

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ARENDI HOLDING LTD.,

Plaintiff,

v.

MICROSOFT CORPORATION and
DELL INC.,

Defendants.

C.A. No. 09-119-JJF-LPS

JURY TRIAL DEMANDED

AMENDED COMPLAINT

Plaintiff Arendi Holding Ltd. (“Arendi”) for its Amended Complaint against Microsoft Corporation (“Microsoft”) and Dell Inc. (“Dell”), hereby demands a jury trial and alleges as follows:

The Parties

1. Plaintiff Arendi is a corporation organized under the laws of the Cayman Islands with its principal place of business in the Cayman Islands.
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. Defendant Dell is a corporation organized under the laws of the state of Delaware, with its principal place of business at One Dell Way, Round Rock, Texas 78682.
4. 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.

5. Dell 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

6. This is a civil action for infringement of United States Patent No. 7,496,854 (“the ’854 Patent”). This action arises under the Patent Laws of the United States, 35 U.S.C. § 1 *et seq.*

Jurisdiction and Venue

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

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

The Patent-In-Suit

9. United States Patent No. 7,496,854, entitled “Method, System and Computer Readable Medium for Addressing Handling from a Computer Program,” was duly and legally issued on February 24, 2009 by the United States Patent and Trademark Office. A copy of the ’854 Patent is attached hereto as Exhibit A.

10. Arendi is the exclusive owner of all rights, title, and interest in the ’854 Patent, including the right to bring this suit for injunctive relief and damages.

11. The ’854 Patent is valid and enforceable.

COUNT I

(Infringement of United States Patent No. 7,496,854)

12. Paragraphs 1 through 11 are incorporated by reference as if stated fully herein.

13. Defendants Microsoft and Dell each infringes one or more claims of the '854 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, in-document information handling technology provided with Microsoft Office software suite.

14. Each of the Defendants has also contributed to and/or induced the infringement of one or more claims of the '854 Patent.

15. Microsoft and Dell's infringement of the '854 Patent was, and continues to be, willful.

16. Arendi has been, and will continue to be, damaged by Microsoft and Dell's infringement of the '854 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 and Dell each has infringed the '854 Patent;
- B. That Microsoft and Dell each have willfully infringed the '854 Patent;
- C. That Microsoft and Dell, their officers, agents, and employees, and those persons in active concert or participation with any of them, and their successors and assigns, be permanently enjoined from infringement, inducement of infringement, and contributory infringement of the '854 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 '854 Patent before the expiration of that patent;

D. That Arendi be awarded all damages adequate to compensate it for Microsoft and Dell's infringement of the '854 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;

E. 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

F. 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.

YOUNG CONAWAY STARGATT &
TAYLOR, LLP



John W. Shaw (#3362)
Michele Sherretta Budicak (#4651)
The Brandywine Building
1000 West Street, 17th Floor
Wilmington, Delaware 19899-0391
(302) 571-6600
jshaw@ycst.com
mbudicak@ycst.com

Attorneys for Plaintiff Arendi Holding Ltd.

Of Counsel:

John M. Desmarais
Robert A. Appleby
Jon T. Hohenthauer
Joseph A. Loy

KIRKLAND & ELLIS LLP
601 Lexington Avenue
New York, New York 10022-4611
Telephone: (212) 446-4800
Facsimile: (212) 446-4900

Dated: November 24, 2009

CERTIFICATE OF SERVICE

I, Michele Sherretta Budicak, Esquire, hereby certify that on November 24, 2009, I caused to be electronically filed a copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

William J. Marsden , Jr., Esquire
Tara D. Elliott, Esquire
Fish & Richardson, P.C.
222 Delaware Avenue, 17th Floor
P.O. Box 1114
Wilmington , DE 19899-1114
(302) 652-5070

I further certify that on November 24, 2009, I caused a copy of the foregoing document to be served by e-mail on the above-listed counsel.

YOUNG CONAWAY STARGATT
& TAYLOR, LLP

Michela Budicak

Michele Sherretta Budicak (No. 4651)
The Brandywine Building
1000 West Street
Wilmington, Delaware 19899-0391
(302) 571-6600
mbudicak@ycst.com

Attorney for Plaintiff Arendi Holding Ltd.