further aware of the '443 patent and their infringement thereof at least as early as the date of filing of this Complaint.

95. Upon information and belief, Defendants have and continue to directly infringe at least claim 16 of the '443 patent by making, using, selling, importing, offering for sale, providing, practicing, and causing the Accused Instrumentality that infringe the patented methods.

96. Since November 13, 2014, when they were first made aware of the '443 patent, Defendants' infringement has been, and continues to be willful.

97. Upon information and belief, these Accused Instrumentality are used, marketed, provided to, and/or used by or for the Defendants' partners, clients, customers/subscribers and end users across the country and in this District.

98. Upon information and belief, Defendants have induced and continue to induce others to infringe at least claim 16 of the '443 patent under 35 U.S.C. § 271(b) by, among other things, and with specific intent or willful blindness, actively aiding and abetting others to infringe, including, but not limited to Defendants' partners, clients, customers/subscribers, and end users, whose use of the Accused Instrumentality constitutes direct infringement of at least one claim of the '443 patent.

99. In particular, the Defendants' actions that aid and abet others such as their partners, customers/subscribers, clients, and end users to infringe include advertising and distributing the Accused Instrumentality and providing instruction materials, training, and services regarding the Accused Instrumentality.

100. Any party, including Defendants' partners, clients, customers/subscribers, and end users, using the Accused Instrumentalities necessarily infringes the '443 patent because the invention of the '443 patent is required to comply with the relevant cellular standard. Defendants advertise their Accused Instrumentalities as compliant with the relevant cellular standard, which induces others to infringe the '443 patent. Defendants have knowingly induced infringement since at least November 13, 2014 when Defendants were first made aware of the '443 patent during extensive correspondence with Plaintiffs as discussed in paragraphs 29-34 above.

101. Upon information and belief, the Defendants are liable as contributory infringers of the '443 patent under 35 U.S.C. § 271(c) by offering to sell, selling and importing into the United States the Accused Instrumentality that infringe the patented methods, to be especially made or

adapted for use in an infringement of the '443 patent. Each of the Accused Instrumentality is a material component for use in practicing the '443 patent and is specifically made and are not a staple article of commerce suitable for substantial non-infringing use. In particular, each Accused Instrumentality is compliant with the relevant standard and primarily used in compliance with that standard.

102. Plaintiffs have been harmed by Defendants' infringing activities.

COUNT VI – INFRINGEMENT OF U.S. PATENT NO. 7,274,933

103. The allegations set forth in the foregoing paragraphs 1 through 102 are incorporated into this Sixth Claim for Relief.

104. On September 25, 2007, the '933 patent, entitled "Home Network Name Displaying Methods and Apparatus For Multiple Home Networks" was duly and legally issued by the United States Patent and Trademark Office from a patent application filed on September 2, 2004, and claims priority to a foreign patent application filed on September 3, 2004. A true and correct copy of the '933 patent is attached as Exhibit 25.

105. Plaintiff 3G Licensing is the assignee and owner of the right, title and interest in and to the '933 patent, including the right to assert all causes of action arising under said patents and the right to any remedies for infringement of them.

106. The '933 patent discloses a system and method that Plaintiff believes is essential under the 4G cellular standard as explained in attached Exhibit 26. Thus, Defendants' Accused Instrumentalities that are compliant with the 4G standard are necessarily infringing the '933 patent.

107. Defendants were made aware of the '933 patent and their infringement thereof at least as early as the date of filing of this Complaint.

108. Upon information and belief, Defendants have and continue to directly infringe at least claims 1, 6, and/or 19 of the '933 patent by making, using, selling, importing, offering for

sale, providing, practicing, and causing the Accused Instrumentality that infringe the patented methods.

109. Specifically, the Accused Instrumentalities display a network name as shown in attached Exhibit 27.

110. Upon information and belief, these Accused Instrumentality are used, marketed, provided to, and/or used by or for the Defendants' partners, clients, customers/subscribers and end users across the country and in this District.

111. Upon information and belief, Defendants have induced and continue to induce others to infringe at least claims 1, 6, and/or 19 of the '933 patent under 35 U.S.C. § 271(b) by, among other things, and with specific intent or willful blindness, actively aiding and abetting others to infringe, including, but not limited to Defendants' partners, clients, customers/subscribers, and end users, whose use of the Accused Instrumentality constitutes direct infringement of at least one claim of the '933 patent.

112. In particular, the Defendants' actions that aid and abet others such as their partners, customers/subscribers, clients, and end users to infringe include advertising and distributing the Accused Instrumentality and providing instruction materials, training, and services regarding the Accused Instrumentality.

113. Any party, including Defendants' partners, clients, customers/subscribers, and end users, using the Accused Instrumentalities necessarily infringes the '933 patent because the invention of the '933 patent is required to comply with the relevant cellular standard. Defendants advertise their Accused Instrumentalities as compliant with the relevant cellular standard, which induces others to infringe the '933 patent. Defendants have knowingly induced infringement since at least the filing of this Complaint when Defendants were first made aware of the '933 patent.

114. Upon information and belief, the Defendants are liable as contributory infringers of the '933 patent under 35 U.S.C. § 271(c) by offering to sell, selling and importing into the United States the Accused Instrumentality that infringe the patented methods, to be especially made or adapted for use in an infringement of the '933 patent. Each of the Accused Instrumentality is a material component for use in practicing the '933 patent and is specifically made and are not a staple article of commerce suitable for substantial non-infringing use. In particular, each Accused Instrumentality is compliant with the relevant standard and primarily used in compliance with that standard.

115. Plaintiffs have been harmed by Defendants' infringing activities.

COUNT VII – INFRINGEMENT OF U.S. PATENT NO. 7,460,868

116. The allegations set forth in the foregoing paragraphs 1 through 115 are incorporated into this Seventh Claim for Relief.

117. On December 2, 2008, the '868 patent, entitled "Home Network Name Displaying Methods and Apparatus For Multiple Home Networks" was duly and legally issued by the United States Patent and Trademark Office from a patent application filed on August 3, 2007, and claims priority to a foreign patent application filed on September 3, 2003. A true and correct copy of the '868 patent is attached as Exhibit 28.

118. Plaintiff 3G Licensing is the assignee and owner of the right, title and interest in and to the '868 patent, including the right to assert all causes of action arising under said patents and the right to any remedies for infringement of them.

119. The '868 patent discloses a system and method that Plaintiff believes is essential under the 4G cellular standard as explained in attached Exhibit 29. Thus, Defendants' Accused Instrumentalities that are compliant with the 4G standard are necessarily infringing the '868 patent.

120. Defendants were made aware of the '868 patent and their infringement thereof at least as early as the date of filing of this Complaint.

121. Upon information and belief, Defendants have and continue to directly infringe at least claims 1, 6, 7, and/or 11 of the '868 patent by making, using, selling, importing, offering for sale, providing, practicing, and causing the Accused Instrumentality that infringe the patented methods.

122. Specifically, the Accused Instrumentalities display a network name as shown in attached Exhibit 27.

123. Upon information and belief, these Accused Instrumentality are used, marketed, provided to, and/or used by or for the Defendants' partners, clients, customers/subscribers and end users across the country and in this District.

124. Upon information and belief, Defendants have induced and continue to induce others to infringe at least claims 1, 6, 7, and/or 11 of the '868 patent under 35 U.S.C. § 271(b) by, among other things, and with specific intent or willful blindness, actively aiding and abetting others to infringe, including, but not limited to Defendants' partners, clients, customers/subscribers, and end users, whose use of the Accused Instrumentality constitutes direct infringement of at least one claim of the '868 patent.

125. In particular, the Defendants' actions that aid and abet others such as their partners, customers/subscribers, clients, and end users to infringe include advertising and distributing the Accused Instrumentality and providing instruction materials, training, and services regarding the Accused Instrumentality.

126. Any party, including Defendants' partners, clients, customers/subscribers, and end users, using the Accused Instrumentalities necessarily infringes the '868 patent because the

invention of the '868 patent is required to comply with the relevant cellular standard. Defendants advertise their Accused Instrumentalities as compliant with the relevant cellular standard, which induces others to infringe the '868 patent. Defendants have knowingly induced infringement since at least the filing of this Complaint when Defendants were first made aware of the '868 patent.

127. Upon information and belief, the Defendants are liable as contributory infringers of the '868 patent under 35 U.S.C. § 271(c) by offering to sell, selling and importing into the United States the Accused Instrumentality that infringe the patented methods, to be especially made or adapted for use in an infringement of the '868 patent. Each of the Accused Instrumentality is a material component for use in practicing the '868 patent and is specifically made and are not a staple article of commerce suitable for substantial non-infringing use. In particular, each Accused Instrumentality is compliant with the relevant standard and primarily used in compliance with that standard.

128. Plaintiffs have been harmed by Defendants' infringing activities.

COUNT VIII – INFRINGEMENT OF U.S. PATENT NO. 7,596,375

129. The allegations set forth in the foregoing paragraphs 1 through 128 are incorporated into this Eighth Claim for Relief.

130. On September 29, 2009, the '375 patent, entitled "Home Network Name Displaying Methods and Apparatus For Multiple Home Networks" was duly and legally issued by the United States Patent and Trademark Office from a patent application filed on September 22, 2008, and claims priority to a foreign patent application filed on September 3, 2003. A true and correct copy of the '375 patent is attached as Exhibit 30.

131. Plaintiff 3G Licensing is the assignee and owner of the right, title and interest in and to the '375 patent, including the right to assert all causes of action arising under said patents and the right to any remedies for infringement of them.

132. The '375 patent discloses a system and method that Plaintiff believes is essential under the 4G cellular standard as explained in attached Exhibit 31. Thus, Defendants' Accused Instrumentalities that are compliant with the 4G standard are necessarily infringing the '375 patent.

133. Defendants were made aware of the '375 patent and their infringement thereof at least as early as the date of filing of this Complaint.

134. Upon information and belief, Defendants have and continue to directly infringe at least claims 1, 4, 5, 7, 9, 12, and/or 15 of the '375 patent by making, using, selling, importing, offering for sale, providing, practicing, and causing the Accused Instrumentality that infringe the patented methods.

135. Specifically, the Accused Instrumentalities display a network name as shown in attached Exhibit 27.

136. Upon information and belief, these Accused Instrumentality are used, marketed, provided to, and/or used by or for the Defendants' partners, clients, customers/subscribers and end users across the country and in this District.

137. Upon information and belief, Defendants have induced and continue to induce others to infringe at least claims 1, 4, 5, 7, 9, 12, and/or 15 of the '375 patent under 35 U.S.C. § 271(b) by, among other things, and with specific intent or willful blindness, actively aiding and abetting others to infringe, including, but not limited to Defendants' partners, clients, customers/subscribers, and end users, whose use of the Accused Instrumentality constitutes direct infringement of at least one claim of the '375 patent.

138. In particular, the Defendants' actions that aid and abet others such as their partners, customers/subscribers, clients, and end users to infringe include advertising and distributing the

Accused Instrumentality and providing instruction materials, training, and services regarding the Accused Instrumentality.

139. Any party, including Defendants' partners, clients, customers/subscribers, and end users, using the Accused Instrumentalities necessarily infringes the '375 patent because the invention of the '375 patent is required to comply with the relevant cellular standard. Defendants advertise their Accused Instrumentalities as compliant with the relevant cellular standard, which induces others to infringe the '375 patent. Defendants have knowingly induced infringement since at least the filing of this Complaint when Defendants were first made aware of the '375 patent.

140. Upon information and belief, the Defendants are liable as contributory infringers of the '375 patent under 35 U.S.C. § 271(c) by offering to sell, selling and importing into the United States the Accused Instrumentality that infringe the patented methods, to be especially made or adapted for use in an infringement of the '375 patent. Each of the Accused Instrumentality is a material component for use in practicing the '375 patent and is specifically made and are not a staple article of commerce suitable for substantial non-infringing use. In particular, each Accused Instrumentality is compliant with the relevant standard and primarily used in compliance with that standard.

141. Plaintiffs have been harmed by Defendants' infringing activities.

COUNT IX – INFRINGEMENT OF U.S. PATENT NO. 8,275,374

142. The allegations set forth in the foregoing paragraphs 1 through 141 are incorporated into this Ninth Claim for Relief.

143. On September 25, 2012, the '374 patent, entitled "Home Network Name Displaying Methods and Apparatus For Multiple Home Networks" was duly and legally issued by the United States Patent and Trademark Office from a patent application filed on August 26, 2009, and claims

priority to a foreign patent application filed on September 3, 2003. A true and correct copy of the '374 patent is attached as Exhibit 32.

144. Plaintiff 3G Licensing is the assignee and owner of the right, title and interest in and to the '374 patent, including the right to assert all causes of action arising under said patents and the right to any remedies for infringement of them.

145. The '374 patent discloses a system and method that Plaintiff believes is essential under the 4G cellular standard as explained in attached Exhibit 33. Thus, Defendants' Accused Instrumentalities that are compliant with the 4G standard are necessarily infringing the '374 patent.

146. Defendants were made aware of the '374 patent and their infringement thereof at least as early as the date of filing of this Complaint.

147. Upon information and belief, Defendants have and continue to directly infringe at least claims 1, 2, 5, 10, 11, 14, 19, 21, 23, 25, 27, 29, 31, and/or 32 of the '374 patent by making, using, selling, importing, offering for sale, providing, practicing, and causing the Accused Instrumentality that infringe the patented methods.

148. Specifically, the Accused Instrumentalities display a network name as shown in attached Exhibit 27.

149. Upon information and belief, these Accused Instrumentality are used, marketed, provided to, and/or used by or for the Defendants' partners, clients, customers/subscribers and end users across the country and in this District.

150. Upon information and belief, Defendants have induced and continue to induce others to infringe at least claims 1, 2, 5, 10, 11, 14, 19, 21, 23, 25, 27, 29, 31, and/or 32 of the '374 patent under 35 U.S.C. § 271(b) by, among other things, and with specific intent or willful blindness, actively aiding and abetting others to infringe, including, but not limited to Defendants'

partners, clients, customers/subscribers, and end users, whose use of the Accused Instrumentality constitutes direct infringement of at least one claim of the '374 patent.

151. In particular, the Defendants' actions that aid and abet others such as their partners, customers/subscribers, clients, and end users to infringe include advertising and distributing the Accused Instrumentality and providing instruction materials, training, and services regarding the Accused Instrumentality.

152. Any party, including Defendants' partners, clients, customers/subscribers, and end users, using the Accused Instrumentalities necessarily infringes the '374 patent because the invention of the '374 patent is required to comply with the relevant cellular standard. Defendants advertise their Accused Instrumentalities as compliant with the relevant cellular standard, which induces others to infringe the '374 patent. Defendants have knowingly induced infringement since at least the filing of this Complaint when Defendants were first made aware of the '374 patent.

153. Upon information and belief, the Defendants are liable as contributory infringers of the '374 patent under 35 U.S.C. § 271(c) by offering to sell, selling and importing into the United States the Accused Instrumentality that infringe the patented methods, to be especially made or adapted for use in an infringement of the '374 patent. Each of the Accused Instrumentality is a material component for use in practicing the '374 patent and is specifically made and are not a staple article of commerce suitable for substantial non-infringing use. In particular, each Accused Instrumentality is compliant with the relevant standard and primarily used in compliance with that standard.

154. Plaintiffs have been harmed by Defendants' infringing activities.

COUNT X – INFRINGEMENT OF U.S. PATENT NO. 8,472,955

155. The allegations set forth in the foregoing paragraphs 1 through 155 are incorporated into this Tenth Claim for Relief.

156. On June 25, 2013, the '955 patent, entitled "Network Selection Methods and Apparatus with Multiple Home Networks" was duly and legally issued by the United States Patent and Trademark Office from a patent application filed on July 3, 2012, and claims priority to a foreign patent application filed on September 3, 2003. A true and correct copy of the '955 patent is attached as Exhibit 34.

157. Plaintiff 3G Licensing is the assignee and owner of the right, title and interest in and to the '955 patent, including the right to assert all causes of action arising under said patents and the right to any remedies for infringement of them.

158. The '955 patent discloses a system and method that Plaintiff believes is essential under the 4G cellular standard as explained in attached Exhibit 35. Thus, Defendants' Accused Instrumentalities that are compliant with the 4G standard are necessarily infringing the '955 patent.

159. Defendants were made aware of the '955 patent and their infringement thereof at least as early as the date of filing of this Complaint.

160. Upon information and belief, Defendants have and continue to directly infringe at least claims 1, 2, 3, 10, 12, 13, 14, and/or 20 of the '955 patent by making, using, selling, importing, offering for sale, providing, practicing, and causing the Accused Instrumentality that infringe the patented methods.

161. Specifically, the Accused Instrumentalities display a network name as shown in attached Exhibit 27.

162. Upon information and belief, these Accused Instrumentality are used, marketed, provided to, and/or used by or for the Defendants' partners, clients, customers/subscribers and end users across the country and in this District.

163. Upon information and belief, Defendants have induced and continue to induce others to infringe at least claims 1, 2, 3, 10, 12, 13, 14, and/or 20 of the '955 patent under 35 U.S.C. § 271(b) by, among other things, and with specific intent or willful blindness, actively aiding and abetting others to infringe, including, but not limited to Defendants' partners, clients, customers/subscribers, and end users, whose use of the Accused Instrumentality constitutes direct infringement of at least one claim of the '955 patent.

164. In particular, the Defendants' actions that aid and abet others such as their partners, customers/subscribers, clients, and end users to infringe include advertising and distributing the Accused Instrumentality and providing instruction materials, training, and services regarding the Accused Instrumentality.

165. Any party, including Defendants' partners, clients, customers/subscribers, and end users, using the Accused Instrumentalities necessarily infringes the '955 patent because the invention of the '955 patent is required to comply with the relevant cellular standard. Defendants advertise their Accused Instrumentalities as compliant with the relevant cellular standard, which induces others to infringe the '955 patent. Defendants have knowingly induced infringement since at least the filing of this Complaint when Defendants were first made aware of the '955 patent.

166. Upon information and belief, the Defendants are liable as contributory infringers of the '955 patent under 35 U.S.C. § 271(c) by offering to sell, selling and importing into the United States the Accused Instrumentality that infringe the patented methods, to be especially made or adapted for use in an infringement of the '955 patent. Each of the Accused Instrumentality is a material component for use in practicing the '955 patent and is specifically made and are not a staple article of commerce suitable for substantial non-infringing use. In particular, each Accused

Instrumentality is compliant with the relevant standard and primarily used in compliance with that standard.

167. Plaintiffs have been harmed by Defendants' infringing activities.

COUNT XI – INFRINGEMENT OF U.S. PATENT NO. 8,948,756

168. The allegations set forth in the foregoing paragraphs 1 through 167 are incorporated into this Eleventh Claim for Relief.

169. On February 3, 2015, the '756 patent, entitled "Home Network Name Displaying Methods and Apparatus For Multiple Home Networks" was duly and legally issued by the United States Patent and Trademark Office from a patent application filed on June 13, 2013, and claims priority to a foreign patent application filed on September 3, 2003. A true and correct copy of the '756 patent is attached as Exhibit 36.

170. Plaintiff 3G Licensing is the assignee and owner of the right, title and interest in and to the '756 patent, including the right to assert all causes of action arising under said patents and the right to any remedies for infringement of them.

171. The '756 patent discloses a system and method that Plaintiff believes is essential under the 4G cellular standard as explained in attached Exhibit 37. Thus, Defendants' Accused Instrumentalities that are compliant with the 4G standard are necessarily infringing the '756 patent.

172. Defendants were made aware of the '756 patent and their infringement thereof at least as early as the date of filing of this Complaint.

173. Upon information and belief, Defendants have and continue to directly infringe at least claims 1, 4, 5, 6, 8, 10, 12, 15, 16, 17, 19, and/or 20 of the '756 patent by making, using, selling, importing, offering for sale, providing, practicing, and causing the Accused Instrumentality that infringe the patented methods.

174. Specifically, the Accused Instrumentalities display a network name as shown in attached Exhibit 27.

175. Upon information and belief, these Accused Instrumentality are used, marketed, provided to, and/or used by or for the Defendants' partners, clients, customers/subscribers and end users across the country and in this District.

176. Upon information and belief, Defendants have induced and continue to induce others to infringe at least claims 1, 4, 5, 6, 8, 10, 12, 15, 16, 17, 19, and/or 20 of the '756 patent under 35 U.S.C. § 271(b) by, among other things, and with specific intent or willful blindness, actively aiding and abetting others to infringe, including, but not limited to Defendants' partners, clients, customers/subscribers, and end users, whose use of the Accused Instrumentality constitutes direct infringement of at least one claim of the '756 patent.

177. In particular, the Defendants' actions that aid and abet others such as their partners, customers/subscribers, clients, and end users to infringe include advertising and distributing the Accused Instrumentality and providing instruction materials, training, and services regarding the Accused Instrumentality.

178. Any party, including Defendants' partners, clients, customers/subscribers, and end users, using the Accused Instrumentalities necessarily infringes the '756 patent because the invention of the '756 patent is required to comply with the relevant cellular standard. Defendants advertise their Accused Instrumentalities as compliant with the relevant cellular standard, which induces others to infringe the '756 patent. Defendants have knowingly induced infringement since at least the filing of this Complaint when Defendants were first made aware of the '756 patent.

179. Upon information and belief, the Defendants are liable as contributory infringers of the '756 patent under 35 U.S.C. § 271(c) by offering to sell, selling and importing into the United

States the Accused Instrumentality that infringe the patented methods, to be especially made or adapted for use in an infringement of the '756 patent. Each of the Accused Instrumentality is a material component for use in practicing the '756 patent and is specifically made and are not a staple article of commerce suitable for substantial non-infringing use. In particular, each Accused Instrumentality is compliant with the relevant standard and primarily used in compliance with that standard.

180. Plaintiffs have been harmed by Defendants' infringing activities.

COUNT XII – INFRINGEMENT OF U.S. PATENT NO. 8,879,503

181. The allegations set forth in the foregoing paragraphs 1 through 180 are incorporated into this Twelfth Claim for Relief.

182. On November 4, 2014, the '503 patent, entitled "Voice Service in Evolved Packet System" was duly and legally issued by the United States Patent and Trademark Office from a patent application filed on September 26, 2011, and claims priority to a provisional patent application filed on June 3, 2009. A true and correct copy of the '503 patent is attached as Exhibit 38.

183. Plaintiff 3G Licensing is the assignee and owner of the right, title and interest in and to the '503 patent, including the right to assert all causes of action arising under said patents and the right to any remedies for infringement of them.

184. The '503 patent discloses a system and method that Plaintiff believes is essential under the 4G cellular standard as explained in attached Exhibit 39. Thus, Defendants' Accused Instrumentalities that are compliant with the 4G standard are necessarily infringing the '503 patent.

185. Defendants were made aware of the '503 patent and their infringement thereof at least as early as the date of filing of this Complaint.

186. Upon information and belief, Defendants have and continue to directly infringe at least claims 1, 2, 3, 7, 8, 9, and/or 10 of the '503 patent by making, using, selling, importing, offering for sale, providing, practicing, and causing the Accused Instrumentality that infringe the patented methods.

187. Upon information and belief, these Accused Instrumentality are used, marketed, provided to, and/or used by or for the Defendants' partners, clients, customers/subscribers and end users across the country and in this District.

188. Upon information and belief, Defendants have induced and continue to induce others to infringe at least claims 1, 2, 3, 7, 8, 9, and/or 10 of the '503 patent under 35 U.S.C. § 271(b) by, among other things, and with specific intent or willful blindness, actively aiding and abetting others to infringe, including, but not limited to Defendants' partners, clients, customers/subscribers, and end users, whose use of the Accused Instrumentality constitutes direct infringement of at least one claim of the '503 patent.

189. In particular, the Defendants' actions that aid and abet others such as their partners, customers/subscribers, clients, and end users to infringe include advertising and distributing the Accused Instrumentality and providing instruction materials, training, and services regarding the Accused Instrumentality.

190. Any party, including Defendants' partners, clients, customers/subscribers, and end users, using the Accused Instrumentalities necessarily infringes the '503 patent because the invention of the '503 patent is required to comply with the relevant cellular standard. Defendants advertise their Accused Instrumentalities as compliant with the relevant cellular standard, which induces others to infringe the '503 patent. Defendants have knowingly induced infringement since at least the filing of this Complaint when Defendants were first made aware of the '503 patent.

191. Upon information and belief, the Defendants are liable as contributory infringers of the '503 patent under 35 U.S.C. § 271(c) by offering to sell, selling and importing into the United States the Accused Instrumentality that infringe the patented methods, to be especially made or adapted for use in an infringement of the '503 patent. Each of the Accused Instrumentality is a material component for use in practicing the '503 patent and is specifically made and are not a staple article of commerce suitable for substantial non-infringing use. In particular, each Accused Instrumentality is compliant with the relevant standard and primarily used in compliance with that standard.

192. Plaintiffs have been harmed by Defendants' infringing activities.

JURY DEMAND

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Plaintiffs demand a trial by jury on all issues triable as such.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs demand judgment for itself and against Defendants as follows:

A. An adjudication that Defendants have infringed the '561, '698, '196, '803, '443, '868, '375, '374, '955, '756, '933, and '503 patents;

B. An award of damages to be paid by Defendants adequate to compensate Plaintiffs for Defendants' past infringement of the '561, '698, '196, '803, '443, '868, '375, '374, '955, '756, '933, and '503 patents, and any continuing or future infringement through the date such judgment is entered, including interest, costs, expenses and an accounting of all infringing acts including, but not limited to, those acts not presented at trial;

C. A declaration that this case is exceptional under 35 U.S.C. § 285, and an award of Plaintiffs' reasonable attorneys' fees; and

D. An award to Plaintiffs of such further relief at law or in equity as the Court deems just and proper.

Dated: April 16, 2020

LAW OFFICE OF JOHN M. HELMS

/s/ John M. Helms

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