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BLACKBERRY LIMITED, a)
Canadian corporation,)
Plaintiff,)
v.) CASE NO. 2:18-cv-02693
SNAP INC., a Delaware corporation) **COMPLAINT FOR PATENT**
Defendant.) **INFRINGEMENT**
JURY TRIAL DEMANDED

1 **COMPLAINT FOR PATENT INFRINGEMENT**

2 Plaintiff BlackBerry Limited (“BlackBerry” or “Plaintiff”) hereby asserts the
3 following claims for patent infringement against Defendant Snap Inc. (“Snap” or
4 “Defendant”), and alleges as follows:

5 **SUMMARY**

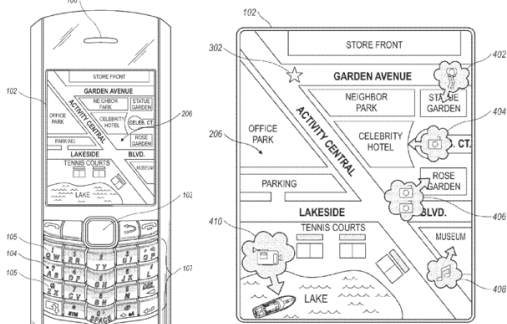
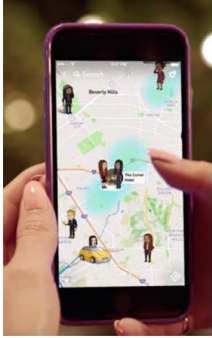

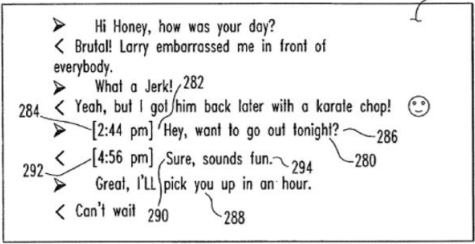
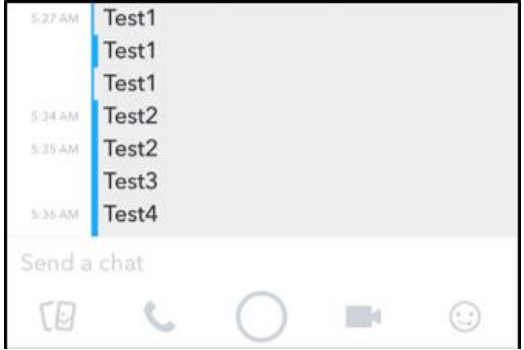
6 1. ***BlackBerry Pioneers Mobile Messaging*** - BlackBerry has been a
7 leading innovator in the field of mobile communications for the past 30 years,
8 having invested substantial sums into research and development of communications
9 technologies. BlackBerry’s innovations led to the commercialization of some of the
10 earliest models of smartphones in the United States, enabling its users to, among
11 other things, send and receive e-mails securely and surf the internet anytime and
12 anywhere. These same innovations prompted the rise of the smartphone as a
13 necessary everyday accessory for businesspersons and ordinary consumers alike.

14 2. One example of BlackBerry’s innovations is the BlackBerry Messenger
15 technology, which revolutionized instant messaging by providing users with secure,
16 user-friendly, point-to-point instant messaging on their mobile devices. In many
17 respects, through BlackBerry Messenger and other research and development,
18 BlackBerry helped pioneer modern mobile messaging—secure, instant and user
19 friendly on a mobile device. The appeal and success of BlackBerry Messenger led
20 consumers to consider instant messaging functionality as an integral aspect of
21 mobile communications, resulting today in billions of people worldwide engaging in
22 instant messaging over their mobile device.

23 3. As an innovator, BlackBerry took many steps to safeguard this valuable
24 intellectual property. It received numerous patents protecting the cutting-edge
25 features of its mobile phones, BlackBerry Messenger, and other communications
26 applications that make such products secure, easy-to-use, and ultimately engaging to
27 the end-user, thereby driving user growth and retention.

28

1 4. Defendant has used BlackBerry's intellectual property to compete with
 2 it in the mobile messaging space. A summary of Snap's infringing activities is
 3 presented below:

BlackBerry's Innovations	Snap
<p data-bbox="375 531 854 583">BlackBerry's U.S. Patent Nos. 8,825,084 and 8,326,327 Originally Filed 2010</p>  <p data-bbox="451 942 477 957">FIG. 2</p> <p data-bbox="704 991 735 1005">FIG. 4</p>	<p data-bbox="1117 510 1317 552">"Introducing Snap Map" June 21, 2017</p>  
<p data-bbox="435 1083 769 1129">BlackBerry's U.S. Patent No. 8,301,713 Originally Filed 2003</p>  <p data-bbox="565 1398 651 1430">FIG. 8a</p>	

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BlackBerry's U.S. Patent No. 8,209,634
Originally Filed 2003

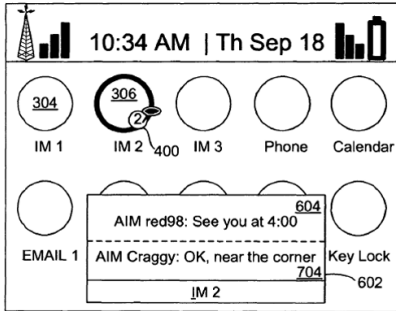
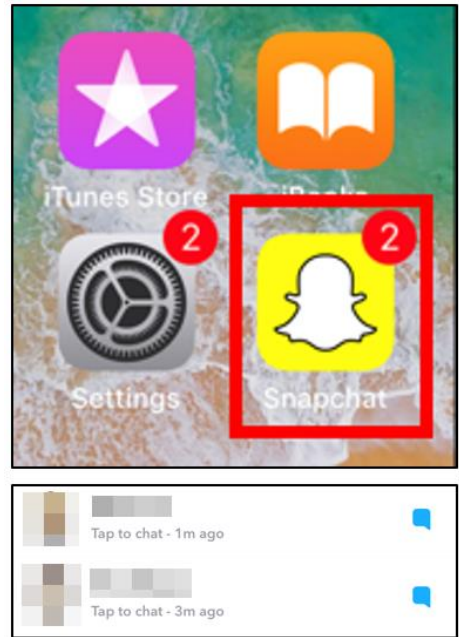


FIG. 7



BlackBerry's U.S. Patent Nos. 8,296,351 and 8,676,929
Originally Filed 2001

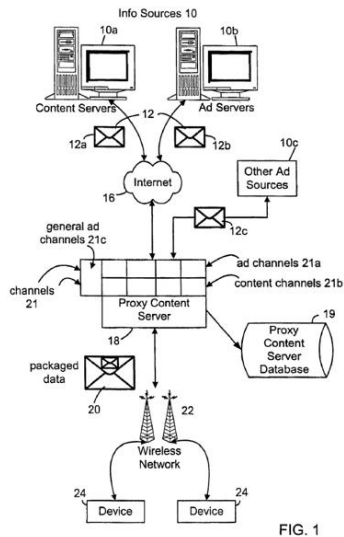


FIG. 1

Snap Ads

The Creative Solution: Snap Ads

Clean & Clear partnered with Snapchat to run animated Snap Ads that reached the right people at the right time. Clean & Clear used Snapchat's Lifestyle Categories to optimize its Snap Ads between Stories campaign and reach Snapchatters more likely to be interested in beauty. The bright, happy creative featured the Morning Burst face wash, encouraging Snapchatters to "Wake up tired skin."

Snapchatters were encouraged to "Wake up Tired Skin" with Morning Burst

5. The Patents-in-Suit cover, for example:
- (a) *Map Improvements For Mobile Devices*—improved mapping techniques to establish and maintain real time activity location information and provide

1 sufficient indication for user adoption;

2 (b) *User Interface Improvements For Mobile Devices*—including (i)
3 improvements in message notification techniques that streamline and
4 optimize reception of new message notifications, and (ii) display of
5 timestamps in a messaging user interface that provides users with appropriate
6 temporal context for their communications without overtaking the user’s
7 screen with unnecessary information; and

8 (c) *Modern Mobile Advertising Techniques*—methods for integrating
9 advertising on mobile devices using different static and dynamic advertising
10 content as well as time sensitive advertising.

11 6. *Defendant’s Use of BlackBerry’s Mobile Messaging Innovations*
12 *Harms BlackBerry and Provides Undeserved Windfall to Snap*—Defendant’s use
13 of BlackBerry’s inventions and infringement of the Patents-in-Suit have succeeded
14 in diverting consumers away from BlackBerry’s products and services and toward
15 those of Defendant. This infringement has resulted in a substantial and undeserved
16 windfall for Defendant as these users drive Defendant’s revenue. Defendant’s gain
17 comes at BlackBerry’s expense, depriving BlackBerry of revenue to which it is
18 entitled as a result of its inventions.

19 7. BlackBerry attempted to resolve this dispute without resorting to
20 litigation. It has been communicating with Defendant for over a year regarding its
21 patent portfolio, including various letters, calls and an in person meeting. Through
22 this suit, BlackBerry seeks redress for the harm caused by Defendant’s unlawful use
23 of BlackBerry’s intellectual property.

24 **INTRODUCTION TO BLACKBERRY**

25 8. For more than 30 years, BlackBerry has been a leading innovator in the
26 mobile communications industry. BlackBerry’s cutting-edge wireless
27 communication products and services have transformed the way people around the
28 world connect, converse, and share digital information.

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