

**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
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BIG FISH GAMES, INC.,	§	Case No. 2:16-cv-00858-JRG
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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, Big Fish Games, Inc. (“Big Fish”), allege as follows:

THE PARTIES

1. Uniloc USA, Inc. 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. 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, Big Fish is a Washington corporation having a principal place of business in Seattle, Washington and offering 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. Big Fish may be served with process through its registered

agent in Texas: CT Corporation System, 505 Union Ave SE, Suite 120, Olympia, Washington 98501.

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, Big Fish 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. Big Fish 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 and/or (C) engaging in persistent conduct and/or deriving substantial revenue from goods and services provided to customers in Texas.

COUNT I

(INFRINGEMENT OF U.S. PATENT NO. 6,324,578)

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

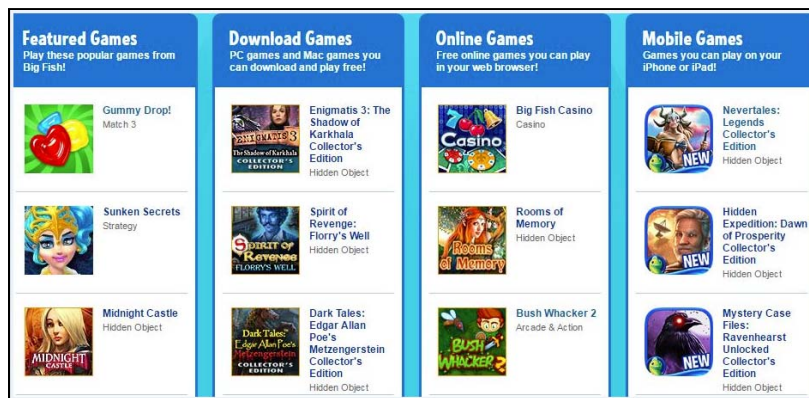
9. Uniloc Luxembourg is the owner, by assignment, of U.S. Patent No. 6,324,578 ("the '578 Patent"), entitled METHODS, SYSTEMS AND COMPUTER PROGRAM PRODUCTS FOR MANAGEMENT OF CONFIGURABLE APPLICATION PROGRAMS ON A NETWORK that issued on November 27, 2001. A true and correct copy of the '578 Patent is attached as Exhibit A hereto.

10. Uniloc USA is the exclusive licensee of the '578 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, how the Big Fish software distribution and management system works:



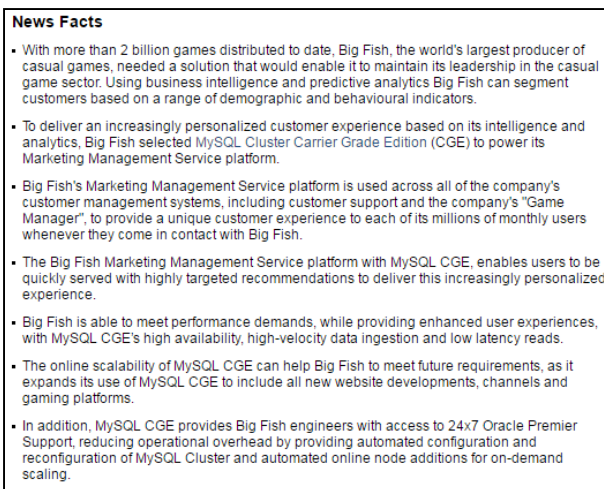
12. Upon information and belief, the following describes, at least in part, how the Big Fish software distribution and management system works:



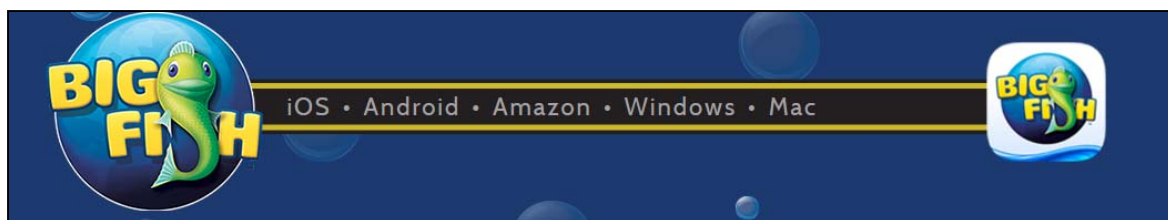
13. Upon information and belief, the following describes, at least in part, how a Big Fish software distribution and management system sign in/create account works:



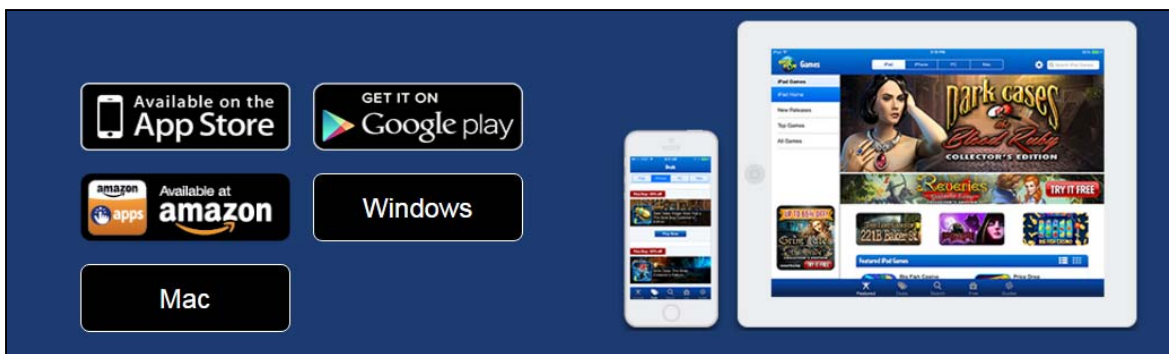
14. Upon information and belief, the following describes, at least in part, the Big Fish software distribution and management system:



15. Upon information and belief, the following describes, at least in part, the Big Fish software distribution and management system:



16. Upon information and belief, the following describes, at least in part, how the Big Fish software distribution and management system works:



17. Upon information and belief, the following describes, at least in part, network information relating to the Big Fish software distribution and management system:

Network information	
IP address	208.77.152.196
Reverse DNS (PTR record)	www.bigfishgames.com
DNS server (NS record)	ns2.bigfishgames.com (208.77.152.148) ns1.bigfishgames.com (208.77.154.136)
ASN number	16773
ASN name (ISP)	Big Fish Games, Inc.
IP-range/subnet	208.77.152.0/23 208.77.152.0 - 208.77.153.255
Network tools	Ping 208.77.152.196 Tracer 208.77.152.196

18. Upon information and belief, the following describes, at least in part, a Big Fish software distribution and management system server:

Assurance	Organisation validation
Organisation	Big Fish Games, Inc.
State	Washington
Organisational unit	Operations
Validity period	From Oct 8 2014 to Jul 28 2018 (45 months, 2 weeks, 6 days)
Server	Apache
Protocol version	TLSv1.2
Certificate check	ok
Serial number	0x4b1ab6482e4720e032518713c0b361cd
Version number	0x02

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