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18 Attorneys for Plaintiff
19 NOVA INTELLECTUAL SOLUTIONS, LLC
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**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

NOVA INTELLECTUAL
SOLUTIONS, LLC, a Texas limited
liability company,

Plaintiff,

v.

BLACKBERRY CORPORATION, a
Delaware corporation,

Defendant.

Case No. 3:15-cv-01299-CAB-JMA

**PLAINTIFF'S FIRST AMENDED
COMPLAINT FOR PATENT
INFRINGEMENT**

Jury Trial Demanded

Plaintiff Nova Intellectual Solutions, LLC files this amended complaint against Blackberry Corporation ("Blackberry" or "Defendant") for infringement of U.S. Patent No. 8,208,517.

THE PARTIES

1. Nova Intellectual Solutions, LLC ("NIS" or "Plaintiff") is a Texas limited liability company with its principal place of business at 8616 Turtle Creek Boulevard, Suite 521, Dallas, Texas 75225. NIS is the owner by assignment of U.S. Patent No. 8,208,517 ("the '517 patent").

2. On information and belief, Blackberry Corporation is a Delaware corporation with its principal place of business at 5000 Riverside Dr., Suite 100E, Irving, Texas. Defendant may be served with process through its agent, Corporate Creations Network Inc., 1403 Truxton Ave., 5th Floor, Bakersfield, CA 93301. Defendant does business in the State of California and in the Southern District of California.

JURISDICTION AND VENUE

3. NIS brings this action for patent infringement under the patent laws of the United States, namely 35 U.S.C. §§ 271, 281, and 284-285, among others. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338.

1 to sell, within the United States, and/or by importing into the United States, products,
 2 including, but not limited to, mobile data hot spots and data modems, which embody
 3 and/or practice at least claim 1 of the '517 patent by providing a wireless gateway
 4 device which allows multiple wireless devices to access the internet through a wireless
 5 communication system in violation of 35 U.S.C. § 271 (the "'517 Accused Products").
 6 The Accused Products include, but are not limited to, the Classic, Z30, Z10, Q10,
 7 Bold 9900 / 9930, Bold 9790, Curve 9310/9315/9320, Curve 9360, and Passport.

8 12. Blackberry is liable for these direct infringements pursuant to 35 U.S.C. §
 9 271.

10 **WHEREFORE**, Plaintiffs request that the Court:

11 NIS asks that the Court find in its favor and against Blackberry, and that the
 12 Court grant NIS the following relief:

- 13 a. Judgment that one or more claims of the '517 patent has been infringed,
 14 either literally and/or under the doctrine of equivalents, by Blackberry;
- 15 b. Judgment that Blackberry account for and pay to NIS all damages and
 16 costs incurred by NIS because of Blackberry's infringing activities and
 17 other conduct complained of herein;
- 18 c. Judgment that Blackberry account for and pay to NIS a reasonable, on-
 19 going, post judgment royalty because of Blackberry's infringing
 20 activities and other conduct complained of herein;
- 21 d. That NIS be granted pre judgment and post judgment interest on the
 22 damages caused by Blackberry's infringing activities and other conduct
 23 complained of herein; and
- 24 e. That NIS be granted such other and further relief as the Court may deem
 25 just and proper under the circumstances

1 Dated: June 26, 2015

NELSON BUMGARDNER, P.C.

2
3 By: /s/ Timothy Grochocinski

4 Timothy Grochocinski

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17 *Attorneys for Nova Intellectual*
18 *Solutions, LLC*

19 **REQUEST FOR TRIAL BY JURY**

20 Plaintiffs claim trial by jury on all issues so triable.

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23 Dated: June 26, 2015

NELSON BUMGARDNER, P.C.

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25 By: /s/ Timothy Grochocinski

26 Timothy Grochocinski

27 *Attorney for Plaintiff Nova Intellectual*
28 *Solutions, LLC*

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on all counsel of record via CM-ECF on June 26, 2015.

Dated: June 26, 2015

NELSON BUMGARDNER, P.C.

By: /s/ Timothy Grochocinski
Timothy Grochocinski

*Attorney for Plaintiff Nova Intellectual
Solutions, LLC*