

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

MEDIA DIGITAL CORPORATION

Plaintiff,

vs.

RESEARCH IN MOTION
CORPORATION

Defendant.

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Civil Action No. _____

JURY TRIAL DEMANDED

COMPLAINT

Plaintiff Media Digital Corporation (“Media Digital”) brings this action against the Defendant Research in Motion Corporation (“RIM”), and for its cause of action alleges:

The Parties

1. Media Digital is a corporation organized and existing under the laws of the State of New Hampshire, with its principal place of business at 7 Warren Avenue, Salem, New Hampshire, 03079-1633.

2. Upon information and belief, RIM is a corporation organized and existing under the laws of the State of Delaware and is doing business in this judicial district and elsewhere. RIM may be served with process by serving its registered agent, CT Corporation located at 350 North St. Paul Street, Dallas, TX 75201 USA.

Jurisdiction and Venue

3. This action arises under the patent laws of the United States, Title 35 United States Code, particularly §§ 271 and 281 and Title 28 United States Code, particularly §1338(a). Venue is proper in this Court under Title 28 United States Code §§ 1391(b) and (c) and 1400(b).

Claim For Patent Infringement

4. On October 31, 2006, United States Patent No. 7,130,778 (“the ‘778 patent”) was duly and legally issued for a “Computer Touch Screen Radio Station Control System”. The ‘778 patent relates generally to touch screen control of audio systems. A copy of the ‘778 patent is attached as Exhibit A and is made a part hereof. By assignment, Plaintiff Media Digital is the owner of the ‘778 patent and at all relevant times has had the right to enforce the ‘778 patent.

5. Upon information and belief, Defendant RIM provides mobile telephones incorporating a touch screen and audio playback features, including but not limited to the Blackberry Storm. By providing such products RIM has in the past and continues to infringe directly, by inducement, or by contributing to the infringement of claim 1 of the ‘778 patent.

6. As a result of Defendant’s infringing conduct, Defendant has damaged Media Digital. The Defendant is liable to Media Digital in an amount that adequately compensates Media Digital for Defendant’s infringement, which by law in no event can be less than a reasonable royalty.

Demand for Jury Trial

7. Media Digital demands a jury trial on all issues triable of right by a jury.

Prayer for Relief

WHEREFORE, Media Digital prays for entry of judgment:

A. That claim 1 of U.S. Patent No. 7,130,778 has been infringed by Defendant RIM and by others whose infringement has been contributed to and/or induced by Defendant;

B. That Defendant account for and pay to Media Digital all damages and costs caused by Defendant’s activities complained of herein;

- C. That Media Digital be granted pre-judgment and post-judgment interest on the damages caused by reason of Defendant's activities complained of herein;
- D. That Media Digital be granted its attorneys' fees in this action;
- E. That costs be awarded to Media Digital; and
- F. That Media Digital be granted such other and further relief that is just and proper under the circumstances.

Dated: November 2, 2009.

/s/ Jonathan T. Suder
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