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11 Attorneys for Plaintiff  
MOBILEIRON, INC.

12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14

15 MOBILEIRON, INC., a Delaware corporation,

16 Plaintiffs,

17 v.

18 BLACKBERRY CORPORATION, a Delaware  
19 corporation, BLACKBERRY LTD., a  
Canadian company, and DOES 1-50,

20 Defendants.  
21

Case No.

**COMPLAINT FOR PATENT  
INFRINGEMENT, ATTEMPTED  
EXTORTION, VIOLATION OF  
CALIFORNIA BUSINESS AND  
PROFESSIONS CODE § 17200, AND  
DECLARATORY RELIEF OF NON-  
INFRINGEMENT, UNCLEAN HANDS  
AND PATENT MISUSE**

**DEMAND FOR JURY TRIAL**

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1 Plaintiff MobileIron, Inc. (“MobileIron”) alleges as follows:

2 **BACKGROUND**

3 1. This is an action to stop the unlawful activities of Blackberry Corporation and  
4 BlackBerry Ltd. (collectively, “the Blackberry Defendants”). The Blackberry Defendants built a  
5 technology made obsolete. Due to Blackberry’s shrinking presence in the marketplace, it decided  
6 to shake companies down by making countless meritless patent assertions to generate licensing  
7 revenue instead of competing in the marketplace. The Blackberry Defendants have largely  
8 become dependent on licensing revenue by seeking portfolio licenses that include patents they  
9 know are statutorily surrendered and by asserting infringement theories through unlawful notice  
10 letters that would not pass muster in any court of law and extracting extortionate license fees as it  
11 tries to rebuild its company on the backs of other companies’ technologies. MobileIron is the  
12 latest target of Blackberry’s unlawful strategy.

13 2. MobileIron, a software company founded in 2007, is a pioneer in enterprise  
14 management of mobile security and management for smartphones and tablet computers, such as  
15 Apple’s iPhone and Samsung’s Galaxy Android devices. MobileIron’s award-winning and  
16 industry-leading Unified Endpoint Management (“UEM”) platform includes passwordless zero  
17 sign-on (“ZSO”), multi-factor authentication (“MFA”), and mobile threat defense (“MTD”)  
18 capabilities. Together they validate the device, establish user context, check app authorization,  
19 verify the network, and detect and remediate threats before granting secure access to a device or  
20 user. The result is a seamless, secure user experience that automates access control decisions to  
21 ensure that only authorized users, devices, apps, and services can access business resources.  
22 MobileIron products and services include UEM, Access, Sentry, Mobile Threat Defense, and  
23 AppConnect.

24 3. Blackberry uses revenue derived from its shakedowns to try to reinvent itself and  
25 to rebuild its company by taking the pioneering inventions of MobileIron. Blackberry offers  
26 products and services with the names “Blackberry Intelligent Security,” “Enterprise Mobility  
27 Suite” (which includes a UEM service), “Enterprise BRIDGE,” and “QNX CAR Platform for  
28 Infotainment.” All of these products and services infringe MobileIron’s patents, as set forth

1 herein.

2 **THE PARTIES**

3 4. MobileIron is a corporation organized and existing under the laws of the State of  
4 Delaware, with its principal place of business at 490 East Middlefield Road, Mountain View,  
5 California 94043.

6 5. Upon information and belief, Defendant BlackBerry Corporation is a corporation  
7 organized and existing under the law of the State of Delaware, with its principal place of business  
8 at 5000 Riverside Drive, Suite 100E, Irving, Texas 75039. On information and belief, Blackberry  
9 maintains offices in this district at 331 Fairchild Drive, Mountain View, CA 94024 and 3001  
10 Bishop Drive #400, San Ramon, CA 94583.

11 6. Upon information and belief, Defendant BlackBerry Ltd. is a company organized  
12 and existing under the laws of the country of Canada, with its principal place of business at 2200  
13 University Avenue East, Waterloo, Ontario, Canada, N2K 0A7. Upon information and belief, in  
14 2015, Blackberry Limited acquired for \$425 million in cash Good Technology Corporation  
15 (“Good Technology”), a company whose headquarters are located at 430 North Mary Avenue,  
16 Suite 200, Sunnyvale, California 94085. Upon information and belief, BlackBerry Ltd. continues  
17 to operate Good Technology as a wholly owned subsidiary of BlackBerry Ltd.

18 7. MobileIron owns all right, title, and interest in, and has standing to sue for patent  
19 infringement of United States Patent No. 8,359,016 (“the ’016 patent”), entitled “Management of  
20 Mobile Applications,” issued January 22, 2013. A true and accurate copy of the ’016 patent is  
21 attached to this Complaint as Exhibit A.

22 8. MobileIron owns all right, title, and interest in, and has standing to sue for patent  
23 infringement of United States Patent No. 9,426,120 (“the ’120 patent”), entitled “Location and  
24 Time Based App Policies,” issued August 23, 2016. A true and accurate copy of the ’120 patent  
25 is attached to this Complaint as Exhibit B.

26 9. MobileIron owns all right, title, and interest in, and has standing to sue for patent  
27 infringement of United States Patent No. 8,869,307 (“the ’307 patent”), entitled “Mobile Posture-  
28 Based Policy, Remediation and Access Control for Enterprise Resources,” issued October 21,

1 2014. A true and accurate copy of the '307 patent is attached to this Complaint as Exhibit C.

2 10. MobileIron owns all right, title, and interest in, and has standing to sue for patent  
3 infringement of United States Patent No. 10,038,598 (“the '598 patent”), entitled “Leveraging  
4 and Extending Mobile Operating System MDM Protocol,” issued July 31, 2018. A true and  
5 accurate copy of the '598 patent is attached to this Complaint as Exhibit D.

6 11. Defendants BlackBerry Corporation and/or BlackBerry Ltd. purport to be the  
7 owner, assignee, and/or exclusive licensee of, and purport to have all right, title and interest in,  
8 and standing to sue for patent infringement of, each of U.S. Patent Nos. 8,005,469 (“the '469  
9 patent”); 8,544,084 (“the '084 patent”); 9,282,099 (“the '099 patent”); RE44,746 (“the Reissue  
10 '746 patent”); 8,442,489 (“the '489 patent”); 9,270,682 (“the '682 patent”); 7,372,961 (“the '961  
11 patent”); 8,931,045 (“the '045 patent”); 8,554,175 (“the '175 patent”); and 9,077,769 (“the '769  
12 patent”).

### 13 JURISDICTION AND VENUE

14 12. This action involves claims for patent infringement arising under the patent laws  
15 of the United States, Title 35 of the United States Code, and claims for declaratory relief arising  
16 under the Declaratory Judgment Act, Title 28 of the United States Code. This action also  
17 involves California state law claims for attempted extortion and for violation of California  
18 Business & Professions Code section 17200.

19 13. This Court has subject matter jurisdiction over MobileIron’s claims for  
20 infringement against Defendants pursuant to 28 U.S.C. §§ 1331, 1338(a), 2201, and 2202,  
21 because the claims arise under the patent laws of the United States.

22 14. This Court has subject matter jurisdiction under the Declaratory Judgment Act and  
23 the patent laws of the United States, more particularly under Title 28 U.S.C. §§ 2201 and 2202  
24 and Title 35 U.S.C. §§ 100 *et. seq.*, respectively, with respect to Plaintiff MobileIron’s claims for  
25 declaratory relief with respect to patents owned, assigned, and or exclusively licensed to  
26 Defendants.

27 15. This Court has supplemental jurisdiction over MobileIron’s state law claims  
28 pursuant to 28 U.S.C. § 1367(a) because such claims are so related to the federal claims that they

1 form part of the same case or controversy and derive from a common nucleus of operative facts.

2 16. This Court has personal jurisdiction over the BlackBerry Defendants for purposes  
3 of MobileIron's claims for patent infringement because both Defendants transact business in the  
4 State of California and have, at a minimum, offered to provide and/or provided in this judicial  
5 district and throughout the State of California products and services that infringe claims of the  
6 '016, '120, '307 and '598 patents.

7 17. This Court has personal jurisdiction over the BlackBerry Defendants for purposes  
8 of MobileIron's claims for declaratory relief because the BlackBerry Defendants have accused  
9 MobileIron of providing products and services that the BlackBerry Defendants allege infringe on  
10 or more claims of each of the '084, '099, Reissue '746, '489, '682, '961, '045, '175, and '769  
11 patents as well as 32 other patents.

12 18. A true and accurate copy of correspondence dated August 26, 2019, in which  
13 counsel for BlackBerry Corporation purports to put MobileIron on notice of infringing each of the  
14 '469, '084, '099, Reissue '746, '489, '682, '961, '045, '175, and '769 patents, is attached hereto  
15 as Exhibit E. A true and accurate copy of correspondence dated March 9, 2020, in which counsel  
16 for BlackBerry Corporation again purported to put MobileIron on notice of infringing each of the  
17 '469, '084, '099, Reissue '746, '489, '682, '961, '045, '175, and '769 patents, as well as 32 other  
18 patents, is attached hereto as Exhibit F. In each instance, Blackberry provided no claim chart or  
19 explanation. In fact, at least one of the patents identified in the letters was either surrendered  
20 and/or unenforceable as a matter of law.

21 19. Based on the acts, conduct and statements of the BlackBerry Defendants, there  
22 exists an actual and substantial controversy, within the meaning of 28 U.S.C. §§ 2201 and 2202,  
23 between MobileIron and the BlackBerry Defendants, as to whether MobileIron or any of the  
24 products and services sold and/or offered for sale by MobileIron have infringed, or continue to  
25 infringe, any of the claims of the '469, '084, '099, Reissue '746, '489, '682, '961, '045, '175, and  
26 '769 patents. The existing controversy is of sufficient immediacy and reality to warrant the  
27 issuance of a declaratory judgment of non-infringement, as set forth further herein.

28 20. Venue in this district is proper under 28 U.S.C. § 1391 and 1400(b).

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