

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

UNILOC 2017 LLC,

Plaintiff,

vs.

AT&T SERVICES, INC., and AT&T
MOBILITY LLC,

Defendants.

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Case No. 2:19-cv-00102

Jury Trial Demanded

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Uniloc 2017 LLC (“Uniloc”), by and through the undersigned counsel, hereby brings this action and makes the following allegations of patent infringement relating to U.S. Patent Nos. 7,075,917, 6,868,079, and 7,167,487 against Defendants AT&T Services, Inc., and AT&T Mobility LLC (collectively “AT&T”) and alleges as follows upon actual knowledge with respect to itself and its own acts, and upon information and belief as to all other matters:

NATURE OF THE ACTION

1. This is an action for patent infringement. Uniloc alleges that AT&T infringes U.S. Patent Nos. Patent Nos. 7,075,917 (the “917 patent”), 6,868,079, (the “079 patent”) and 7,167,487 (the “487 patent”), copies of which are attached as Exhibits A-C, respectively (collectively “the Asserted Patents”).

2. Uniloc alleges that AT&T directly and indirectly infringes the Asserted Patents by importing, making, offering for sale, selling and operating (1) a WCDMA network including a radio network controller and related user equipment that operate in compliance with HSPA/HSPA+ standardized in UMTS 3 GPP Release 6 and above, such as the AT&T Velocity USB stick and other devices supporting HSPA/HSPA+ and (2) a LTE network including base stations, LTE connectivity, mobile hotspots, Internet-enabled vehicles and other LTE-connected mobile devices that communicate using the LTE standard. AT&T also induces and contributes to the infringement of others. Uniloc seeks damages and other relief for AT&T’s infringement of the Asserted Patents.

THE PARTIES

3. Uniloc 2017 LLC is a Delaware corporation having places of business at 1209 Orange Street, Wilmington, Delaware 19801, 620 Newport Center Drive, Newport Beach, California 92660 and 102 N. College Avenue, Suite 303, Tyler, TX 75702.

4. Uniloc holds all substantial rights, title and interest in and to the Asserted Patents.

5. Upon information and belief, Defendant AT&T Services, Inc. is a Delaware corporation with a place of business at 175 E. Houston, San Antonio, Texas 78205 and a registered agent for service of process at CT Corp System, 1999 Bryan Street, Suite 900, Dallas, Texas 75201

6. Upon information and belief, Defendant AT&T Mobility LLC is a Delaware limited liability company with a of business at 1025 Lenox Park Blvd NE, Atlanta, Georgia 30319 and a registered agent for service of process at CT Corp System, 1999 Bryan Street, Suite 900, Dallas, Texas 75201.

7. Upon information and belief AT&T has at least the following regular and established places of business in this District: 4757 S. Broadway Ave., Tyler Texas 75703; 2028 Southeast Loop 323, Tyler, Texas 75701; 8922 S. Broadway Ave., Tyler, Texas 75703.

JURISDICTION AND VENUE

8. This action for patent infringement arises under the Patent Laws of the United States, 35 U.S.C. § 1 et. seq. This Court has original jurisdiction under 28 U.S.C. §§ 1331 and 1338.

9. This Court has both general and specific personal jurisdiction over AT&T because they have committed acts within the Eastern District of Texas giving rise to this action and have established minimum contacts with this forum such that the exercise of jurisdiction over AT&T would not offend traditional notions of fair play and substantial justice. AT&T, directly and through subsidiaries and intermediaries (including distributors, retailers, franchisees and others), has committed and continues to commit acts of infringement in this District by, among other things, making, using, testing, selling, licensing, importing, and/or offering for

sale/license products and services that infringe the Asserted Patents.

10. Venue is proper in this district and division under 28 U.S.C. §§1391(b)-(d) and 1400(b) because AT&T has committed acts of infringement in the Eastern District of Texas and has multiple regular and established places of business in the Eastern District of Texas.

COUNT I: INFRINGEMENT OF U.S. PATENT NO. 7,075,917

11. The allegations of paragraphs 1-10 of this Complaint are incorporated by reference as though fully set forth herein.

12. The '917 patent titled, "Wireless Network With A Data Exchange According To The ARQ Method," issued on July 11, 2006. A copy of the '917 patent is attached as Exhibit A.

13. Pursuant to 35 U.S.C. § 282, the '917 patent is presumed valid.

14. Upon information and belief, AT&T makes, uses, offers for sale, and sells in the United States and imports into the United States a WCDMA network including a radio network controller and related user equipment that operate in compliance with HSPA/HSPA+ standardized in UMTS 3 GPP Release 6 and above, such as the AT&T Velocity USB stick and other devices supporting HSPA/HSPA+ (collectively the "Accused Infringing Devices").

15. Upon information and belief, the Accused Infringing Devices infringe at least claim 1 of the '917 patent in the exemplary manner described below.

16. AT&T provides a WCDMA network including a Radio Network Controller and related user equipment ("UEs" or "terminals") that communicate using a hybrid ARQ method. The Radio Network Controller and UEs have a physical layer for the transmission and reception of data. AT&T operates a network that supports WCDMA/HSPA. Figure 1 shows that a UE is part of the network and that the UE has a physical layer/L1 and Section 5.1 shows that the radio interface of the UE has a physical layer.

6 UTRAN Architecture

The UTRAN consists of a set of Radio Network Subsystems connected to the Core Network through the Iu.

A RNS consists of a Radio Network Controller, one or more Node Bs and optionally one SAS. A Node B is connected to the RNC through the Iub interface.

A Node B can support FDD mode, TDD mode or dual-mode operation.

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The UTRAN architecture is shown in figure 4.

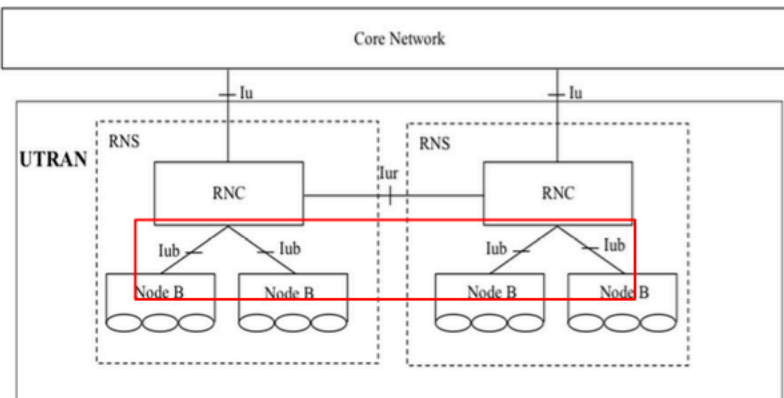


Figure 4: UTRAN Architecture

Source: (3GPP TS 25.401 V6.9.0 (2006-12), pages 13-14)

4 Assumed UMTS Architecture

Figure 1 shows the assumed UMTS architecture as outlined in [1]. The figure shows the UMTS architecture in terms of its entities User Equipment (UE), UTRAN and Core Network. The respective reference points Uu (Radio Interface) and Iu (CN-UTRAN interface) are shown. The figure illustrates furthermore the high-level functional grouping into the Access Stratum and the Non-Access Stratum.

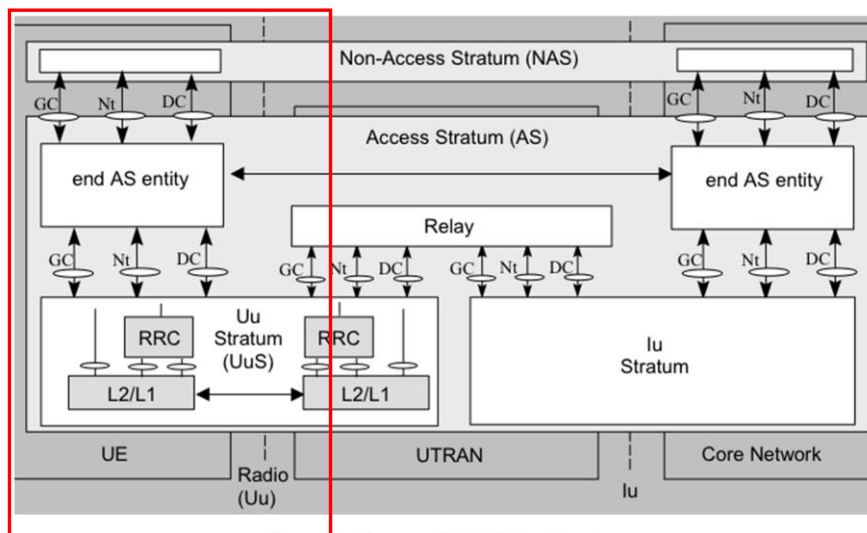


Figure 1: Assumed UMTS Architecture

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