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SOFTVAULT SYSTEMS, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SOFTVAULT SYSTEMS, INC.,

Plaintiff,

vs.

CITRIX SYSTEMS, INC.,

Defendant.

COMPLAINT FOR INFRINGEMENT
OF U.S. PATENT NOS. 6,249,868 AND
6,594,765

JURY TRIAL DEMANDED

Filed

FEB 20 2013

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

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CASE NO. 0754

1 Plaintiff SOFTVAULT SYSTEMS, INC. files its Complaint against Defendant CITRIX
2 SYSTEMS, INC., alleging as follows:

3 **THE PARTIES**

4 1. Plaintiff SOFTVAULT SYSTEMS, INC. ("SoftVault") is a corporation organized
5 and existing under the laws of the State of Washington with its principle place of business in the
6 State of Washington.

7 2. Upon information and belief CITRIX SYSTEMS, INC. ("CITRIX") is a
8 corporation organized and existing under the laws of the State of Delaware, with its principal
9 place of business in Sunnyvale, California. CITRIX may be served with process through its
10 registered agent Corporation Service Company dba CSC-Lawyers Incorporating Service, 2710
11 Gateway Oaks Drive, Suite 150N, Sacramento, CA 95833.

12 **JURISDICTION AND VENUE**

13 3. This is an action for infringement of United States patents. This Court has
14 exclusive jurisdiction of such action under Title 28 U.S.C. § 1338(a).

15 4. Upon information and belief, CITRIX is subject to personal jurisdiction by this
16 Court. CITRIX has committed such purposeful acts and/or transactions in the State of California
17 that it reasonably knew and/or expected that it could be haled into a California court as a future
18 consequence of such activity. CITRIX makes, uses, and/or sells infringing products within the
19 Northern District of California and has a continuing presence and the requisite minimum
20 contacts with the Northern District of California, such that this venue is a fair and reasonable
21 one. Upon information and belief, CITRIX has transacted and, at the time of the filing of this
22 Complaint, is continuing to transact business within the Northern District of California. For all
23 of these reasons, personal jurisdiction exists and venue is proper in this Court under 28 U.S.C.
24 §§ 1391(b)(1), (2) and (c)(2) and 28 U.S.C. § 1400(b).

25 **PATENTS-IN-SUIT**

26 5. On June 19, 2001, United States Patent No. 6,249,868 BI ("the '868 Patent") was
27 duly and legally issued for "METHOD AND SYSTEM FOR EMBEDDED, AUTOMATED,
28 COMPONENT-LEVEL CONTROL OF COMPUTER SYSTEMS AND OTHER COMPLEX

1 SYSTEMS.” A true and correct copy of the ‘868 Patent is attached hereto as Exhibit A and
2 made a part hereof.

3 6. On July 15, 2003, United States Patent No. 6,594,765 B2 (“the ‘765 Patent”) was
4 duly and legally issued for “METHOD AND SYSTEM FOR EMBEDDED, AUTOMATED,
5 COMPONENT-LEVEL CONTROL OF COMPUTER SYSTEMS AND OTHER COMPLEX
6 SYSTEMS.” A true and correct copy of the ‘765 Patent is attached hereto as Exhibit B and
7 made a part hereof.

8 7. The ‘868 Patent and the ‘765 Patent are sometimes referred to herein collectively
9 as “the Patents-in-Suit.”

10 8. As it pertains to this lawsuit, the Patents-in-Suit, very generally speaking, relate to
11 a method and system of protecting electronic, mechanical, and electromechanical devices and
12 systems, such as for example a computer system, and their components and software from
13 unauthorized use. Specifically, certain claims of the ‘868 and ‘765 Patents disclose the
14 utilization of embedded agents within system components to allow for the enablement or
15 disablement of the system component in which the agent is embedded. The invention disclosed
16 in the Patents-in-Suit discloses a server that communicates with the embedded agent through the
17 use of one or more handshake operations to authorize the embedded agent. When the embedded
18 agent is authorized by the server, it enables the device or component, and when not authorized
19 the embedded agent disables the device or component.

20 **FIRST CLAIM FOR RELIEF**

21 **(Patent Infringement)**

22 9. SoftVault repeats and realleges every allegation set forth above.

23 10. SoftVault is the owner of the Patents-in-Suit with the exclusive right to enforce
24 the Patents-in-Suit against infringers, and collect damages for all relevant times, including the
25 right to prosecute this action.

26 11. Upon information and belief, CITRIX is liable under 35 U.S.C. §271(a) for direct
27 infringement of the Patents-in-Suit because it manufactures, makes, has made, uses, practices,
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1 imports, provides, supplies, distributes, sells, and/or offers for sale products and/or systems that
2 practice one or more claims of the Patents-in-Suit.

3 12. More specifically, CITRIX infringes the Patents-in-Suit because it makes, uses,
4 sells, and offers for sale products and systems which prevent unauthorized use of a computer
5 system through the ability to enable or disable the operation of a device's components through an
6 authorization process performed by an embedded agent in the component device and a server.
7 By way of example only, CITRIX's Zenprise Mobile Device Management, at a minimum, in the
8 past directly infringed and continues to directly infringe at least claims 1 and 44 of the '868
9 Patent, as well as at least claim 9 of the '765 Patent.

10 13. CITRIX's Zenprise Mobile Device Management system includes the capability to
11 enable or disable a mobile device, such as a laptop or smart phone, to prevent misuse of the
12 system by rogue devices and/or rogue servers. The Zenprise Mobile Device Management system
13 includes an agent that is installed on a mobile device and communicates with a Zenprise MDM
14 server. This communication includes a series of message exchanges constituting a handshake
15 operation between the agent and the Zenprise MDM server. Through these exchanges the
16 Zenprise MDM server can authenticate and authorize a device in which the agent is embedded.
17 When the agent is authorized by the Zenprise MDM server, the mobile device operates normally
18 and when the agent is not authorized, the mobile device is remotely locked and disabled.

19 14. CITRIX has actual notice of the Patents-in-Suit at least as early as the filing of
20 this Complaint.

21 15. SoftVault has been damaged as a result of CITRIX's infringing conduct. CITRIX
22 is, thus, liable to SoftVault in an amount that adequately compensates SoftVault for CITRIX's
23 infringement, which, by law, cannot be less than a reasonable royalty, together with interest and
24 costs as fixed by this Court under 35 U.S.C. § 284.

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PRAYER FOR RELIEF

SoftVault requests that the Court find in its favor and against CITRIX, and that the Court grant SoftVault the following relief:

- a. Judgment that one or more claims of the Patents-in-Suit have been infringed, either literally and/or under the doctrine of equivalents, by CITRIX;
- b. Judgment that CITRIX account for and pay to SoftVault all damages to and costs incurred by SoftVault because of CITRIX's infringing activities and other conduct complained of herein;
- c. That CITRIX, its officers, agents, servants and employees, and those persons in active concert and participation with any of them, be permanently enjoined from infringement of the Patents-in-Suit. In the alternative, if the Court finds that an injunction is not warranted, SoftVault requests an award of post judgment royalty to compensate for future infringement;
- d. That SoftVault be granted pre-judgment and post-judgment interest on the damages caused to it by reason of CITRIX's infringing activities and other conduct complained of herein;
- e. That this Court declare this an exceptional case and award SoftVault its reasonable attorney's fees and costs in accordance with 35 U.S.C. § 285; and
- f. That SoftVault be granted such other and further relief as the Court may deem just and proper under the circumstances.

JURY DEMAND

Plaintiff hereby requests a trial by jury pursuant to Rule 38 of the Federal Rules of Civil Procedure.

1 DATED: February 20, 2013.

/s/ Benedict O'Mahoney

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