

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

LVL PATENT GROUP, LLC,

Plaintiff,

v.

NUANCE COMMUNICATIONS, INC.,  
VLINGO CORPORATION, AND GOOGLE  
INC.,

Defendants.

Civil Action No.

**DEMAND FOR JURY TRIAL**

COMPLAINT

Plaintiff LVL Patent Group, LLC ("LVL") alleges as follows:

PARTIES

1. LVL is a Virginia limited liability company with its principal place of business at 2331 Mill Road, Suite 100, Alexandria, Virginia 22314.

2. On information and belief, Defendant Nuance Communications, Inc. ("Nuance") is a Delaware corporation with its principal place of business at 1 Wayside Rd., Burlington, Massachusetts 01803. Nuance has appointed The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801, as its agent for service of process.

3. On information and belief Defendant Vlingo Corporation ("Vlingo") is a Delaware corporation with its principal place of business at 17 Dunster Street, Suite 300, Cambridge, Massachusetts 02138. Vlingo has appointed The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801, as its agent for service of process.

4. On information and belief, Defendant Google Inc. ("Google") is a Delaware corporation with its principal place of business at 1600 Amphitheater Parkway, Mountain View, California, 94043. Google has appointed The Corporation Trust Company, Corporation Trust Center 1209 Orange St., Wilmington, Delaware 19801, as its agent for service of process.

JURISDICTION AND VENUE

5. This action arises under the patent laws of the United States, Title 35 of the United States Code. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

6. Venue is proper in this district under 28 U.S.C. §§ 1391 (b)-(d) and 1400(b) because each defendant is subject to personal jurisdiction in this district, has committed acts of patent infringement in this district, or has a regular and established place of business in this district.

COUNT I

(Infringement of U.S. Patent No. 7,334,024)

7. LVL is the owner by assignment of United States Patent No. 7,334,024 ("the '024 patent"), entitled "System for Transmission of Voice and Data over the Same Communications Line." The '024 patent issued on February 19, 2008. A true and correct copy of the '024 patent is attached hereto as Exhibit A.

8. Defendant Nuance has infringed and still is infringing at least claims 1 and 16 of the '024 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing a method of obtaining data transaction information through a two-way interface with data entered through a wireless mobile device, processing said information over a wireless link to a server in a network, generating a voice signal for transmission, displaying said data on the mobile device, and presenting the information audibly to a user, using, for example, Nuance's Dragon family of dictation products.

9. Defendant Vlingo has infringed and still is infringing at least claims 1 and 16 of the '024 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing a method of obtaining data transaction information through a two-way interface with data entered through a wireless mobile device, processing said information over a wireless link to a server in a network, generating a voice signal for transmission, displaying said

data on the mobile device, and presenting the information audibly to a user, using for example, Vlingo's mobile software and applications.

10. Defendant Google has infringed and still is infringing at least claims 1 and 16 of the '024 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing a method of obtaining data transaction information through a two-way interface with data entered through a wireless mobile device, processing said information over a wireless link to a server in a network, generating a voice signal for transmission, displaying said data on the mobile device, and presenting the information audibly to a user, using for example, Google's mobile software and applications.

11. As a result of each defendant's infringement of the '024 patent, LVL has suffered monetary damages in an amount not yet determined, and will continue to suffer damages in the future unless each defendant's infringing activities are enjoined by this Court.

12. Unless a permanent injunction is issued enjoining each defendant and its agents, servants, employees, attorneys, representatives, affiliates, and all others acting on its behalf from infringing the '024 patent, LVL will suffer irreparable harm.

#### PRAYER FOR RELIEF

LVL prays for the following relief:

1. A judgment that each defendant has infringed (either literally or under the doctrine of equivalents) one or more claims of the '024 patent;

2. A permanent injunction enjoining each defendant and its officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in active concert or participation with them, from infringing the '024 patent;

3. An award of damages resulting from each defendant's acts of infringement in accordance with 35 U.S.C. § 284;

4. A judgment and order finding that this is an exceptional case within the meaning of 35 U.S.C. § 285 and awarding to LVL its reasonable attorneys' fees against each defendant;

5. A judgment and order requiring defendants to provide an accounting to pay supplemental damages to LVL, including without limitation, pre-judgment and post-judgment interest; and

6. Any and all other relief to which LVL may show itself to be entitled.

DEMAND FOR JURY TRIAL

LVL demands a trial by jury on all issues so triable.

September 15, 2011

BAYARD, P.A.

Of Counsel:

Marc A. Fenster  
Russ, August & Kabat  
12424 Wilshire Boulevard, 12th Floor  
Los Angeles, CA 90025-1031  
(310) 826-7474  
mfenster@raklaw.com

/s/ Stephen B. Brauerman  
Richard D. Kirk (rk0922)  
Stephen B. Brauerman (sb4952)  
222 Delaware Avenue, Suite 900  
Wilmington, DE 19801  
(302) 655-5000  
rkirk@bayardlaw.com  
sbrauerman@bayardlaw.com

Attorneys for Plaintiff,  
LVL Patent Group, LLC