

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

ARENDI S.A.R.L.,

Plaintiff,

v.

MICROSOFT CORPORATION,

Defendant.

C.A. No. 11-cv-260-UNA

JURY TRIAL DEMANDED

AMENDED COMPLAINT

Plaintiff Arendi S.A.R.L. (“Arendi”) for its Amended Complaint against Microsoft Corporation (“Microsoft”) hereby demands a jury trial and alleges as follows:

The Parties

1. Plaintiff Arendi is a corporation organized under the laws of Luxembourg with its principal place of business in Luxembourg.
2. Defendant Microsoft is a corporation organized under the laws of the state of Washington, with its principal place of business at One Microsoft Way, Redmond, Washington 98052. Microsoft is qualified to do business in Delaware.
3. Microsoft makes, uses, sells, and/or offers for sale in the United States, and/or imports into the United States, computer products, software, and technology, including for example the Microsoft Office software suite.

Nature of the Action

4. This is a civil action for infringement of United States Patent No. 7,917,843 (“the ’843 Patent”) and United States Patent No. 7,921,356 (“the ’356 Patent”). This action arises under the Patent Laws of the United States, 35 U.S.C. § 1 *et seq.*

Jurisdiction and Venue

5. This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

6. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391(b) and (c), and 1400(b), because Microsoft has committed acts of infringement in this district and because Microsoft is subject to personal jurisdiction in this district.

The Patents-In-Suit

7. United States Patent No. 7,917,843, entitled “Method, System and Computer Readable Medium for Addressing Handling from a Computer Program,” was duly and legally issued on March 29, 2011, by the United States Patent and Trademark Office. A copy of the ’843 Patent is attached hereto as Exhibit A.

8. United States Patent No. 7,921,356, entitled “Method, System and Computer Readable Medium for Addressing Handling from a Computer Program,” was duly and legally issued on April 5, 2011, by the United States Patent and Trademark Office. A copy of the ’356 Patent is attached hereto as Exhibit B.

9. Arendi is the exclusive owner of all rights, title, and interest in the ’843 Patent, including the right to bring this suit for injunctive relief and damages.

10. Arendi is the exclusive owner of all rights, title, and interest in the ’356 Patent, including the right to bring this suit for injunctive relief and damages.

11. The ’843 Patent is valid and enforceable.

12. The ’356 Patent is valid and enforceable.

COUNT I

(Infringement of United States Patent No. 7,917,843)

13. Paragraphs 1 through 12 are incorporated by reference as if stated fully herein.

14. Defendant Microsoft infringes one or more claims of the '843 Patent under 35 U.S.C. § 271 by making, using, selling, and/or offering for sale in the United States, and/or importing into the United States, information handling technology, including without limitation, "Additional Actions" technology provided with the Microsoft Office 2010 software suite and "Smart Tags" technology provided with prior versions of Microsoft Office software suite.

15. Microsoft has also contributed to and/or induced the infringement of one or more claims of the '843 Patent.

16. Upon information and belief, Microsoft's infringement of the '843 Patent is willful.

17. Arendi has been, and will continue to be, damaged by Microsoft's infringement of the '843 Patent and will suffer irreparable injury unless the infringement is enjoined by this Court.

COUNT II

(Infringement of United States Patent No. 7,921,356)

18. Paragraphs 1 through 17 are incorporated by reference as if stated fully herein.

19. Defendant Microsoft infringes one or more claims of the '356 Patent under 35 U.S.C. § 271 by making, using, selling, and/or offering for sale in the United States, and/or importing into the United States, in-document information handling technology, including

without limitation, “Additional Actions” technology provided with the Microsoft Office 2010 software suite.

20. Microsoft has also contributed to and/or induced the infringement of one or more claims of the '356 Patent.

21. Upon information and belief, Microsoft's infringement of the '356 Patent is willful.

22. Arendi has been, and will continue to be, damaged by Microsoft's infringement of the '356 Patent and will suffer irreparable injury unless the infringement is enjoined by this Court.

Prayer for Relief

WHEREFORE, Arendi prays for judgment as follows:

- A. That Microsoft has infringed the '843 Patent;
- B. That Microsoft has infringed the '356 Patent;
- C. That Microsoft has willfully infringed the '843 Patent;
- D. That Microsoft has willfully infringed the '356 Patent;
- E. That Microsoft, its officers, agents, and employees, and those persons in active concert or participation with any of them, and its successors and assigns, be permanently enjoined from infringement, inducement of infringement, and contributory infringement of the '843 Patent, including but not limited to making, using, selling, and/or offering for sale within the United States, and/or importing in the United States, any devices, products, software, or methods that infringe the '843 Patent before the expiration of that patent;
- F. That Microsoft, its officers, agents, and employees, and those persons in active concert or participation with any of them, and its successors and assigns, be permanently

enjoined from infringement, inducement of infringement, and contributory infringement of the '356 Patent, including but not limited to making, using, selling, and/or offering for sale within the United States, and/or importing in the United States, any devices, products, software, or methods that infringe the '356 Patent before the expiration of that patent;

G. That Arendi be awarded all damages adequate to compensate it for Microsoft's infringement of the '843 Patent, such damages to be determined by a jury, and, if necessary to adequately compensate Arendi for the infringement, an accounting, and that such damages be trebled and awarded to Arendi with pre-judgment and post-judgment interest;

H. That Arendi be awarded all damages adequate to compensate it for Microsoft's infringement of the '356 Patent, including damages pursuant to 35 U.S.C. § 154(d) as a result of Microsoft's actual notice of U.S. Patent Application Publication No. 2010/0281354, such damages to be determined by a jury, and, if necessary to adequately compensate Arendi for the infringement, an accounting, and that such damages be trebled and awarded to Arendi with pre-judgment and post-judgment interest;

I. That this case be declared an exceptional case within the meaning of 35 U.S.C. § 285 and that Arendi be awarded the attorney fees, costs, and expenses incurred in connection with this action; and

J. That Arendi be awarded such other and further relief as this Court deems just and proper.

JURY DEMAND

Arendi hereby demands a trial by jury on all issues so triable.

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/s/ Michele Sherretta Budicak

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