

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

UNILOC USA, INC. and UNILOC LUXEMBOURG, S.A.,	§ § § § § § § § § § § § §	Civil Action No. 2:16-cv-993
Plaintiffs,		
v.		PATENT CASE
ZTE (USA), INC. and ZTE (TX), INC.,		
Defendants.		JURY TRIAL DEMANDED

ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

Plaintiffs, Uniloc USA, Inc. and Uniloc Luxembourg, S.A. (together “Uniloc”), as and for their complaint against defendants, ZTE (USA), Inc. and ZTE (TX), Inc. (together “ZTE”), 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 text/voice instant messaging.

4. Upon information and belief, ZTE (USA), Inc. is a New Jersey corporation having a principal place of business at 2425 North Central Expressway, Suite 600, Richardson, Texas 75080 and does business in Texas and in the judicial Eastern District of Texas. ZTE (USA), Inc. may be served with process through its registered agent for service of process in Texas: Jing Li, 2425 North Central Expressway, Suite 323, Richardson, Texas 75080.

5. Upon information and belief, ZTE (TX), Inc. is a Texas corporation having a principal place of business at 2500 Dallas Parkway, Plano, Texas 75093 and does business in Texas and in the judicial Eastern District of Texas. ZTE (TX), Inc. may be served with process through its registered agent for service of process in Texas: Ferguson, Braswell & Fraser, PC, 2500 Dallas Parkway, Suite 501, Plano, Texas 75093.

JURISDICTION AND VENUE

6. 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.

7. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(c) and 1400(b). Upon information and belief, ZTE 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 of the accused devices to one or more customers in Texas.

8. ZTE (USA), Inc. and ZTE (TX), Inc. are subject to this Court's jurisdiction pursuant to due process and/or the Texas Long Arm Statute due at least to their substantial business in this State and judicial district, including: (A) at least part of their past infringing activities, (B) regularly doing or soliciting business in Richardson and Plano, Texas,

respectively, and/or (C) engaging in persistent conduct and/or deriving substantial revenue from goods, including the accused devices, and services provided to customers in Texas.

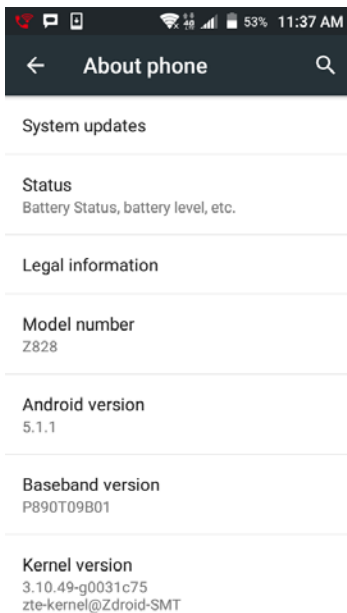
COUNT I
(INFRINGEMENT OF U.S. PATENT NO. 8,724,622)

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

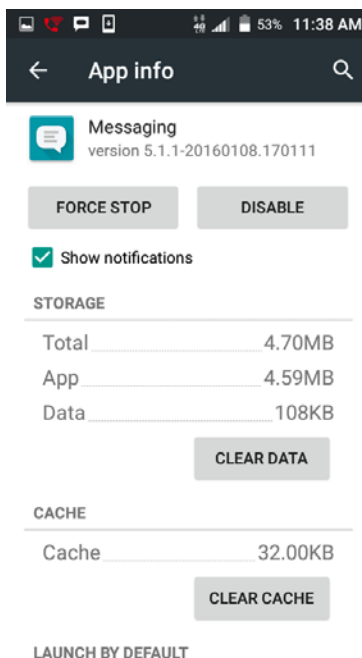
10. Uniloc Luxembourg is the owner, by assignment, of U.S. Patent No. 8,724,622 (“the ’622 Patent”), entitled SYSTEM AND METHOD FOR INSTANT VOIP MESSAGING that issued on May 13, 2014. A true and correct copy of the ’622 Patent is attached as Exhibit A hereto.

11. Uniloc USA is the exclusive licensee of the ’622 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.

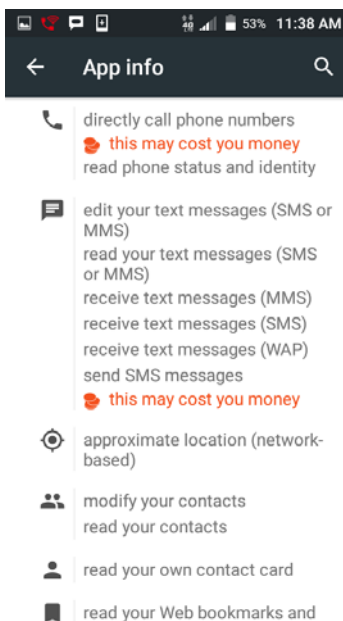
12. Upon information and belief, the following identifies an exemplary ZTE Android smartphone having instant voice messaging and/or instant video with audio messaging (“IVM”) capability in a packet-switched network:



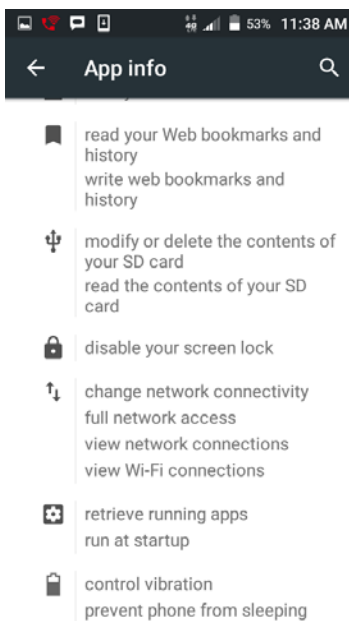
13. Upon information and belief, the following illustrates, at least in part, an App info screen of the ZTE Android IVM smartphone:



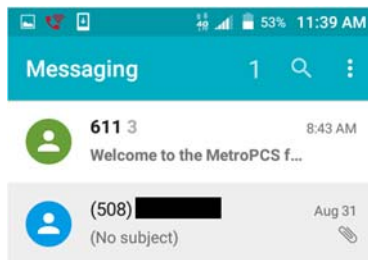
14. Upon information and belief, the following describes, at least in part, an App info screen of the ZTE Android IVM smartphone:



15. Upon information and belief, the following illustrates, at least in part, an App info screen of the ZTE Android IVM smartphone:



16. Upon information and belief, the following illustrates, at least in part, a Messaging screen of the ZTE Android IVM smartphone



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