

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

SOFTVIEW LLC, )  
)  
Plaintiff, )  
)  
v. )  
)  
APPLE INC.; AT&T MOBILITY LLC; )  
DELL INC.; HTC CORP.; HTC )  
AMERICA, INC.; EXEDEA, INC.; )  
HUAWEI TECHNOLOGIES CO., LTD.; )  
HUAWEI TECHNOLOGIES USA INC.; )  
HUAWEI DEVICE USA INC.; KYOCERA )  
CORP.; KYOCERA WIRELESS CORP.; )  
LG ELECTRONICS, INC.; LG )  
ELECTRONICS USA, INC.; LG )  
ELECTRONICS MOBILECOMM U.S.A. )  
INC.; MOTOROLA MOBILITY INC.; )  
SAMSUNG ELECTRONICS CO., LTD.; )  
SAMSUNG ELECTRONICS AMERICA, )  
INC.; SAMSUNG )  
TELECOMMUNICATIONS AMERICA, )  
LLC.; SONY ERICSSON MOBILE )  
COMMUNICATIONS AB; and SONY )  
ERICSSON MOBILE )  
COMMUNICATIONS (USA) INC, )  
)  
Defendants. )

Civil Action No. 10-389-LPS

**DEMAND FOR JURY TRIAL**

**PLAINTIFF SOFTVIEW LLC'S**  
**SECOND AMENDED COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff SoftView LLC ("SoftView"), by and through its undersigned counsel, for its Second Amended Complaint against Apple Inc.; AT&T Mobility LLC; Dell Inc.; HTC Corp.; HTC America, Inc.; Exedea, Inc.; Huawei Technologies Co., Ltd.; Huawei Technologies USA; Huawei Device USA Inc.; Kyocera Corp.; Kyocera Wireless Corp.; LG Electronics, Inc.; LG Electronics USA, Inc.; LG Electronics MobileComm U.S.A, Inc.; Motorola Mobility Inc.; Samsung Electronics Co., Ltd.; Samsung Electronics America, Inc.;

EXHIBIT

Telecommunications America LLC.; Sony Ericsson Mobile Communications AB; and Sony Ericsson Mobile Communications (USA) Inc. (collectively, "Defendants") alleges as follows:

#### **NATURE OF THE ACTION**

1. This is an action for patent infringement arising under the United States Patent Act, 35 U.S.C. § 101 et seq., including 35 U.S.C. § 271. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a) in that this is a civil action arising out of the patent laws of the United States of America.

#### **JURISDICTION AND VENUE**

2. This Court has personal jurisdiction over the Defendants. On information and belief, Defendants have committed acts of infringement in this District, regularly do and solicit business in Delaware, and have availed themselves of the benefits and protections of Delaware law.

3. Venue in this District is proper under 28 U.S.C. §§ 1391(c) and 1400(b) because, among other reasons, Defendants are subject to personal jurisdiction in this District and have committed acts of infringement in this District, and AT&T Mobility LLC, Dell Inc., Kyocera Wireless Corp., Motorola Mobility Inc., Samsung Telecommunications America, and Sony Ericsson Mobile Communications (USA) Inc. are incorporated in this District.

#### **THE PARTIES**

4. SoftView is a Washington limited liability company with its principal place of business at 112 Ohio St., Suite 202, Bellingham, Washington 98225.

**APPLE**

5. SoftView is informed and believes that Apple Inc. ("Apple") is a California corporation with its principal place of business at 1 Infinite Loop, Cupertino, California 95014.

6. Apple makes, uses, offers to sell, and sells devices, including but not limited to devices sold under the trade names iPad, iPhone, and iPod Touch, which themselves include, without limitation, the Safari web browser (collectively, the "Apple Accused Products").

**AT&T**

7. SoftView is informed and believes that AT&T Mobility LLC ("AT&T") is a Delaware limited liability company with its principal place of business at 208 S. Akard St., Dallas, Texas 75202. AT&T is a wholly-owned subsidiary of AT&T Inc., a Delaware corporation with its principal place of business at 208 S. Akard St., Dallas, Texas 75202. AT&T's registered agent is The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801.

**DELL**

8. SoftView is informed and believes that Dell Inc. ("Dell") is a Delaware corporation with its principal place of business at One Dell Way, Round Rock, Texas 78682. Dell's agent for service of process is Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, Delaware 19808.

9. Dell makes, uses, offers to sell, and sells devices having the Android Operating System and a web browser, including but not limited to devices sold under the trade names Streak and Venue (collectively, the "Dell Accused Products").

### HTC

10. SoftView is informed and believes that HTC Corp. a/k/a High Tech Computer Corp. ("HTC Corp.") is a Taiwanese corporation with its principal place of business located at 23 Xinghua Rd., Taoyuan 330, Taiwan, Republic of China.

11. SoftView is informed and believes that HTC America, Inc. ("HTC America") is a wholly-owned subsidiary of Defendant HTC Corp. and is incorporated under the laws of the State of Texas, with its principal place of business at 13920 SE Eastgate Way, Suite 400, Bellevue, Washington 98005.

12. SoftView is informed and believes that Exedea, Inc. ("Exedea") is a wholly-owned subsidiary of HTC Corp. and is incorporated under the laws of the State of Texas, with its principal place of business at 5950 Corporate Drive, Houston, Texas 77036. Defendants HTC Corp., HTC America, and Exedea are collectively referred to herein as "HTC."

13. HTC makes, uses, offers to sell, and sells devices having the Android Operating System and a web browser, including but not limited to devices sold under the trade names Aria, Desire, Dream, Eris, EVO, Hero, Incredible, Inspire, G1, G2, Legend, Magic, MyTouch, Nexus, Tattoo, Thunderbolt, Shift, and Wildfire (collectively, the "HTC Accused Products").

### HUAWEI

14. SoftView is informed and believes that Huawei Technologies Co., Ltd. ("Huawei China") is a Chinese company, with its principal place of business at HQ Office Building, Huawei Industrial Base, Bantian, Longgang District, Shenzhen 518129, People's Republic of China.

15. SoftView is informed and believes that FutureWei Technologies, Inc. d/b/a/Huawei Technologies USA, Inc. ("Huawei USA") is a wholly owned subsidiary of Huawei China and is incorporated under the laws of the State of Texas, with its principal place of business at 5700 Tennyson Parkway, Suite 500, Plano, TX 75024.

16. SoftView is informed and believes that Huawei Device USA Inc. ("Huawei Device") is a subsidiary of Huawei China and is incorporated under the laws of the State of Texas, with its principal place of business at 5700 Tennyson Parkway, Suite 500, Plano, TX 75024. Defendants Huawei China, Huawei USA, and Huawei Device are collectively referred to herein as "Huawei."

17. Huawei makes, uses, offers to sell, and sells devices having the Android Operating System and a web browser, including but not limited to devices sold under the trade names Ascend, IDEOS, M860, and Comet (collectively, the "Huawei Accused Products").

#### **KYOCERA**

18. SoftView is informed and believes that Kyocera Corp. ("Kyocera Corp.") is a Japanese Corporation with its principal place of business at 6 Takeda Tobadono-Cho, Fushimi-Ku, Kyoto 612-8501, Japan.

19. SoftView is informed and believes that Kyocera Wireless Corp. ("Kyocera Wireless") is incorporated under the laws of the State of Delaware, with its principal place of business at 10300 Campus Point Drive, San Diego, California 92121. Kyocera Wireless's registered agent for service of process is located at Corporation Service Company, 2711 Centerville Road Suite 400, Wilmington, Delaware 19808. Defendants Kyocera Corp. and Kyocera Wireless are collectively referred to herein as "Kyocera."

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