

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ADVANCED DYNAMIC INTERFACES LLC,

Plaintiff,

v.

SALESFORCE.COM, INC.,

Defendant.

Civil Action No. _____

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Advanced Dynamic Interfaces LLC ("ADI" or "Plaintiff"), by way of Complaint against the above-named defendant ("Defendant"), alleges the following:

NATURE OF THE ACTION

1. This is an action for patent infringement arising under the Patent Laws of the United States, 35 U.S.C. § 1 *et seq.*

THE PARTIES

2. Plaintiff ADI is a limited liability company organized under the laws of the State of Texas with its principal place of business at 106 Fannin Avenue, Round Rock, Texas 78664.

3. Defendant Salesforce.com, Inc. ("Salesforce") is a corporation organized under the laws of the State of Delaware with its principal place of business at The Landmark @ One Market, Suite 300, San Francisco, California 94105.

JURISDICTION AND VENUE

4. This is an action for patent infringement arising under the Patent Laws of the United States, Title 35 of the United States Code.

5. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338.

6. On information and belief, Defendant is subject to the jurisdiction of this Court by virtue of the fact that it is incorporated in Delaware. On information and belief, Defendant also is subject to jurisdiction of this Court by reason of its acts of patent infringement which have been committed in this Judicial District, and by virtue of its regularly conducted and systematic business contacts in this State. As such, Defendant has purposefully availed itself of the privilege of conducting business within this Judicial District; has established sufficient minimum contacts with this Judicial District such that it should reasonably and fairly anticipate being haled into court in this Judicial District; has purposefully directed activities at residents of this State; and at least a portion of the patent infringement claims alleged herein arise out of or are related to one or more of the foregoing activities.

7. Venue is proper in this judicial district under 28 U.S.C. §§ 1391(c) and 1400(b).

COUNT I – INFRINGEMENT OF U.S. PATENT No. 7,026,502

8. The allegations set forth in the foregoing paragraphs 1 through 7 are hereby realleged and incorporated herein by reference.

9. On June 13, 2006, United States Patent No. 7,062,502 ("the '502 Patent"), entitled "Automated Generation of Dynamic Data Entry User Interface for Relational Database Management Systems," was duly and legally issued by the United States Patent and Trademark Office. A true and correct copy of the '502 Patent is attached as Exhibit A to this Complaint.

10. ADI is the assignee and owner of the right, title and interest in and to the '502 Patent, including the right to assert all causes of action arising under said patent and the right to any remedies for infringement of it.

11. In violation of 35 U.S.C. § 271(a), Defendant has directly infringed and continues to directly infringe, both literally and under the doctrine of equivalents, the '502 Patent by

performing methods and using products that practice the subject matter claimed in one or more claims of the '502 Patent (respectively, the "'502 Patent Accused Activities" and the "'502 Patent Accused Products"), including but not limited to claim 13, in the United States, including within this Judicial District, without the authorization of ADI. The '502 Patent Accused Activities include automatically generating a graphical user interface for a database using, for example, the "Builder" feature of the Force.com platform. The '502 Patent Accused Products include software that are capable of automatically generating or using an automatically generated graphical user interface for a database, including but not limited to Force.com, tools that help users develop Force.com applications, applications developed using Force.com, and applications that utilize Force.com in their operation.

12. ADI provided actual notice to Defendant of its infringement of the '502 Patent in a letter sent by certified mail on January 15, 2013. In that letter, ADI informed Salesforce that Salesforce was infringing the '502 Patent by using products and providing services that automatically generate a graphical user interface for a database. ADI's letter further informed Salesforce that the infringing products and services that automatically generate a graphical user interface include the Force.com platform and its builder feature, products and services based on the Force.com platform and builder feature, and Salesforce's consulting services that utilize the Force.com platform and builder feature. ADI's letter also informed Salesforce that Salesforce was inducing infringement of the '502 Patent by allowing, encouraging, and training its customers and end users to use the infringing products and services. ADI's letter also informed Salesforce that Salesforce was contributing to infringement of the '502 Patent by selling and offering for sale the infringing products and services. With respect to both induced infringement

and contributory infringement, ADI's letter informed Salesforce that the direct infringers were Salesforce's customers and partners.

13. Defendant has had actual knowledge of the '502 Patent and its infringement of that patent since at least the date that Defendant received the January 15, 2013 letter.

14. Upon information and belief, Defendant has committed and continues to commit acts of contributory infringement of at least claim 13 of the '502 patent under 35 U.S.C. § 271(c) by offering to sell and selling products, including the '502 Patent Accused Products, to others including its customers knowing or willfully blind to the fact that that these products constitute a material part of the invention, were especially made or especially adapted for use in an infringement of the '502 Patent, and have no substantial non-infringing uses.

15. In particular, the '502 Patent Accused Products constitute a material part of the claimed invention at least because they implement an automatic graphical user interface generation feature which is used by Defendant's customers to perform all of the steps recited in claim 13 of the '502 Patent. The '502 Patent Accused Products were made or especially adapted for use in an infringement of the '502 Patent and have no substantial non-infringing uses at least because they contain components whose only purpose is to practice the claimed method of automatically generating a graphical user interface for a database as recited in claim 13 of the '502 Patent. The use of the automatic graphical user interface generation features in such products by Defendant's customers constitutes direct infringement of at least claim 13 of the '502 Patent. Defendant has known or remained willfully blind to these facts since at least the date it received the notice letter from ADI notifying Defendant that the use of the automatic graphical user interface generation feature in the '502 Patent Accused Products infringed the '502 Patent.

16. Upon information and belief, Defendant has induced and continues to induce others to infringe at least claim 13 of the '502 Patent under 35 U.S.C. § 271(b) by, among other things, and with specific intent or willful blindness, actively aiding and abetting others to infringe, including, but not limited to, Defendant's customers whose use of the '502 Patent Accused Products and performance of the '502 Patent Accused Activities constitutes direct infringement of at least claim 13 of the '502 Patent. In particular, Defendant's actions that aid and abet others such as its customers to infringe include advertising and distributing the '502 Patent Accused Products and providing instruction materials and training regarding the '502 Patent Accused Products and '502 Patent Accused Activities. On information and belief, Defendant has engaged in such actions with specific intent to cause infringement or with willful blindness to the resulting infringement because Defendant has had actual knowledge of the '502 Patent and that its acts were inducing its customers to infringe the '502 Patent since at least the date it received the notice letter from ADI notifying Defendant that the automatic graphical user interface generation feature in the '502 Patent Accused Products infringed the '502 Patent.

17. ADI has been harmed by Defendant's infringing activities.

18. ADI notified Defendant of its infringement of the '502 Patent including an identification of the particular infringing products and features, but Defendant thereafter continued to infringe the '502 Patent by continuing the activities described in Paragraphs 11-16 above. On information and belief, Defendant has not obtained an opinion of counsel regarding infringement or validity with respect to the claims of '502 Patent. Defendant's continued infringement has therefore been in reckless disregard of ADI's patent rights. On information and belief, Defendant's infringement has been and continues to be willful.

COUNT II – INFRINGEMENT OF U.S. PATENT No. 7,401,094

19. The allegations set forth in the foregoing paragraphs 1 through 20 are hereby realleged and incorporated herein by reference.

20. On July 15, 2008, United States Patent No. 7,401,094 ("the '094 Patent"), entitled "Automated Generation of Dynamic Data Entry User Interface for Relations Database Management Systems," was duly and legally issued by the United States Patent and Trademark Office. A true and correct copy of the '094 Patent is attached as Exhibit B to this Complaint.

21. ADI is the assignee and owner of the right, title and interest in and to the '094 Patent, including the right to assert all causes of action arising under said patent and the right to any remedies for infringement of it.

22. In violation of 35 U.S.C. § 271(a), Defendant has directly infringed and continues to directly infringe, both literally and under the doctrine of equivalents, the '094 Patent by performing methods and using products that practice the subject matter claimed in one or more claims of the '094 Patent (respectively, the "'094 Patent Accused Activities" and the "'094 Patent Accused Products"), including but not limited to claim 15, in the United States, including within this Judicial District, without authorization of ADI. The '094 Patent Accused Activities include automatically generating a graphical user interface for a database using, for example, the "Builder" feature of the Force.com platform. The '094 Patent Accused Products include software that are capable of automatically generating or using an automatically generated graphical user interface for a database, including but not limited to Force.com, tools that help users develop Force.com applications, applications developed using Force.com, and applications that utilize Force.com in their operation.

23. ADI provided actual notice to Defendant of its infringement of the '094 Patent in a letter sent by certified mail on January 15, 2013. In that letter, ADI informed Salesforce that Salesforce was infringing the '094 Patent by using products and providing services that automatically generate a graphical user interface for a database. ADI's letter further informed Salesforce that the infringing products and services that automatically generate a graphical user interface include the Force.com platform and its builder feature, products and services based on the Force.com platform and builder feature, and Salesforce's consulting services that utilize the Force.com platform and builder feature. ADI's letter also informed Salesforce that Salesforce was inducing infringement of the '094 Patent by allowing, encouraging, and training its customers and end users to use the infringing products and services. ADI's letter also informed Salesforce that Salesforce was contributing to infringement of the '094 Patent by selling and offering for sale the infringing products and services. With respect to both induced infringement and contributory infringement, ADI's letter informed Salesforce that the direct infringers were Salesforce's customers and partners.

24. Defendant has had actual knowledge of the '094 Patent and its infringement of that patent since at least the date that Defendant received the January 15, 2013 letter.

25. Upon information and belief, Defendant has committed and continues to commit acts of contributory infringement of at least claim 15 of the '094 patent under 35 U.S.C. § 271(c) by offering to sell and selling products, including the '094 Patent Accused Products, to others including its customers knowing or willfully blind to the fact that that these products constitute a material part of the invention, were especially made or especially adapted for use in an infringement of the '094 Patent, and have no substantial non-infringing uses.

26. In particular, the '094 Patent Accused Products constitute a material part of the claimed invention at least because they implement an automatic graphical user interface generation feature which is used by Defendant's customers to perform all of the steps recited in claim 15 of the '094 Patent. The '094 Patent Accused Products were made or especially adapted for use in an infringement of the '094 Patent and have no substantial non-infringing uses at least because they contain components whose only purpose is to practice the claimed method of automatically generating a graphical user interface for a database as recited in claim 15 of the '094 Patent. The use of the automatic graphical user interface generation features in such products by Defendant's customers constitutes direct infringement of at least claim 15 of the '094 Patent. Defendant has known or remained willfully blind to these facts since at least the date it received the notice letter from ADI notifying Defendant that the use of the automatic graphical user interface generation feature in the '094 Patent Accused Products infringed the '094 Patent.

27. Upon information and belief, Defendant has induced and continues to induce others to infringe at least claim 15 of the '094 Patent under 35 U.S.C. § 271(b) by, among other things, and with specific intent or willful blindness, actively aiding and abetting others to infringe, including, but not limited to, Defendant's customers whose use of the '094 Patent Accused Products and performance of the '094 Patent Accused Activities constitutes direct infringement of at least claim 15 of the '094 Patent. In particular, Defendant's actions that aid and abet others such as its customers to infringe include advertising and distributing the '094 Patent Accused Products and providing instruction materials and training regarding the '094 Patent Accused Products and '094 Patent Accused Activities. On information and belief, Defendant has engaged in such actions with specific intent to cause infringement or with willful blindness to the resulting infringement because Defendant has had actual knowledge of the '094

Patent and that its acts were inducing its customers to infringe the '094 Patent since at least the date it received the notice letter from ADI notifying Defendant that the automatic graphical user interface generation feature in the '094 Patent Accused Products infringed the '094 Patent.

28. ADI has been harmed by Defendant's infringing activities.

29. ADI notified Defendant of its infringement of the '094 Patent including an identification of the particular infringing products and features, but Defendant thereafter continued to infringe the '094 Patent by continuing the activities described in Paragraphs 22-27 above. On information and belief, Defendant has not obtained an opinion of counsel regarding infringement or validity with respect to the claims of '094 Patent. Defendant's continued infringement has therefore been in reckless disregard of ADI's patent rights. On information and belief, Defendant's infringement has been and continues to be willful.

JURY DEMAND

ADI demands a trial by jury on all issues triable as such.

PRAYER FOR RELIEF

WHEREFORE, ADI respectfully requests that this Court enter judgment for ADI and against Defendant as follows:

- a. An adjudication that Defendant has infringed the '502 and '094 Patents;
- b. An award of damages to be paid by Defendant adequate to compensate ADI for Defendant's past infringement of the '502 Patent and '094 Patent, and any continuing or future infringement through the date such judgment is entered, including interest, costs, expenses and an accounting of all infringing acts including, but not limited to, those acts not presented at trial;
- c. An injunction ordering Defendant to pay an ongoing royalty in an amount to be determined for any continued infringement after the date judgment is entered;

- d. An award of treble damages under 35 U.S.C. § 284;
- e. A declaration finding this to be an exceptional case, and awarding ADI attorney fees under 35 U.S.C. §285; and
- f. For such further relief at law and in equity as the Court may deem just and proper.

Dated: March 11, 2013

STAMOULIS & WEINBLATT LLC

/s/ Richard C. Weinblatt _____

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