

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

UNILOC USA, INC. and	§	
UNILOC LUXEMBOURG, S.A.,	§	
	§	Civil Action No. 1:17-cv-753
Plaintiffs,	§	
	§	
v.	§	PATENT CASE
	§	
BLACKBOARD, INC.,	§	
	§	
Defendant.	§	JURY TRIAL DEMANDED
	§	

**ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiffs, Uniloc USA, Inc. and Uniloc Luxembourg, S.A. (together “Uniloc”), as and for their first amended complaint against defendant, Blackboard, Inc. (“Blackboard”), allege as follows:

**THE PARTIES**

1. Uniloc USA, Inc. (“Uniloc USA”) is a Texas corporation having a principal place of business at Legacy Town Center I, Suite 380, 7160 Dallas Parkway, Plano Texas 75024. Uniloc also maintains a place of business at 102 N. College, Suite 603, Tyler, Texas 75702.

2. Uniloc Luxembourg S.A. (“Uniloc Luxembourg”) is a Luxembourg public limited liability company having a principal place of business at 15, Rue Edward Steichen, 4<sup>th</sup> Floor, L-2540, Luxembourg (R.C.S. Luxembourg B159161).

3. Uniloc Luxembourg owns a number of patents in the field of application management in a computer network.

4. Blackboard is a Delaware corporation and offers its products and services, including those accused herein of infringement, to customers and/or potential customers located in Texas and in the judicial Western District of Texas. Blackboard may be served with process through its registered agent in Texas: CT Corporation System, 1999 Bryan Street, Suite 900, Dallas, Texas 75201.

### **JURISDICTION AND VENUE**

5. Uniloc brings this action for patent infringement under the patent laws of the United States, 35 U.S.C. § 271 *et seq.* This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

6. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1400(b). Blackboard has a regular and established place of business at 2000 East 6<sup>th</sup> Street, Suite 6, Austin, Texas 78702.

7. Blackboard is subject to this Court's jurisdiction pursuant to due process and/or the Texas Long Arm Statute due at least to its substantial business in this State and judicial district, including: (A) at least part of its past infringing activities, (B) regularly doing or soliciting business in Austin, Texas and/or (C) engaging in persistent conduct and/or deriving substantial revenue from goods and services provided to customers in Texas.

### **COUNT I**

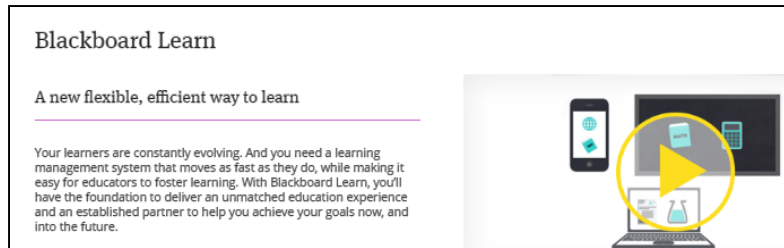
(INFRINGEMENT OF U.S. PATENT NO. 6,324,578)

8. Uniloc incorporates paragraphs 1-7 above by reference.

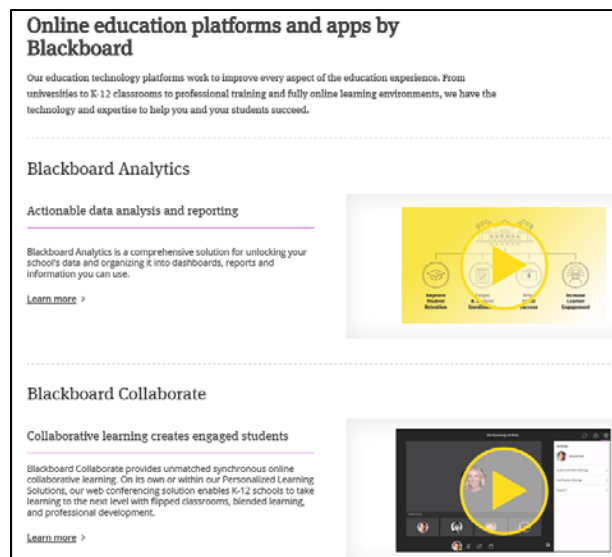
9. Uniloc Luxembourg is the owner, by assignment, of U.S. Patent No. 6,324,578 ("the '578 Patent"), entitled METHODS, SYSTEMS AND COMPUTER PROGRAM PRODUCTS FOR MANAGEMENT OF CONFIGURABLE APPLICATION PROGRAMS ON A NETWORK that issued on November 27, 2001. A true and correct copy of the '578 Patent is attached as Exhibit A hereto.

10. Uniloc USA is the exclusive licensee of the '578 Patent with ownership of all substantial rights therein, including the right to grant sublicenses, to exclude others, and to enforce, sue and recover past damages for the infringement thereof.

11. Upon information and belief, the following describes, at least in part, how the Blackboard software distribution and management system works:



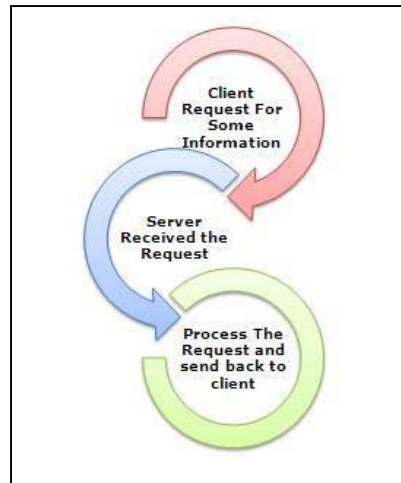
12. Upon information and belief, the following describes, at least in part, how the Blackboard software distribution and management system works:



13. Upon information and belief, the following describes, at least in part, how the Blackboard software distribution and management system works:



14. Upon information and belief, the following describes, at least in part, how the Blackboard software distribution and management system works:



15. Upon information and belief, the following describes, at least in part, how the Blackboard software distribution and management system works:

**Device requirements**  
*Last Updated: Mar 17, 2015 02:23PM PDT*

Mobile Learn is supported on Android 2.3.5 + and on iOS 7+. If your device operating system version is older than the ones stated above, you will not be able to update to Mobile Learn or access the full capabilities of the app.

16. Upon information and belief, the following describes, at least in part, how the Blackboard software distribution and management system works:

## Count on SaaS for a superior experience

With our SaaS deployment, Blackboard Learn is hosted, delivered, and managed using our state-of-the-art cloud-computing infrastructure. What does this mean for students, educators, and administrators? A smooth user experience that can further architecture goals.

17. Upon information and belief, the following describes, at least in part, how the Blackboard software distribution and management system works:

### 1) What are the benefits of SaaS deployment for Blackboard Learn?

**Zero impact to your faculty and students during updates:** With a cloud-computing environment, you benefit from continuous updates (new features, enhancements, fixes, etc.) with zero or minimal downtime for your educators and students.

**Higher quality:** A SaaS model allows us to deliver maintenance, updates, and fixes to production faster than ever before, and the cloud platform easily scales during periods of high usage.

**Fast access to new features:** A SaaS model allows us to deliver enhancements and new features faster than ever before, so your campus can have the latest and greatest features versus having to wait longer periods of time.

**Peace of mind:** Experienced Blackboard staff manages operations 24x7x365, so you can focus on other strategic, mission-critical projects.

18. Upon information and belief, the following describes, at least in part, how the Blackboard software distribution and management system works:

### Learner Intelligence

Blackboard Analytics for Learn combines extensive data from Blackboard Learn™ with student and course attributes from your SIS/ERP to create comprehensive reports and dashboards for students, instructors, staff, and leaders.

Engage students by providing them with information to monitor their performance in courses and to compare themselves to peers. Blackboard Analytics for Learn lets you easily create dashboards with the information students need. And students can access these dashboards from within their Blackboard Learn courses.

Give instructors better, faster, more reliable data that helps students succeed. Course dashboards and other reports from Blackboard Analytics for Learn are available to instructors in their courses.

Your staff has easy, self-service access to data that can give you an enterprise-level perspective. Gain insight into user activity, course design, and student grade and learning outcome data across departments and colleges. Be empowered to improve your use of the Blackboard Learn platform in support of teaching, learning, and student success.

19. Upon information and belief, the following describes, at least in part, how the Blackboard software distribution and management system works:

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.