

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

CORE WIRELESS LICENSING)	
S.A.R.L.)	
)	CIVIL ACTION NO. 6:14-cv-751
Plaintiff,)	
)	JURY TRIAL DEMANDED
v.)	
)	
APPLE INC.,)	
)	
Defendant.)	
)	

**CORE WIRELESS LICENSING S.A.R.L.'S
FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff, Core Wireless Licensing S.à.r.l. (“Core Wireless”), for its First Amended Complaint against Defendant, Apple Inc. (“Apple”), alleges:

THE PARTIES

1. Core Wireless is a corporation duly organized and existing under the laws of the Grand Duchy of Luxembourg, having a principal place of business at 12, rue Jean Engling, L-1466 Luxembourg. Core Wireless has a regular and established place of business and does business relating to the patents-in-suit in connection with its wholly-owned subsidiary, Core Wireless Licensing Ltd. (“Core Wireless USA”), a corporation duly organized and existing under the laws of the State of Texas, having a principal place of business at 5601 Granite Parkway, Suite 1300, Plano, TX 75024, which is within the Eastern District of Texas. All pertinent documents and discovery relevant to this matter either reside at Core Wireless USA’s local address or will be produced at that address. Core Wireless is the owner of record of the patents involved in this action.

2. Defendant, Apple, is a corporation duly organized and existing under the laws of the State of California, having a principal place of business at 1 Infinite Loop, Cupertino, CA 95014. Apple’s registered agent, registered with the Texas Secretary of State’s Office, is CT Corp. System located at 1999 Bryan St., Suite 900, Dallas, TX 75201.

JURISDICTION

3. This is an action arising under the patent laws of the United States. Accordingly, this Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

4. This Court has personal jurisdiction over Apple because Apple does business in the State of Texas and in this judicial district and/or has infringed or caused infringement in the State of Texas and in this judicial district.

5. This Court has personal jurisdiction over Apple because Apple has established minimum contacts with the Eastern District of Texas. Apple manufactures (directly or indirectly through third party manufacturers) and/or assembles products that are and have been used, offered for sale, sold, and purchased in the Eastern District of Texas. Apple, directly and/or through its distribution network, places wireless mobile communication devices within the stream of commerce, which stream is directed at this district, with the knowledge and/or understanding that those products will be sold in the State of Texas, including in the Eastern District of Texas. Jurisdiction over Apple in this matter is also proper inasmuch as Apple has voluntarily submitted itself to the jurisdiction of the courts by commencing litigations within the State of Texas, by registering with the Texas Secretary of State's Office to do business in the State of Texas, and by appointing a registered agent. Therefore, the exercise of jurisdiction over Apple is appropriate under the applicable jurisdictional statutes and would not offend traditional notions of fair play and substantial justice.

VENUE

6. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391 and 1400(b) because Apple has committed, and continues to commit, acts of infringement, including providing wireless mobile communication devices that are used, offered for sale, sold, and have been purchased in the State of Texas, including in the Eastern District of Texas.

FACTUAL ALLEGATIONS

7. United States Patent No. 8,713,476 ("476"), entitled *Computing Device With Improved User Interface For Applications*, was duly and lawfully issued April 29, 2014. The '476 patent is a continuation of the application that matured into United States Patent No. 8,434,020 identified below. Core Wireless is the current owner of all rights, title, and interest in

and to the '476 patent. The '476 patent is valid and enforceable. A true and correct copy of the '476 patent is attached as Exhibit 1.

8. United States Patent No. 8,498,671 (“’671”), entitled *Mobile Telephone Device With User-Selectable Content Displayed And Updated During Idle Time*, was duly and lawfully issued July 30, 2013. Core Wireless is the current owner of all rights, title, and interest in and to the '671 patent. The '671 patent is valid and enforceable. A true and correct copy of the '671 patent is attached as Exhibit 2.

9. United States Patent No. 8,434,020 (“’020”), entitled *Computing Device With Improved User Interface For Applications*, was duly and lawfully issued April 30, 2013. Core Wireless is the current owner of all rights, title, and interest in and to the '020 patent. The '020 patent is valid and enforceable. A true and correct copy of the '020 patent is attached as Exhibit 3.

10. United States Patent No. 7,693,552 (“’552”), entitled *Text Messaging Device*, was duly and lawfully issued April 6, 2010. Core Wireless is the current owner of all rights, title, and interest in and to the '552 patent. The '552 patent is valid and enforceable. A true and correct copy of the '552 patent is attached as Exhibit 4.

11. United States Patent No. 7,072,667 (“’667”), entitled *Location Information Service For A Cellular Telecommunications Network*, was duly and lawfully issued July 4, 2006. Core Wireless is the current owner of all rights, title, and interest in and to the '667 patent. The '667 patent is valid and enforceable. A true and correct copy of the '667 patent is attached as Exhibit 5.

12. United States Patent No. 5,907,823 (“’823”), entitled *Method And Circuit Arrangement For Adjusting The Level Or Dynamic Range Of An Audio Signal*, was duly and

lawfully issued May 25, 1999. Core Wireless is the current owner of all rights, title, and interest in and to the '823 patent. A true and correct copy of the '823 patent is attached as Exhibit 6.

GENERAL ALLEGATIONS

13. Apple has directly and indirectly infringed and continues to directly and indirectly infringe each of the '476, '671, '020, '552, '667, and '823 patents (“patents-in-suit”) by engaging in acts constituting infringement under 35 U.S.C. § 271(a) and/or (b) including without limitation by one or more of making, using, selling and offering to sell, in this District and elsewhere in the United States, and importing into this District and elsewhere in the United States, Apple’s iPhone, iPad, and iPod products (“Apple’s Accused Products”).

14. Apple is doing business in the United States, and, more particularly, in the Eastern District of Texas by making, using, selling, importing, and/or offering for sale Apple’s Accused Products, including without limitation Apple’s iPhone, iPhone 3G, iPhone 3GS, iPhone 4, iPhone 4S, iPhone 5, iPhone 5C, iPhone 5S, iPhone 6, iPhone 6 Plus, iPad, iPad 2, third and fourth generation iPads, iPad Mini, iPad Mini 2, iPad Mini 3, iPad Air, iPad Air 2, iPod Touch (first, second, third, fourth, and fifth generations) that infringe one or more of the patent claims involved in this action.

15. Apple is responsible for the manufacture (directly or indirectly through third party manufacturers) of Apple’s Accused Products and markets, sells, and distributes Apple’s Accused Products in the United States and this District through its website,¹ retail store locations,² and

¹ See generally, <http://www.apple.com/shop> (last accessed July 23, 2015).

² See, e.g., Apple retail store location at Willow Bend, 6121 West Park Boulevard, Plano, TX 75093 (<http://www.apple.com/retail/willowbend/>), which is located in Collin County, which is within the Eastern District of Texas.

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