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12 Attorneys for Plaintiff
MOBILEIRON, INC.

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN FRANCISCO DIVISION
16

17 MOBILEIRON, INC., a Delaware corporation,
18

Plaintiffs,
19

v.
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21 BLACKBERRY CORPORATION, a Delaware
corporation, BLACKBERRY LTD., a
Canadian company, and DOES 1-50,
22

Defendants.
23

Case No. 3:20-cv-02877-JCS

**FIRST AMENDED 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. BlackBerry Ltd.
18 derives a substantial proportion of its revenue from intellectual property licensing based on a
19 portfolio that BlackBerry has stated publicly consists of approximately 38,000 patents and
20 applications worldwide.

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

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

1 Defendants.

2 15. This Court has supplemental jurisdiction over MobileIron’s state law claims
3 pursuant to 28 U.S.C. § 1367(a) because such claims are so related to the federal claims that they
4 form part of the same case or controversy and derive from a common nucleus of operative facts.

5 16. This Court has personal jurisdiction over the BlackBerry Defendants for purposes
6 of MobileIron’s claims for patent infringement because both Defendants transact business in the
7 State of California and have, at a minimum, offered to provide and/or provided in this judicial
8 district and throughout the State of California products and services that infringe claims of the
9 ’016, ’120, ’307 and ’598 patents.

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

15 18. A true and accurate copy of correspondence dated August 26, 2019, in which
16 counsel for BlackBerry Corporation purports to put MobileIron on notice of infringing each of the
17 ’469, ’084, ’099, Reissue ’746, ’489, ’682, ’961, ’045, ’175, and ’769 patents, is attached hereto
18 as Exhibit E. A true and accurate copy of correspondence dated March 9, 2020, in which counsel
19 for BlackBerry Corporation again purported to put MobileIron on notice of infringing each of the
20 ’469, ’084, ’099, Reissue ’746, ’489, ’682, ’961, ’045, ’175, and ’769 patents, as well as 32 other
21 patents, is attached hereto as Exhibit F. In each instance, BlackBerry provided no claim chart or
22 explanation accompanying the letter. In fact, at least one of the patents identified in the letters
23 was either surrendered and/or unenforceable as a matter of law. BlackBerry touted the size and
24 breadth of its portfolio in the August 26, 2019 letter, and also stated that the identified patents
25 were “merely illustrative examples” of patents relevant to MobileIron’s business and products
26 and that the listed patents were “not intended to convey the totality of the relevant patents” in
27 BlackBerry’s portfolio. The March 9, 2020 letter from BlackBerry repeated similar language.

28 19. Based on the acts, conduct and statements of the BlackBerry Defendants, there

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