

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

CYBERFONE SYSTEMS, LLC (formerly  
known as LVL PATENT GROUP, LLC),

Plaintiff,

v.

CELLCO PARTNERSHIP; AT&T  
MOBILITY LLC; SPRINT SPECTRUM L.P.;  
T-MOBILE USA, INC.; CRICKET  
COMMUNICATIONS, INC.; VIRGIN  
MOBILE USA, L.P.; UNITED STATES  
CELLULAR CORPORATION; METROPCS  
WIRELESS, INC.; TRACFONE WIRELESS,  
INC.; BOOST MOBILE, LLC; APPLE INC.;  
RESEARCH IN MOTION CORPORATION;  
NOKIA INC.; SAMSUNG  
TELECOMMUNICATIONS AMERICA,  
LLC; MOTOROLA MOBILITY, INC.; HTC  
AMERICA, INC.; SHARP ELECTRONICS  
CORPORATION; PANTECH WIRELESS,  
INC.; LG ELECTRONICS MOBILECOMM  
U.S.A., INC.; HEWLETT-PACKARD  
COMPANY; SONY ERICSSON MOBILE  
COMMUNICATIONS (USA) INC.; CASIO  
AMERICA, INC.; FUTUREWEI  
TECHNOLOGIES, INC.; ZTE (USA) INC.;  
AND KYOCERA COMMUNICATIONS,  
INC.,

Defendants.

**Civil Action No. 1:11-cv-827-SLR**

**DEMAND FOR JURY TRIAL**

FIRST AMENDED COMPLAINT

Plaintiff CyberFone Systems, LLC, (“CyberFone”), previously named LVL Patent Group, LLC, alleges as follows:

PARTIES

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

2. Defendant Cellco Partnership, which does business as Verizon Wireless, (“Verizon”) is a Delaware general partnership with its principal place of business at 1 Verizon Way, Basking Ridge, New Jersey 07920. Verizon has appointed The Corporation Trust

Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801, as its agent for service of process.

3. Defendant AT&T Mobility LLC (“AT&T”) is a Delaware limited liability company, with its principal place of business at 5565 Glenridge Connector, Atlanta, Georgia 30342. AT&T has appointed The Corporation Trust Company, Corporation Trust Center 1209 Orange Street, Wilmington, Delaware 19801, as its agent for service of process.

4. Defendant Sprint Spectrum L.P. (“Sprint”) is a Delaware limited partnership, with its principal place of business at 2001 Edmund Halley Drive, Reston, Virginia 20191. Sprint has appointed Corporation Service Company, 2711 Centerville, Road, Suite 400, Wilmington, Delaware 19808, as its agent for service of process.

5. Defendant T-Mobile USA, Inc. (“T-Mobile”) is a Delaware corporation, with its principal place of business at 12920 SE 38th Street, Bellevue, Washington 98006. T-Mobile has appointed Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, Delaware 19808, as its agent for service of process.

6. Defendant Cricket Communications, Inc. (“Cricket”) is a Delaware corporation, with its principal place of business at 5887 Copley Drive, San Diego, CA 92111. Cricket has appointed Corporation Service Company, 2711 Centerville Road Suite 400, Wilmington, Delaware 19808, as its agent for service of process.

7. Defendant Virgin Mobile USA, L.P. (“Virgin”) is a Delaware limited partnership, with its principal place of business at 10 Independence Boulevard, Warren, New Jersey 07059. Virgin has appointed Corporation Service Company, 2711 Centerville, Road, Suite 400, Wilmington, Delaware 19808, as its agent for service of process.

8. Defendant United States Cellular Corporation (“U.S. Cellular”) is a Delaware corporation, with its principal place of business at 8410 West Bryn Mawr, Suite 700, Chicago, Illinois 60631. U.S. Cellular has appointed The Prentice-Hall Corporation System, Inc., 2711 Centerville Road, Suite 400, Wilmington, Delaware 19808, as its agent for service of process.

9. Defendant MetroPCS Wireless, Inc. (“MetroPCS”) is a Delaware corporation, with its principal place of business at 2250 Lakeside Boulevard, Richardson, Texas 75082. MetroPCS has appointed The Prentice-Hall Corporation System, Inc., 2711 Centerville Road, Suite 400, Wilmington, Delaware 19808, as its agent for service of process.

10. Defendant TracFone Wireless, Inc. (“TracFone”) is a Delaware corporation, with its principal place of business at 9700 NW 112th Avenue, Miami, Florida 33178. TracFone has appointed Corporate Creations Network Inc., 3411 Silverside Road Rodney, Building #104, Wilmington, Delaware 19810, as its agent for service of process.

11. Defendant Boost Mobile, LLC (“Boost”) is a Delaware limited liability company, with its principal place of business at 6500 Sprint Parkway, Overland Park, Kansas 66251. Boost has appointed Corporation Service Company, 2711 Centerville, Road, Suite 400, Wilmington, Delaware 19808, as its agent for service of process.

12. Defendant Apple Inc. (“Apple”) is a California corporation, with its principal place of business at 1 Infinite Loop, Cupertino, California, 95014. Apple has appointed CT Corporation System, 818 West Seventh Street, Los Angeles, California 90017, as its agent for service of process.

13. Defendant Research In Motion Corporation (“RIM”) is a Delaware corporation, with its principal place of business at 122 West John Carpenter Parkway, Suite 430, Irving, Texas 75039. RIM has appointed The California Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801, as its agent for service of process.

14. Defendant Nokia Inc. (“Nokia”) is a Delaware corporation, with its principal place of business at 102 Corporate Park Drive, White Plains, New York 10604. Nokia has appointed National Register Agents, Inc., 160 Greentree Drive, Suite 101, Dover, Delaware 19904, as its agent for service of process.

15. Defendant Samsung Telecommunications America, LLC (“Samsung”) is a Delaware Limited Liability Company, with its principal place of business at 1301 Lookout

Drive, Richardson, Texas 75082. Samsung has appointed Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, Delaware 19808, as its agent for service of process.

16. Defendant Motorola Mobility, Inc. (“Motorola”) is a Delaware corporation with its principal place of business at 600 North U.S. Highway 45, Libertyville, Illinois 60048. Motorola has appointed The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801, as its agent for service of process.

17. Defendant HTC America, Inc. (“HTC”) is a Washington corporation, with its principal place of business at 13920 SE Eastgate Way, Suite 400 Bellevue, Washington 98005. HTC has appointed National Registered Agents, Inc., 1780 Barnes Blvd SW, Tumwater, Washington 98512, as its agent for service of process.

18. Defendant Sharp Electronics Corporation (“Sharp”) is a New York corporation, with its principal place of business at 1 Sharp Plaza, Mahwah, New Jersey 07495. Sharp has appointed C T Corporation System, 111 8th Avenue, New York, New York 10011, as its agent for service of process.

19. Defendant Pantech Wireless, Inc. (“Pantech”) is a Georgia corporation, with its principal place of business located at 5607 Glenridge Drive NE, Suite 500, Atlanta, Georgia 30342. Pantech has appointed Kathleen Elizabeth Jones, Secretary, Pantech Wireless, Inc., 5607 Glenridge Drive NE, Suite 500, Atlanta, Georgia 30342, as its agent for service of process.

20. Defendant LG Electronics MobileComm U.S.A., Inc. (“LG”) is a California corporation, with its principal place of business at 10101 Old Grove Road, San Diego, California 92131. LG has appointed Kevin D. Jaffe, 10101 Old Grove Road, San Diego, California 92131, as its agent for service of process.

21. Defendant Hewlett-Packard Company (“HP”) is a Delaware corporation, with its principal place of business at 3000 Hanover Street, Palo Alto, California 94304. HP has appointed The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware, as its agent for service of process.

22. Defendant Sony Ericsson Mobile Communications (USA) Inc. (“Sony Ericsson”) is a Delaware corporation, with its principal place of business located at 3333 Piedmont Road, Suite 600, Atlanta, Georgia 30305. Sony Ericsson has appointed Capital Services Inc., 1675 South State Street, Suite B, Dover, Delaware 19901, as its agent for service of process.

23. Defendant Casio America, Inc. (“Casio”) is a New York corporation, with its principal place of business at 570 Mount Pleasant Avenue, Dover, New Jersey 07801. Casio has appointed Corporation Service Company, 80 State Street, Albany, New York 12207, as its agent for service of process.

24. Defendant Futurewei Technologies, Inc., which does business as Huawei, (“Huawei”) is a Delaware corporation, with its principal place of business at 5700 Tennyson Parkway, Suite 500, Plano, Texas 75024. Huawei has appointed The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801, as its agent for service of process.

25. Defendant ZTE (USA) Inc. (“ZTE”) is a New Jersey corporation, with its principal place of business at 55 Madison Avenue, Suite 160, Morristown, New Jersey 07960. ZTE has appointed Lixin Cheng, 33 Wood Avenue South, 2nd Floor, Iselin, New Jersey 08830, as its agent for service of process.

26. Defendant Kyocera Communications, Inc. (“Kyocera”) is a Delaware corporation, with its principal place of business at 9520 Tone Centre Drive, San Diego, California 92121. Kyocera has appointed Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, Delaware 19808, as its agent for service of process.

27. Defendants Verizon, AT&T, Sprint, T-Mobile, Cricket, Virgin, U.S. Cellular, MetroPCS, TracFone, and Boost are hereinafter collectively referred to as “Wireless Carriers.”

28. Defendants Apple, RIM, Nokia, Samsung, Motorola, HTC, Sharp, Pantech, LG, HP, Sony Ericsson, Casio, Huawei, ZTE, and Kyocera are hereinafter collectively referred to as “Wireless Handset Manufacturers.”

JURISDICTION AND VENUE

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

30. 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. 6,044,382)

31. CyberFone is the owner by assignment of United States Patent No. 6,044,382 (“the ‘382 patent”), entitled “Data Transaction Assembly Server.” The ‘382 patent issued on March 28, 2000. A true and correct copy of the ‘382 patent is attached hereto as Exhibit A.

32. Verizon has infringed and still is infringing at least claims 1 and 19 of the ‘382 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data transaction assembly server that accepts input data of a desired transaction type using a form presented to a user for eliciting data input of a desired transaction type from a user, including, but not limited to, HTC Rhyme, Samsung Stratosphere, Motorola Bionic, Pantech Breakout, LG Enlighten, Sony Ericsson Xperia Play, Casio G’zOne Commando, Apple iPhone 4S, Apple iPhone 4, Apple iPhone 3GS, and Blackberry Curve, or a data transaction processing system comprising a transaction entry device, such as one of the mobile communication devices, a transmission medium, and a server connected to the transaction entry device via the transmission medium.

33. AT&T has infringed and still is infringing at least claims 1 and 19 of the ‘382 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a

data transaction assembly server that accepts input data of a desired transaction type using a form presented to a user for eliciting data input of a desired transaction type from a user, including, but not limited to, Apple iPhone 4S, Apple iPhone 4, Apple iPhone 3GS, Blackberry Curve, Samsung Infuse, Samsung Solstice, Motorola Atrix, HTC Inspire, HP iPAQ Glisten, HP Palm Pixi, Sharp FX, Pantech Impact, LG Phoenix, and Sony Ericsson Xperia, or a data transaction processing system comprising a transaction entry device, such as one of the mobile communication devices, a transmission medium, and a server connected to the transaction entry device via the transmission medium.

34. Sprint has infringed and still is infringing at least claims 1 and 19 of the '382 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data transaction assembly server that accepts input data of a desired transaction type using a form presented to a user for eliciting data input of a desired transaction type from a user, including, but not limited to, Apple iPhone 4S, Apple iPhone 4, Apple iPhone 3GS, Blackberry Curve, Samsung Nexus S, Motorola Photon, LG Marquee, LG Rumor, and Sanyo Innuendo, or a data transaction processing system comprising a transaction entry device, such as one of the mobile communication devices, a transmission medium, and a server connected to the transaction entry device via the transmission medium.

35. T-Mobile has infringed and still is infringing at least claims 1 and 19 of the '382 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data transaction assembly server that accepts input data of a desired transaction type using a form presented to a user for eliciting data input of a desired transaction type from a user, including, but not limited to, Blackberry Curve, HTC Wildfire, HTC Amaze, LG Optimus, Motorola CLIQ2, Nokia Astound, and Samsung Gravity, or a data transaction processing system comprising a transaction entry device, such as one of the mobile communication devices, a

transmission medium, and a server connected to the transaction entry device via the transmission medium.

36. Cricket has infringed and still is infringing at least claims 1 and 19 of the ‘382 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data transaction assembly server that accepts input data of a desired transaction type using a form presented to a user for eliciting data input of a desired transaction type from a user, including, but not limited to, Huawei Pillar, Samsung Vitality, and ZTE Score, or a data transaction processing system that includes the mobile communication devices, cellular transmission medium, and mobile network communications platform and supporting equipment.

37. Virgin has infringed and still is infringing at least claims 1 and 19 of the ‘382 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data transaction assembly server that accepts input data of a desired transaction type using a form presented to a user for eliciting data input of a desired transaction type from a user, including, but not limited to, Motorola Triumph, LG Optimus, LG Rumor, Samsung Intercept, Samsung Restore, and Blackberry Curve, or a data transaction processing system comprising a transaction entry device, such as one of the mobile communication devices, a transmission medium, and a server connected to the transaction entry device via the transmission medium.

38. U.S. Cellular has infringed and still is infringing at least claims 1 and 19 of the ‘382 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data transaction assembly server that accepts input data of a desired transaction type using a form presented to a user for eliciting data input of a desired transaction type from a user, including, but not limited to, Blackberry Bold, HTC Hero, Motorola Electrify, Samsung Mesmerize, and LG Optimus, or a data transaction processing system comprising a transaction



entry device, such as one of the mobile communication devices, a transmission medium, and a server connected to the transaction entry device via the transmission medium.

39. MetroPCS has infringed and still is infringing at least claims 1 and 19 of the '382 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data transaction assembly server that accepts input data of a desired transaction type using a form presented to a user for eliciting data input of a desired transaction type from a user, including, but not limited to, Huawei M835, LG Esteem, Samsung Craft, and Samsung Galaxy, or a data transaction processing system comprising a transaction entry device, such as one of the mobile communication devices, a transmission medium, and a server connected to the transaction entry device via the transmission medium.

40. TracFone has infringed and still is infringing at least claims 1 and 19 of the '382 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data transaction assembly server that accepts input data of a desired transaction type using a form presented to a user for eliciting data input of a desired transaction type from a user, including, but not limited to, LG 900G, Samsung T528G, and Nokia 6790, or a data transaction processing system comprising a transaction entry device, such as one of the mobile communication devices, a transmission medium, and a server connected to the transaction entry device via the transmission medium.

41. Boost has infringed and still is infringing at least claims 1 and 19 of the '382 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data transaction assembly server that accepts input data of a desired transaction type using a form presented to a user for eliciting data input of a desired transaction type from a user, including, but not limited to, Samsung Transform and Blackberry Curve, or a data transaction processing system comprising a transaction entry device, such as one of the mobile communication devices,

a transmission medium, and a server connected to the transaction entry device via the transmission medium.

42. Apple has infringed and still is infringing at least claim 1 of the '382 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices, including, but not limited to, iPhone 4S, iPhone 4, and iPhone 3GS, that include a data transaction assembly server that accepts input data of a desired transaction type using a form presented to a user for eliciting data input of a desired transaction type from a user.

43. RIM has infringed and still is infringing at least claim 1 of the '382 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communications devices, including, but not limited to, Blackberry Curve, Blackberry Torch, Blackberry Bold, and Blackberry Style, that include a data transaction assembly server that accepts input data of a desired transaction type using a form presented to a user for eliciting data input of a desired transaction type from a user.

44. Samsung has infringed and still is infringing at least claim 1 of the '382 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communications devices, including, but not limited to, Samsung Captivate, Samsung Galaxy S, Samsung Focus, Samsung Solstice, and Samsung Strive, that include a data transaction assembly server that accepts input data of a desired transaction type using a form presented to a user for eliciting data input of a desired transaction type from a user.

45. HTC has infringed and still is infringing at least claim 1 of the '382 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communications devices, including, but not limited to, HTC Inspire, HTC Status, and HTC Freestyle, that include a data transaction assembly server that accepts input data of a desired transaction type using a form presented to a user for eliciting data input of a desired transaction type from a user.

46. Sharp has infringed and still is infringing at least claim 1 of the '382 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communications devices including, but not limited to, Sharp FX and Sharp FX Plus, that include a data transaction assembly server that accepts input data of a desired transaction type using a form presented to a user for eliciting data input of a desired transaction type from a user.

47. Sharp also has infringed and still is infringing at least claim 19 of the '382 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing products and services that transact data through a system, including, by way of example, various "smart" electronic media devices (such as televisions, Blu-ray Disc players, set-top boxes, and home theater systems). An exemplary list of "smart" electronic media devices made, used, sold, offered for sale or imported by Sharp includes Sharp 3D Wi-Fi Ready Blu-ray Player, Model BDHP25U and Sharp AQUOS Quattron 40" Class/LED/1080p/120Hz HDTV, Model LC-40LE830U. The accused products and services comprise a transaction entry device composed of a microprocessor and a computer readable medium; a transmission medium; and a server which processes data transactions by at least one of communicating the data transactions to another server for processing and processing the data transactions and returning at least one of additional forms, responses and prompts to the transaction entry device.

48. Sharp has been and now is indirectly infringing, by way of inducing infringement by others or contributing to the infringement by others of the '382 patent by, among other things, making, using, importing, offering for sale, or selling, without license or authority, products for use in systems that fall within the scope of at least claim 19 of the '382 patent. Such products include, by way of example, various "smart" electronic media devices (such as televisions, Blu-ray Disc players, set-top boxes, and home theater systems). An exemplary list of "smart" electronic media devices made, used, sold, offered for sale or imported by Sharp includes Sharp 3D Wi-Fi Ready Blu-ray Player, Model BDHP25U and Sharp AQUOS Quattron 40" Class/LED/1080p/120Hz HDTV, Model LC-40LE830U. Such products are for use in systems

that infringe at least claim 19 of the '382 patent. By making, using, importing, offering for sale, and/or selling such products, Sharp has injured CyberFone and is thus liable to CyberFone for infringement of the '382 patent under 35 U.S.C. § 271. Those whom Sharp induces to infringe and/or whose infringement to which Sharp contributes are the end users of the above-referenced products. Sharp has had knowledge of the '382 patent at least as early as the filing of the original complaint and is thus liable for infringement of one or more claims of the '382 patent by actively inducing infringement and/or is liable as a contributory infringer of one or more claims of the '382 patent under 35 U.S.C. § 271.

49. Pantech has infringed and still is infringing at least claim 1 of the '382 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communications devices, including, but not limited to, Pantech Crossover, Pantech Impact, Pantech, Link, and Pantech Pursuit, that include a data transaction assembly server that accepts input data of a desired transaction type using a form presented to a user for eliciting data input of a desired transaction type from a user.

50. LG has infringed and still is infringing at least claim 1 of the '382 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communications devices, including, but not limited to, LG Phoenix, LG 800G, LG Rumor, LG Thrill, and LG Quantum, that include a data transaction assembly server that accepts input data of a desired transaction type using a form presented to a user for eliciting data input of a desired transaction type from a user.

51. HP has infringed and still is infringing at least claim 1 of the '382 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communications devices, including, but not limited to, iPAQ Glisten and Pixi Plus, that include a data transaction assembly server that accepts input data of a desired transaction type using a form presented to a user for eliciting data input of a desired transaction type from a user.

52. Sony Ericsson has infringed and still is infringing at least claim 1 of the '382 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communications devices, including, but not limited to, Sony Ericsson Xperia and Sony Ericsson W580, that include a data transaction assembly server that accepts input data of a desired transaction type using a form presented to a user for eliciting data input of a desired transaction type from a user.

53. Kyocera has infringed and still is infringing at least claim 1 of the '382 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communications devices, including, but not limited to, Kyocera Milano and Sanyo Innuendo, that include a data transaction assembly server that accepts input data of a desired transaction type using a form presented to a user for eliciting data input of a desired transaction type from a user.

54. Motorola has infringed and still is infringing at least claim 1 of the '382 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communications devices, including, but not limited to, Motorola CLIQ 2, Motorola Tundra, and Motorola Electrify, that include a data transaction assembly server that accepts input data of a desired transaction type using a form presented to a user for eliciting data input of a desired transaction type from a user.

55. Huawei has infringed and still is infringing at least claim 1 of the '382 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communications devices, including, but not limited to, Huawei M835 and Huawei Pillar, that include a data transaction assembly server that accepts input data of a desired transaction type using a form presented to a user for eliciting data input of a desired transaction type from a user.

56. Nokia has infringed and still is infringing at least claim 1 of the '382 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communications devices, including, but not

limited to, Nokia 6790, Nokia E71, and Nokia E5, that include a data transaction assembly server that accepts input data of a desired transaction type using a form presented to a user for eliciting data input of a desired transaction type from a user.

57. ZTE has infringed and still is infringing at least claim 1 of the '382 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communications devices, including, but not limited to, ZTE Score and ZTE R225, that include a data transaction assembly server that accepts input data of a desired transaction type using a form presented to a user for eliciting data input of a desired transaction type from a user.

58. Casio has infringed and still is infringing at least claim 1 of the '382 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communications devices, including, but not limited to, Casio G'zOne Commando and Casio Hatachi Exilim C721, that include a data transaction assembly server that accepts input data of a desired transaction type using a form presented to a user for eliciting data input of a desired transaction type from a user.

59. As a result of each Defendant's infringement of the '382 patent, CyberFone 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.

60. 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 '382 patent, CyberFone will suffer irreparable harm.

## COUNT II

### (Infringement of U.S. Patent No. 5,805,676)

61. CyberFone is the owner by assignment of United States Patent No. 5,805,676 ("the '676 patent"), entitled "Telephone/Transaction Entry Device and System for Entering Transaction Data Into Databases." The '676 patent issued on September 8, 1998. A true and correct copy of the '676 patent is attached hereto as Exhibit B.

62. Verizon has infringed and still is infringing at least claims 1 and 16 of the ‘676 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, HTC Rhyme, Samsung Stratosphere, Motorola Bionic, Pantech Breakout, LG Enlighten, Sony Ericsson Xperia Play, Casio G’zOne Commando, Apple iPhone 4S, Apple iPhone 4, Apple iPhone 3GS, and Blackberry Curve, or a system for entering transaction data into a remote database that includes a data input device, a display, and a data transaction terminal, such as one of the mobile communication devices, and a database server associated with the remote database.

63. AT&T has infringed and still is infringing at least claims 1 and 16 of the ‘676 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, Apple iPhone 4S, Apple iPhone 4, Apple iPhone 3GS, Blackberry Curve, Samsung Infuse, Samsung Solstice, Motorola Atrix, Motorola Tundra, HTC Inspire, HTC Freestyle, HP iPAQ, HP Palm, Sharp FX, Pantech Impact, LG Phoenix, and Sony Ericsson Xperia, or a system for entering transaction data into a remote database that includes a data input device, a display, and a data transaction terminal, such as one of the mobile communication devices, and a database server.

64. Sprint has infringed and still is infringing at least claims 1 and 16 of the ‘676 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, Apple iPhone 4S, Apple iPhone 4, Apple iPhone 3GS, Blackberry Curve, Samsung Nexus S, Motorola Photon, LG Marquee, LG Rumor, and Sanyo Innuendo, or a system for entering transaction data into a remote database that includes a data input device, a

display, and a data transaction terminal, such as one of the mobile communication devices, and a database server.

65. T-Mobile has infringed and still is infringing at least claims 1 and 16 of the '676 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, Blackberry Curve, HTC Wildfire, HTC Amaze, LG Optimus, Motorola CLIQ2, Nokia Astound, and Samsung Gravity, or a system for entering transaction data into a remote database that includes a data input device, a display, and a data transaction terminal, such as one of the mobile communication devices, and a database server.

66. Cricket has infringed and still is infringing at least claims 1 and 16 of the '676 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, Huawei Pillar, Samsung Vitality, and ZTE Score, or a system for entering transaction data into a remote database that includes a data input device, a display, and a data transaction terminal, such as one of the mobile communication devices, and a database server.

67. Virgin has infringed and still is infringing at least claims 1 and 16 of the '676 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, Motorola Triumph, LG Optimus, Samsung Intercept, Samsung Restore, and Blackberry Curve, or a system for entering transaction data into a remote database that includes a data input device, a display, and a data transaction terminal, such as one of the mobile communication devices, and a database server.



68. U.S. Cellular has infringed and still is infringing at least claims 1 and 16 of the ‘676 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, Blackberry Bold, HTC Hero, Motorola Electrify, Samsung Mesmerize, and LG Optimus, or a system for entering transaction data into a remote database that includes a data input device, a display, and a data transaction terminal, such as one of the mobile communication devices, and a database server.

69. MetroPCS has infringed and still is infringing at least claims 1 and 16 of the ‘676 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, Huawei M835, LG Esteem, Samsung Craft, and Samsung Galaxy, or a system for entering transaction data into a remote database that includes a data input device, a display, and a data transaction terminal, such as one of the mobile communication devices, and a database server.

70. TracFone has infringed and still is infringing at least claims 1 and 16 of the ‘676 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, LG 900G, Samsung T528G, and Nokia 6790, or a system for entering transaction data into a remote database that includes a data input device, a display, and a data transaction terminal, such as one of the mobile communication devices, and a database server.

71. Boost has infringed and still is infringing at least claims 1 and 16 of the ‘676 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a

data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, Samsung Transform and Blackberry Curve, or a system for entering transaction data into a remote database that includes a data input device, a display, and a data transaction terminal, such as one of the mobile communication devices, and a database server.

72. Apple has infringed and still is infringing at least claim 16 of the '676 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, iPhone 4S, iPhone 4, and iPhone 3GS.

73. RIM has infringed and still is infringing at least claim 16 of the '676 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, Blackberry Curve, Blackberry Torch, Blackberry Bold, and Blackberry Style.

74. Samsung has infringed and still is infringing at least claim 16 of the '676 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, Samsung Captivate, Samsung Galaxy S, Samsung Focus, Samsung Solstice, and Samsung Strive.

75. HTC has infringed and still is infringing at least claim 16 of the '676 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, HTC Inspire, HTC Status, and HTC Freestyle.

76. Sharp has infringed and still is infringing at least claim 16 of the '676 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, Sharp FX and Sharp FX Plus.

77. Pantech has infringed and still is infringing at least claim 16 of the '676 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, Pantech Crossover, Pantech Impact, Pantech Link, and Pantech Pursuit.

78. LG has infringed and still is infringing at least claim 16 of the '676 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, LG Phoenix, LG Thrill, and LG Quantom.

79. HP has infringed and still is infringing at least claim 16 of the '676 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, iPAQ Glisten and Pixi Plus.

80. Sony Ericsson has infringed and still is infringing at least claim 16 of the '676 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, Sony Ericsson Xperia and Sony Ericsson W580.

81. Kyocera has infringed and still is infringing at least claim 16 of the '676 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, Kyocera Milano and Sanyo Innuendo.

82. Motorola has infringed and still is infringing at least claim 16 of the '676 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, Motorola CLIQ 2, Motorola Tundra, and Motorola Electrify.

83. Motorola has been and now is indirectly infringing, by way of inducing infringement by others or contributing to the infringement by others of the '676 patent by, among other things, making, using, importing, offering for sale, or selling, without license or authority, products for use in systems that fall within the scope of at least claim 1 of the '676 patent. Such products include, by way of example, the MT2000 series handheld mobile terminals, MK500 Micro Kiosk, Motorola MC75A Premium 3.5G Worldwide Enterprise Digital Assistant, MC1000 hand-held mobile computer, MC3100 series rugged mobile computer, RS507 hands-free cordless imager, and WT400 wearable terminal. Such products are for use in systems that infringe at least claim 1 of the '676 patent. Such products comprise a data input device, a display, and a data transaction terminal for use in a system with a database server. By making, using, importing, offering for sale, or selling such products, Motorola has injured CyberFone and is thus liable to CyberFone for infringement of the '676 patent under 35 U.S.C. § 271. Those whom Motorola induces to infringe or whose infringement to which Motorola contributes are the end users of the above-referenced products. Motorola has had knowledge of the '676 patent at least as early as the filing of the original complaint and is thus liable for infringement of one or more claims of the '676 patent by actively inducing infringement or is liable as a contributory infringer of one or more claims of the '676 patent under 35 U.S.C. § 271.

84. Huawei has infringed and still is infringing at least claim 16 of the '676 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, Huawei M835 and Huawei Pillar.

85. Nokia has infringed and still is infringing at least claim 16 of the '676 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, Nokia 6790, Nokia E71, and Nokia E5.

86. ZTE has infringed and still is infringing at least claim 16 of the '676 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, ZTE Score and ZTE R225.

87. Casio has infringed and still is infringing at least claim 16 of the '676 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, Casio G'zOne Commando and Casio Hitachi Exilim C721.

88. As a result of each Defendant's infringement of the '676 patent, CyberFone 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.

89. 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 '676 patent, CyberFone will suffer irreparable harm.

COUNT III

(Infringement of U.S. Patent No. 5,987,103)

90. CyberFone is the owner by assignment of United States Patent No. 5,987,103 (“the ‘103 patent”), entitled “Telephone/Transaction Entry Device and System for Entering Transaction Data Into Databases.” The ‘103 patent issued on November 16, 1999. A true and correct copy of the ‘103 patent is attached hereto as Exhibit C.

91. Verizon has infringed and still is infringing at least claims 1 and 18 of the ‘103 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, HTC Rhyme, Samsung Stratosphere, Motorola Bionic, Pantech Breakout, LG Enlighten, Sony Ericsson Xperia Play, Casio G’zOne Commando, Apple iPhone 4S, Apple iPhone 4, Apple iPhone 3GS, and Blackberry Curve, or a system for entering transaction data into a remote database that includes a data input device, a display, and a data transaction terminal, such as one of the mobile communication devices, and a database server.

92. AT&T has infringed and still is infringing at least claims 1 and 18 of the ‘103 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, Apple iPhone 4S, Apple iPhone 4, Apple iPhone 3GS, Blackberry Curve, Samsung Infuse, Samsung Solstice, Motorola Atrix, HTC Inspire, HTC Freestyle, Sharp FX, Pantech Impact, LG Phoenix, and Sony Ericsson Xperia, or a system for entering transaction data into a remote database that includes a data input device, a display, and a data transaction terminal, such as one of the mobile communication devices, and a database server.

93. Sprint has infringed and still is infringing at least claims 1 and 18 of the ‘103 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a

data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, Apple iPhone 4S, Apple iPhone 4, Apple iPhone 3GS, Blackberry Curve, Samsung Nexus S, Motorola Photon, LG Marquee, LG Rumor, and Sanyo Innuendo, or a system for entering transaction data into a remote database that includes a data input device, a display, and a data transaction terminal, such as one of the mobile communication devices, and a database server.

94. T-Mobile has infringed and still is infringing at least claims 1 and 18 of the '103 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, Blackberry Curve, HTC Wildfire, HTC Amaze, LG Optimus, Motorola CLIQ2, Nokia Astound, Samsung Galaxy S, and Samsung Gravity, or a system for entering transaction data into a remote database that includes a data input device, a display, and a data transaction terminal, such as one of the mobile communication devices, and a database server.

95. Cricket has infringed and still is infringing at least claims 1 and 18 of the '103 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, Huawei Pillar, Samsung Vitality, and ZTE Score, or a system for entering transaction data into a remote database that includes a data input device, a display, and a data transaction terminal, such as one of the mobile communication devices, and a database server.

96. Virgin has infringed and still is infringing at least claims 1 and 18 of the '103 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch,

including, but not limited to, Motorola Triumph, LG Optimus, LG Rumor, Samsung Restore, Samsung Intercept, and Blackberry Curve, or a system for entering transaction data into a remote database that includes a data input device, a display, and a data transaction terminal, such as one of the mobile communication devices, and a database server.

97. U.S. Cellular has infringed and still is infringing at least claims 1 and 18 of the ‘103 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, Blackberry Bold, HTC Hero, Motorola Electrify, Samsung Mesmerize, and LG Optimus, or a system for entering transaction data into a remote database that includes a data input device, a display, and a data transaction terminal, such as one of the mobile communication devices, and a database server.

98. MetroPCS has infringed and still is infringing at least claims 1 and 18 of the ‘103 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, Huawei M835, LG Esteem, Samsung Craft, and Samsung Galaxy, or a system for entering transaction data into a remote database that includes a data input device, a display, and a data transaction terminal, such as one of the mobile communication devices, and a database server.

99. TracFone has infringed and still is infringing at least claims 1 and 18 of the ‘103 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, LG 900G, Samsung T528G, and Nokia 6790, or a system for entering transaction data into a remote database that includes a data input device, a display, and a



data transaction terminal, such as one of the mobile communication devices, and a database server.

100. Boost has infringed and still is infringing at least claims 1 and 18 of the '103 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, Samsung Transform and Blackberry Curve, or a system for entering transaction data into a remote database that includes a data input device, a display, and a data transaction terminal, such as one of the mobile communication devices, and a database server.

101. Apple has infringed and still is infringing at least claim 18 of the '103 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, iPhone 4S, iPhone 4, and iPhone 3GS.

102. RIM has infringed and still is infringing at least claim 18 of the '103 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, Blackberry Curve, Blackberry Torch, Blackberry Bold, and Blackberry Style.

103. Samsung has infringed and still is infringing at least claim 18 of the '103 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, Samsung Captivate, Samsung Galaxy S, Samsung Focus, Samsung Solstice, and Samsung Strive.

104. HTC has infringed and still is infringing at least claim 18 of the '103 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, HTC Inspire, HTC Status, and HTC Freestyle.

105. Sharp has infringed and still is infringing at least claim 18 of the '103 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, Sharp FX.

106. Pantech has infringed and still is infringing at least claim 18 of the '103 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, Pantech Crossover, Pantech Impact, Pantech, Link, and Pantech Pursuit.

107. LG has infringed and still is infringing at least claim 18 of the '103 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, LG Phoenix, LG Thrill, LG Rumor, and LG Quantum.

108. HP has infringed and still is infringing at least claim 18 of the '103 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, iPAQ Glisten and Pixi Plus.

109. Sony Ericsson has infringed and still is infringing at least claim 18 of the '103 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, Sony Ericsson Xperia and Sony Ericsson W580.

110. Kyocera has infringed and still is infringing at least claim 18 of the '103 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, Kyocera Milano and Sanyo Innuendo.

111. Motorola has infringed and still is infringing at least claim 18 of the '103 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, Motorola CLIQ 2, Motorola Tundra, and Motorola Electrify.

112. Huawei has infringed and still is infringing at least claim 18 of the '103 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, Huawei M835 and Huawei Pillar.

113. Nokia has infringed and still is infringing at least claim 18 of the '103 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, Nokia 6790, Nokia E71, and Nokia E5.

114. ZTE has infringed and still is infringing at least claim 18 of the '103 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or

importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, ZTE Score and ZTE R225.

115. Casio has infringed and still is infringing at least claim 18 of the '103 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing, including within the last six years, mobile communication devices that include a data input device, a display, a telephone circuit, a data transaction assembler, and a mode switch, including, but not limited to, Casio G'zOne Commando and Casio Hitachi Exilim C721.

116. As a result of each Defendant's infringement of the '103 patent, CyberFone 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.

117. 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 '103 patent, CyberFone will suffer irreparable harm.

#### COUNT IV

##### (Infringement of U.S. Patent No. 8,019,060)

118. CyberFone is the owner by assignment of United States Patent No. 8,019,060 ("the '060 patent"), entitled "Telephone/Transaction Entry Device and System for Entering Transaction Data Into Databases." The '060 patent issued on September 13, 2011. A true and correct copy of the '060 patent is attached hereto as Exhibit D.

119. Verizon has infringed and still is infringing at least claim 1 of the '060 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing a method for obtaining data transaction information entered on a telephone from a single transmission, forming a plurality of exploded data transactions for the single transmission, and sending different exploded data transactions to different destinations based on information entered in the single transmission, using its mobile services network platform. Such telephones include, but are not limited to, HTC Rhyme, Samsung Stratosphere, Motorola Bionic, Pantech

Breakout, LG Enlighten, Sony Ericsson Xperia Play, Casio G'zOne Commando, Apple iPhone 4S, Apple iPhone 4, Apple iPhone 3GS, and Blackberry Curve.

120. AT&T has infringed and still is infringing at least claim 1 of the '060 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or importing a method for obtaining data transaction information entered on a telephone from a single transmission, forming a plurality of exploded data transactions for the single transmission, and sending different exploded data transactions to different destinations based on information entered in the single transmission, using its mobile services network platform. Such telephones include, but are not limited to, Apple iPhone 4S, Apple iPhone 4, Apple iPhone 3GS, Blackberry Curve, Samsung Infuse, Samsung Solstice, Motorola Atrix, HTC Inspire, HTC Freestyle, Sharp FX, Pantech Impact, LG Phoenix, and Sony Ericsson Xperia.

121. Sprint has infringed and still is infringing at least claim 1 of the '060 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or practicing a method of obtaining data transaction information entered on a telephone from a single transmission, forming a plurality of exploded data transactions for the single transmission, and sending the different exploded data transactions to different destinations, using its mobile services network platform. Such telephones include, but are not limited to, Apple iPhone 4S, Apple iPhone 4, Apple iPhone 3GS, Blackberry Curve, Samsung Nexus S, Motorola Photon, LG Marquee, LG Rumor, and Sanyo Innuendo.

122. T-Mobile has infringed and still is infringing at least claim 1 of the '060 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or practicing a method of obtaining data transaction information entered on a telephone from a single transmission, forming a plurality of exploded data transactions for the single transmission, and sending the different exploded data transactions to different destinations, using its mobile services network platform. Such telephones include, but are not limited to, Blackberry Curve, HTC Wildfire, HTC Amaze, LG Optimus, Motorola CLIQ2, Nokia Astound, Samsung Galaxy S, and Samsung Gravity.

123. Cricket has infringed and still is infringing at least claim 1 of the '060 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or practicing a method of obtaining data transaction information entered on a telephone from a single transmission, forming a plurality of exploded data transactions for the single transmission, and sending the different exploded data transactions to different destinations, using its mobile services network platform. Such telephones include, but are not limited to, Huawei Pillar, Samsung Vitality, and ZTE Score.

124. Virgin has infringed and still is infringing at least claim 1 of the '060 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or practicing a method of obtaining data transaction information entered on a telephone from a single transmission, forming a plurality of exploded data transactions for the single transmission, and sending the different exploded data transactions to different destinations, using its mobile services network platform. Such telephones include, but are not limited to, Motorola Triumph, LG Optimus, LG Rumor, Samsung Restore, Samsung Intercept, and Blackberry Curve.

125. U.S. Cellular has infringed and still is infringing at least claim 1 of the '060 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or practicing a method of obtaining data transaction information entered on a telephone from a single transmission, forming a plurality of exploded data transactions for the single transmission, and sending the different exploded data transactions to different destinations, using its mobile services network platform. Such telephones include, but are not limited to, Blackberry Bold, HTC Hero, Motorola Electrify, Samsung Mesmerize, and LG Optimus.

126. MetroPCS has infringed and still is infringing at least claim 1 of the '060 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or practicing a method of obtaining data transaction information entered on a telephone from a single transmission, forming a plurality of exploded data transactions for the single transmission, and sending the different exploded data transactions to different destinations, using its mobile

services network platform. Such telephones include, but are not limited to, Huawei M835, LG Esteem, Samsung Craft, and Samsung Galaxy.

127. TracFone has infringed and still is infringing at least claim 1 of the '060 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or practicing a method of obtaining data transaction information entered on a telephone from a single transmission, forming a plurality of exploded data transactions for the single transmission, and sending the different exploded data transactions to different destinations, using its mobile services network platform. Such telephones include, but are not limited to, LG 900G, Samsung T528G, and Nokia 6790.

128. Boost has infringed and still is infringing at least claim 1 of the '060 patent, literally and under the doctrine of equivalents, by making, using, selling, offering to sell, or practicing a method of obtaining data transaction information entered on a telephone from a single transmission, forming a plurality of exploded data transactions for the single transmission, and sending the different exploded data transactions to different destinations, using its mobile services network platform. Such telephones include, but are not limited to, Samsung Transform and Blackberry Curve.

129. As a result of each Wireless Carrier's infringement of the '060 patent, CyberFone 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.

130. Unless a permanent injunction is issued enjoining each Wireless Carrier and its agents, servants, employees, attorneys, representatives, affiliates, and all others acting on its behalf from infringing the '060 patent, CyberFone will suffer irreparable harm.

#### COUNT V

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

131. CyberFone 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 E.

132. Apple 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 the data on the mobile device, and presenting the information on the display or audibly to a user, using, for example, its Siri application on its iPhone 4S.

#### PRAYER FOR RELIEF

CyberFone 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 ‘382 patent, the ‘676 patent, the ‘103 patent, and the ‘060 patent;
2. A judgment that Sharp has also infringed the ‘382 patent indirectly, by way of inducing or contributing to the infringement of one or more claims of the ‘382 patent;
3. A judgment that Motorola has also infringed the ‘676 patent indirectly, by way of inducing or contributing to the infringement of one or more claims of the ‘676 patent;
4. A judgment that Apple has infringed (either literally or under the doctrine of equivalents) one or more claims of the ‘024 patent;
5. A permanent injunction enjoining Defendants and their officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in active concert or participation with them, from infringing each of the ‘382 patent, the ‘676 patent, the ‘103 patent, and the ‘060 patent;
6. A permanent injunction also enjoining Sharp and its officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in



active concert or participation with it, from contributing to or inducing infringement of the ‘382 patent;

7. A permanent injunction also enjoining Motorola and its officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in active concert or participation with it, from contributing to or inducing infringement of the ‘676 patent;

8. A permanent injunction enjoining Apple and its officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in active concert or participation with it, from infringing the ‘024 patent

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

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

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

12. Any and all other relief to which CyberFone may show itself to be entitled.

DEMAND FOR JURY TRIAL

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

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