



4. In 1997, Good, formerly known as Visto Corporation, created the first product that enabled users to securely access corporate email and other business data. Over the late 1990s and early 2000s, as smartphone devices were increasingly being seen in the marketplace, Good evolved this product to support “push” email, automatically synchronize data, and provide security controls such as “remote wipe”—features smartphone users utilize repeatedly throughout the day.

5. Good’s innovations have become the *de facto* standard for secure access to email and other business data on smartphones and tablets. Without these security and management functions, businesses and government agencies—such as banks, healthcare providers, life sciences and high tech companies, and many others—would not be able to utilize new and innovative devices and apps to increase workforce efficiency and productivity. Good has entered into intellectual property agreements with technology leaders, such as Blackberry (formerly known as Research In Motion), Microsoft and Nokia.

6. Nevertheless, Good’s innovations have been the subject of widespread copying by other competitors who have unfairly attempted to capitalize on Good’s pioneering efforts and success by imitating Good’s innovative technology and product offerings.

7. One of Good’s principal imitators is MobileIron. Instead of pursuing independent product development, MobileIron has chosen to use Good’s innovative technology and product offerings, in violation of Good’s valuable intellectual property rights. As alleged below in detail, MobileIron has made its MobileIron products work through widespread patent infringement.

### **PARTIES**

8. Plaintiffs Good Technology Corporation and Good Technology Software, Inc. are Delaware corporations with their principal place of business at 430 N. Mary Ave., Suite 200, Sunnyvale, CA 94085.

9. Defendant MobileIron is a Delaware corporation with its principal place of business at 415 East Middlefield Road, Mountain View, CA 94043.

10. MobileIron is doing business and infringing Good's patent-in-suit in Delaware and elsewhere in the United States.

### **JURISDICTION AND VENUE**

11. This is a civil action for patent infringement arising under the patent laws of the United States, Title 35, United States Code, including 35 U.S.C. §§ 271 *et seq.* and 281-285. Jurisdiction is conferred on this Court pursuant to 28 U.S.C. §§ 1331 and 1338(a).

12. MobileIron is transacting and/or has transacted business within the State of Delaware. MobileIron, directly or through intermediaries, is committing and/or has committed acts of infringement in the State of Delaware, including at least distributing, selling, offering for sale, advertising, using and/or supporting products or services that fall within one or more claims of Good's patent-in-suit. MobileIron is therefore subject to the personal jurisdiction of this Court.

13. MobileIron, directly or through intermediaries, has committed acts of infringement in this District, including at least distributing, selling, offering for sale, advertising, using and/or supporting products or services that fall within one or more claims of Good's patent-in-suit. Both parties reside in the District of Delaware. Accordingly, venue to adjudicate whether Good's patent-in-suit is infringed is appropriate in the District of Delaware pursuant to 28 U.S.C. §§ 1391 and 1400(b).

14. For example, MobileIron provides hardware and software solutions (in traditional forms, cloud-based, and software as service (SaaS)) for providing and securing remote access to corporate resources and services, including through authentication (the "MobileIron Products").<sup>1</sup> MobileIron is currently marketing and selling its products and services, including its MobileIron

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<sup>1</sup> By way of example only, this would include the MobileIron Enterprise Mobility Management platform and associated software, including at least one of the following services/solutions: MobileIron Sentry, Web@work, AppConnect, AppTunnel, File Manager, Filemanager with SharePoint Client, Android Email+, Web@work, Mobile@work, Docs@work, MobileIron Core  
(continued...)

Products, in Delaware and elsewhere in the United States. MobileIron also has commercial relationships with various technology partners to promote, sell, offer for sale, and/or advertise MobileIron accused products and services in this State and this District. For example, MobileIron's software is available to customers in Delaware through the Apple App Store and Google Play markets. The MobileIron Platform has been deployed by the Nemours/Alfred I. DuPont Hospital for Children in Wilmington Delaware and in Nemours pediatric specialty clinics in Delaware.<sup>2</sup>

15. MobileIron also uses websites to market accused products and services in Delaware, and enable users of its sites to inquire about (and receive) additional information and product support. MobileIron's website also allows residents of this State and this District to search for and apply for employment positions with MobileIron.

### **GENERAL ALLEGATIONS**

16. Good holds all right, title, and interest in and to United States Patent No. 8,117,344, entitled "Global Server for Authenticating Access to Remote Servers" ("the '344 Patent"), which was duly and legally issued by the USPTO on February 14, 2012 in the name of Daniel J. Mendez, et al. A copy of the '344 Patent is attached as Exhibit A.

### **Count 1: Infringement Of U.S. Patent No. 8,117,344**

17. Good refers to and incorporates herein the allegations of Paragraphs 1-16 above.

18. MobileIron makes, uses, sells, offers for sale, exports, supplies, and/or distributes within and from the United States, products and/or services that provide authenticated access to services, including at least one or more versions of the following: The MobileIron Enterprise Mobility Management platform and associated software, including at least one of the following

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(formerly the MobileIron VSP), Mobile Content Management, Mobile Security, Mobile Application Management, and/or Tunnel.

<sup>2</sup> See <http://www.mobileiron.com/en/customers/case-study/nemours>.

services/solutions: MobileIron Sentry, Web@work, AppConnect, AppTunnel, File Manager, Filemanager with SharePoint Client, Android Email+, Web@work, Mobile@work, Docs@work, MobileIron Core (formerly the MobileIron VSP), Mobile Content Management, Mobile Security, Mobile Application Management, and/or Tunnel (“the ’344 Accused Products”). In addition, MobileIron provides these products and/or services to distributors, resellers, developers and/or users.

19. MobileIron has been and is now directly infringing the ’344 Patent in this District and elsewhere by making, using, offering for sale, selling, importing, exporting, supplying and/or distributing within, to, and/or from the United States the ’344 Accused Products, in violation of 35 U.S.C. § 271(a). On information and belief, MobileIron had and has prior knowledge of the ’344 patent.<sup>3</sup> On information and belief, MobileIron uses advertising, marketing and sales activity to knowingly entice distributors, resellers, and/or end user customers to infringe the ’344 Patent by using, offering for sale, selling, or distributing the ’344 Accused Products in an infringing manner—e.g., to provide authenticated access to services via a global server. Furthermore, on information and belief, MobileIron provides distributors, resellers, and/or end user customers technical support and services as well as detailed explanations, instructions and information as to arrangements, applications and uses of the ’344 Accused Products that knowingly promote and demonstrate how to use the ’344 Accused Products in a manner that would infringe the ’344 Patent—e.g., to provide authenticated access to services via a global server. Thus, MobileIron has indirectly infringed one or more claims of the ’344 Patent by actively and knowingly inducing such use of the claimed methods and systems by its distributors, resellers, and/or end user customers using the ’344 Accused Products in violation of 35 U.S.C. § 271(b). Additionally, MobileIron has contributorily infringed one or more claims of the ’344 Patent by providing the ’344 Accused Products directly or by way of distributors and/or resellers to end

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<sup>3</sup> See paragraph 20.

users, with the intent that these end users in turn combine the '344 Accused Products, which have no substantial non-infringing uses, with available hardware and/or software to infringe one or more claims of the '344 Patent in violation of 35 U.S.C. § 271(c).

20. On information and belief, MobileIron had and has knowledge of the '344 patent arising out of Good's public notice of the patent and MobileIron's prior conduct as relates to Good's patent rights and business. Good has provided public notice of the '344 Patent on its website.<sup>4</sup> Moreover, on information and belief, MobileIron has become aware of the '344 patent in light of litigation in the pending case of *Good Tech. Corp. v. MobileIron, Inc.*, Case No. 5-12-cv-05826 (N.D. Cal.). Furthermore, it is Good's understanding that MobileIron in fact monitors Good's patent portfolio. Therefore, upon information and belief, MobileIron had and has knowledge of the '344 Patent, MobileIron has been and is aware of its infringement, and MobileIron's infringement has been and continues to be willful.

21. Good has been irreparably harmed by MobileIron's acts of infringement of the '344 Patent, and will continue to be harmed unless and until MobileIron's acts of infringement are enjoined and restrained by order of this Court. Good has no adequate remedy at law to redress MobileIron's continuing acts of infringement. The hardships that would be imposed upon MobileIron by an injunction are less than those faced by Good should an injunction not issue. Furthermore, the public interest would be served by issuance of an injunction.

22. As a result of MobileIron's acts of infringement, Good has suffered and will continue to suffer damages in an amount to be proved at trial.

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<sup>4</sup> See, for example: <http://www1.good.com/good-dynamics-platform/boxtone.html>, <http://media.www1.good.com/documents/US8117344.pdf>, <http://au.good.com/legal/other-legal.html>, <http://au.good.com/secure-mobility-solution/mobile-application-containerization>.

**PRAYER FOR RELIEF**

WHEREFORE Good requests the following relief:

- a. That MobileIron and its parents, affiliates, subsidiaries, officers, agents, servants, employees, attorneys, successors, and assigns, and all those persons in active concert or participation with them, or any of them, be preliminarily and permanently enjoined from making, using, importing, exporting, distributing, supplying, offering for sale, selling, or causing to be sold any product or service falling within the scope of any claim of the '344 Patent, or otherwise infringing or contributing to or inducing infringement of any claim thereof;
- b. A finding that MobileIron has infringed the '344 Patent;
- c. That Good be awarded its actual damages;
- d. That Good be awarded pre judgment interest and post judgment interest at the maximum rate allowed by law, including an award of prejudgment interest, pursuant to 35 U.S.C. § 284, from the date of each act of infringement of the '344 Patent by MobileIron to the day a damages judgment is entered, and a further award of post judgment interest, pursuant to 28 U.S.C. § 1961, continuing until such judgment is paid, at the maximum rate allowed by law;
- e. That the Court order an accounting for damages through judgment and post-judgment until MobileIron is permanently enjoined from further infringing activities;
- f. That the Court declare this to be an exceptional case pursuant to 35 U.S.C. § 285 and requiring MobileIron to pay the costs of this action (including all disbursements) and attorney's fees as provided by 35 U.S.C. § 285;
- g. That the Court award enhanced damages pursuant to 35 U.S.C. § 284;
- h. That the Court award supplemental damages for any continuing post-verdict infringement up until MobileIron is permanently enjoined from further infringing activities;
- i. That the Court award a compulsory future royalty in the event an injunction is not awarded;
- j. That the Court require MobileIron to pay interest on such damages at the legal rate;

- k. That MobileIron pay Good's reasonable attorney's fees and costs; and
- l. That Good be awarded such other and further relief as the Court deems just and proper.

**DEMAND FOR A JURY TRIAL**

Pursuant to the provisions of Rule 38(b) of the Federal Rules of Civil Procedure and in accordance with Civil Local Rule 38.1, Good demands a trial by jury of all issues so triable in this matter.

Respectfully submitted,

SEITZ ROSS ARONSTAM & MORITZ LLP

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