

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

UNILOC USA, INC., et al,	§	
Plaintiffs,	§	
	§	Case No. 2:16-cv-00741-JRG
v.	§	LEAD CASE
	§	
ADP, LLC,	§	JURY TRIAL DEMANDED
ZENDESK, INC.,	§	Case No. 2:16-cv-00863-JRG
Defendants.		

FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT

Plaintiffs, Uniloc USA, Inc. and Uniloc Luxembourg, S.A. (together “Uniloc”), as and for their first amended complaint against defendant, Zendesk, Inc. (“Zendesk”), allege as follows:

THE PARTIES

1. Uniloc USA, Inc. (“Uniloc USA”) is a Texas corporation having a principal place of business at Legacy Town Center I, Suite 380, 7160 Dallas Parkway, Plano Texas 75024. Uniloc also maintains a place of business at 102 N. College, Suite 603, Tyler, Texas 75702.

2. Uniloc Luxembourg S.A. (“Uniloc Luxembourg”) is a Luxembourg public limited liability company having a principal place of business at 15, Rue Edward Steichen, 4th Floor, L-2540, Luxembourg (R.C.S. Luxembourg B159161).

3. Uniloc Luxembourg owns a number of patents in the field of application management in a computer network.

4. Upon information and belief, Zendesk is a Delaware corporation having a principal place of business in San Francisco, California 94103 and offers its products, including those accused herein of infringement, to customers and/or potential customers located in Texas and in the judicial Eastern District of Texas. Zendesk may be served with process through its

registered agent for service of process: RL&F Service Corp., 920 N. King, Floor 2, Wilmington, Delaware 19801.

JURISDICTION AND VENUE

5. Uniloc brings this action for patent infringement under the patent laws of the United States, 35 U.S.C. § 271 *et seq.* This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331, 1338(a) and 1367.

6. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(c) and 1400(b). Upon information and belief, Zendesk is deemed to reside in this judicial district, has committed acts of infringement in this judicial district, and/or has purposely transacted business involving the accused products in this judicial district, including sales to one or more customers in Texas.

7. Zendesk is subject to this Court's jurisdiction pursuant to due process and/or the Texas Long Arm Statute due at least to its substantial business in this State and judicial district, including: (A) at least part of its past infringing activities, (B) regularly doing or soliciting business in Texas including attending conferences and SXSW and/or (C) engaging in persistent conduct and/or deriving substantial revenue from goods and services provided to customers in Texas such as the Texas Digital Library, the Texas Education Agency, the Texas Health and Human Services System, the Mercedes Texas School District, the Texas Alcoholic Beverage Commission, the Dallas County Community College District, and Favor Delivery.

COUNT I

(INFRINGEMENT OF U.S. PATENT NO. 6,510,466)

8. Uniloc incorporates paragraphs 1-7 above by reference.

9. Uniloc Luxembourg is the owner, by assignment, of U.S. Patent No. 6,510,466 (“the ’466 Patent”), entitled METHODS, SYSTEMS AND COMPUTER PROGRAM

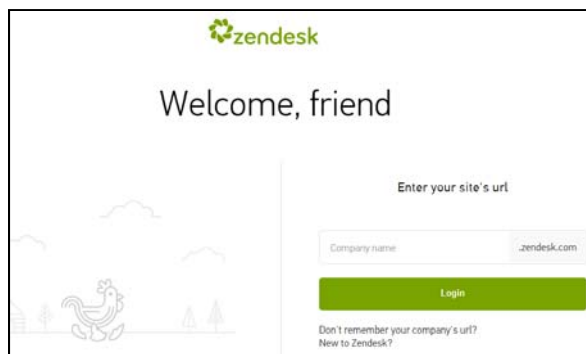
PRODUCTS FOR CENTRALIZED MANAGEMENT OF APPLICATION PROGRAMS ON A NETWORK that issued on January 21, 2003. A true and correct copy of the '466 Patent is attached as Exhibit A hereto.

10. Uniloc USA is the exclusive licensee of the '466 Patent with ownership of all substantial rights therein, including the right to grant sublicenses, to exclude others, and to enforce, sue and recover past damages for the infringement thereof.

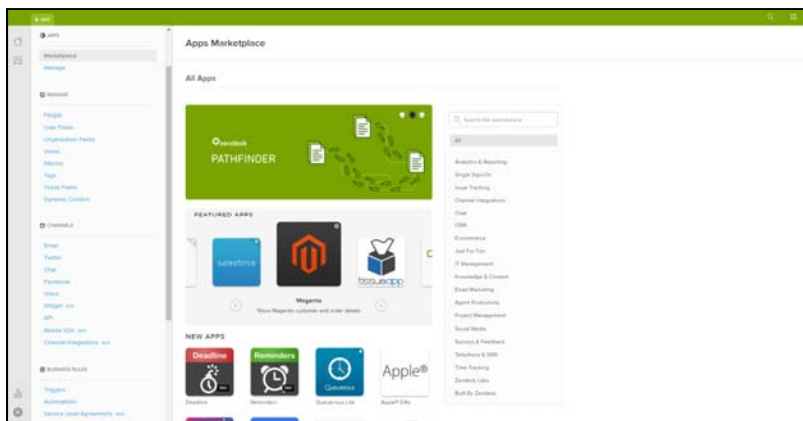
11. Upon information and belief, the following describes, at least in part, the Zendesk web-browser based service and mobile application based service and its ability to offer multiple applications across different categories, like CRM, e-commerce, time tracking, issue tracking, agent productivity, social media, etc.:



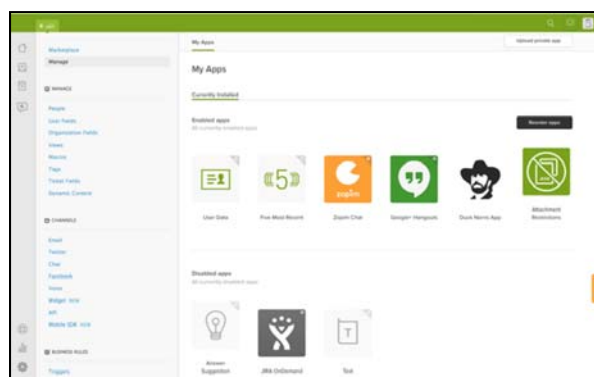
12. Upon information the following describes, at least in part, the Zendesk web-browser based service and mobile application based service:



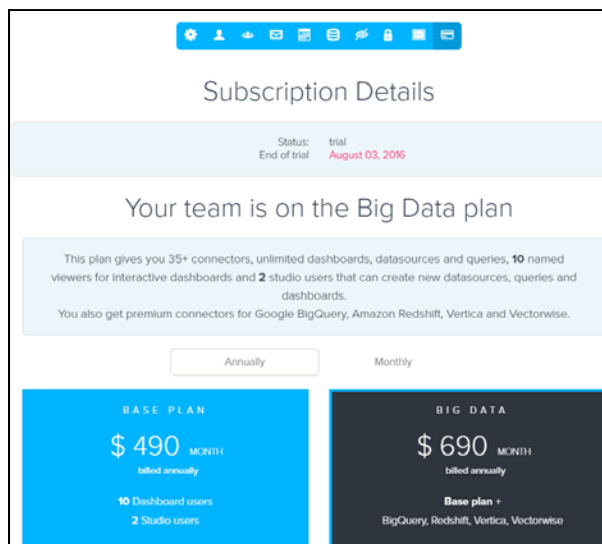
13. Upon information the following describes, at least in part, the Zendesk web-browser based service and mobile application based service:



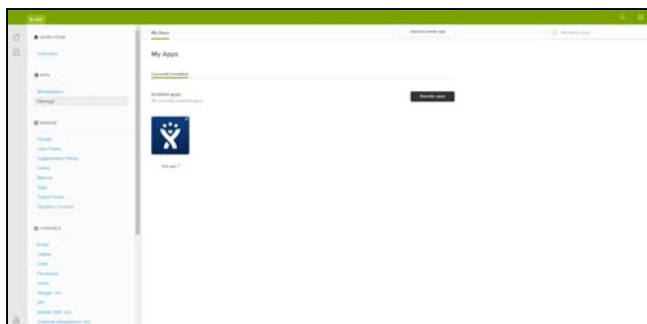
14. Upon information the following describes, at least in part, the Zendesk web-browser based service and mobile application based service:



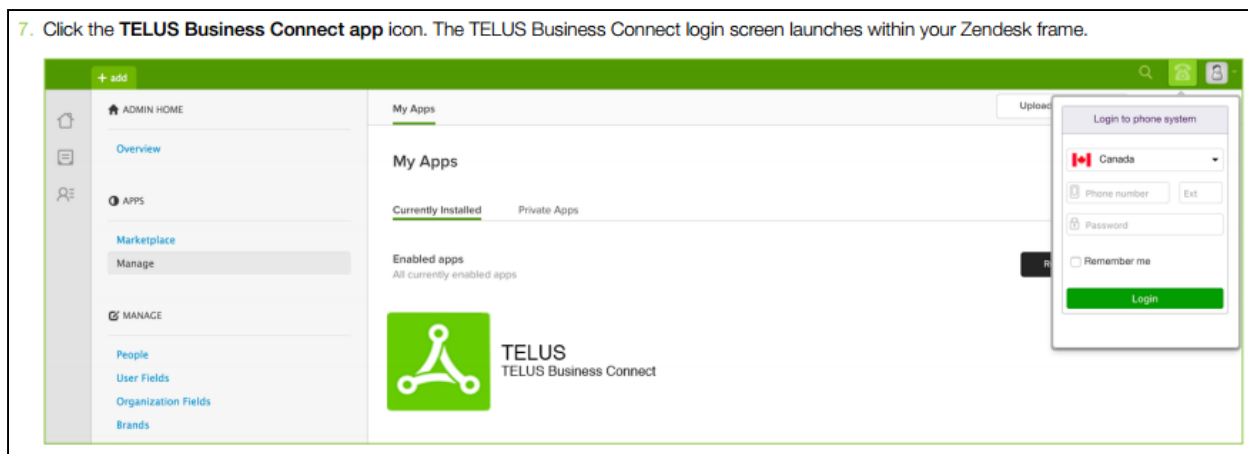
15. Upon information the following describes, at least in part, the Zendesk web-browser based service and mobile application based service:



16. Upon information the following describes, at least in part, the Zendesk web-browser based service and mobile application based service:



17. Upon information the following describes, at least in part, the Zendesk web-browser based service and mobile application based service:



Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.