UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, D.C.

In the Matter of CERTAIN EQUIPMENT FOR COMMUNICATIONS NETWORKS, INCLUDING SWITCHES, ROUTERS, GATEWAYS, BRIDGES, WIRELESS ACCESS POINTS, CABLE MODEMS, IP PHONES, AND PRODUCTS CONTAINING SAME	Investigation No. 337-TA-_____

COMPLAINT UNDER SECTION 337
OF THE TARIFF ACT OF 1930, AS AMENDED

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C.	Certified copy of the prosecution history for U.S. Patent No. 7,830,858	Public
D.	Certified copy of the prosecution history for U.S. Patent No. 6,842,459	Public
E.	Certified copy of the reexamination history for U.S. Patent No. 6,842,459	Public
F.	Certified copy of the prosecution history for U.S. Patent No. 7,633,966	Public
G.	Certified copy of the prosecution history for U.S. Patent No. 5,841,360	Public
H.	Copies of each technical reference mentioned in the prosecution history (including the '459 patent reexamination) of each involved U.S. Patent	Public
I.	Exhibits for charted Cisco products and standards (Ex. nos. 1-21 and 34)	Public
I.	Exhibits for charted [redacted] products (Ex. nos. 22-33)	Confidential

I. INTRODUCTION

1. This Complaint is filed by MOSAID Technologies Inc. ("MOSAID" or "Complainant") pursuant to Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337 ("Section 337"), to remedy the unlawful importation into the United States, the sale for importation, and the sale within the United States after importation by the proposed respondents of certain (*i*) Power over Ethernet ("POE") switches, routers, gateways, and bridges;[1] (*ii*) Digital Subscriber Line ("DSL") wireless access points ("WAPs"); (*iii*) POE WAPs; (*iv*) Cable WAPs; (*v*) POE Internet Protocol ("IP") phones; (*vi*) cable modems with Voice over IP ("VoIP"); and (*vii*) products containing the same (collectively referred to as the "Accused Products"). The Accused Products infringe valid and enforceable claims of U.S. Patents Nos. (*i*) 7,035,280 (the '280 patent); (*ii*) 7,292,600 (the '600 patent); (*iii*) 7,830,858 (the '858 patent); (*iv*) 6,842,459 (the '459 patent); (*v*) 7,633,966 (the '966 patent); and (*vi*) 5,841,360 (the '360 patent) (collectively referred to as the "Asserted Patents"). MOSAID owns the entire right, title, and interest to the Asserted Patents.

2. MOSAID invented key circuit technology used in computer memory and created the first commercial memory test system dedicated to engineering applications. MOSAID also developed an extensive portfolio of significant semiconductor intellectual property and a reputation for design excellence. Today, MOSAID is one of the world's leading intellectual property companies, focused on the development and licensing of semiconductor and communications technologies. Over three decades of MOSAID expertise and innovation have

[1] The terms switches, routers, gateways, and bridges often are now used interchangeably to refer to pieces of network equipment, depending upon the context and functionality involved. Thus, a reference herein to one of these terms should be understood to include the rest of the terms, as appropriate. Similarly, it should be understood that switches, routers, gateways, and bridges (as well as other networking devices) may also be combined with or contain other network devices within the same piece of equipment.

enabled countless companies worldwide to improve the quality, reliability, and functionality of their memory and networking communications products.

3. The proposed respondents are: (*i*) Cisco Systems, Inc. ("Cisco Systems"); (*ii*) Cisco Consumer Products LLC ("Cisco Consumer"); (*iii*) Cisco Systems International B.V. ("Cisco International"); and (*iv*) Scientific Atlanta LLC ("Scientific Atlanta"). Cisco Consumer, Cisco International, and Scientific Atlanta are all subsidiaries of Cisco Systems. Upon information and belief, the proposed respondents act in concert (including with one or more of each other) to manufacture, cause to be manufactured, import, cause to be imported, sell for importation, and/or sell after importation in the United States networking products, including Accused Products, that infringe the Asserted Patents.[2] The four proposed respondents are collectively referred to as "Cisco" herein.

4. An industry in the United States relating to articles protected by the Asserted Patents exists within the meaning of 19 U.S.C. § 1337 (a)(2) and 19 U.S.C. § 1337 (a)(3). The domestic industry for the Asserted Patents includes (*i*) substantial and significant investment (including in engineering, research and development, plant and equipment, labor, and/or capital for articles protected by the Asserted Patents) by licensees of the Asserted Patents and (*ii*) substantial investment in the United States in licensing efforts with respect to the Asserted Patents.

5. MOSAID seeks a general or limited exclusion order pursuant to Section 337(d) excluding the infringing Accused Products from entry into the United States. MOSAID further seeks cease and desist orders prohibiting the importation, marketing, advertising, demonstration,

[2] For example, each of Cisco Systems' subsidiaries proposed as respondents is involved in importing networking devices, including the types of devices accused herein, into the United States. Exhibit 146.

warehousing of inventory for distribution, offering for sale, sale and use of infringing Accused Products in the United States pursuant to Section 337(f).

II. THE PARTIES

A. COMPLAINANT

6. MOSAID is a corporation organized under the laws of Canada with its principal place of business at 11 Hines Road, Suite 203, Ottawa, Ontario, Canada. MOSAID's principal place of business in the United States is located at 101 E. Park Blvd., Suite 600, Plano, Texas.

7. MOSAID has a long tradition of leadership in semiconductor technology. MOSAID was founded in 1975 by Richard Foss and Robert Harland. Beginning in the early 1980s, MOSAID designed many generations of memory products and also created the first commercial memory test system dedicated to engineering applications. In the process, MOSAID developed an extensive portfolio of patents and a reputation for design excellence. In the late 1990s, MOSAID commenced a long-term intellectual property licensing program of its semiconductor technology and soon signed its first of many comprehensive patent licensing agreements, eventually licensing essentially all the manufacturers of Dynamic Random Access Memory ("DRAM") products. MOSAID has since expanded its licensing efforts and has now signed patent licensing agreements with numerous semiconductor as well as consumer electronics companies, and it has expanded its patent portfolio to include both internally-developed and externally-acquired patents in the areas of networking and wireless communications, as well as semiconductor technologies.

B. PROPOSED RESPONDENTS

(1) Cisco Systems

8. Proposed respondent Cisco Systems is a corporation organized under the laws of

California with its principal place of business located at 170 West Tasman Drive, San Jose, California. Cisco Systems designs and sells hardware, software, and services relating to networks, including routers, switches, gateways, bridges, wireless access points, cable modems, and IP phones used in facilitating, regulating, and directing the transmission of data over various types of mediums and networks.

9. Cisco Systems is the world's largest maker of computer networking equipment, including routers and switches. Cisco Systems reported $40.0 billion in net sales through its computer networking services and products in fiscal year 2010, with over $32.4 billion in product sales alone. Exhibit 1 (Cisco Systems, Inc. 10-K Annual Report at Exhibit 13-1, Management's Discussion and Analysis at 17-20). About $21.7 billion, or 54%, of Cisco Systems' net product sales were in the United States and Canada. *Id.* $6.6 billion of its net sales were routers, $13.6 billion were switches, and $9.6 billion were other advanced technologies including IP phones, wireless LAN products, and storage area networking products. *Id.* Upon information and belief, Cisco Systems manufactures, causes to be manufactured, assembles, and/or causes to be assembled Accused Products outside the United States and imports and/or causes their importation into the United States.

(2) Cisco Consumer

10. Proposed respondent Cisco Consumer is a limited liability corporation organized under the laws of California with its principal place of business located at 120 Theory Drive, Irvine, California. Cisco Consumer is a wholly-owned subsidiary of Cisco Systems. Cisco Consumer manufactures networking equipment, including bridges, cable set-top boxes, routers, switches, wireless access points, cable modems, and IP phones used in facilitating, regulating, and directing the transmission of data over various types of mediums and networks. Upon

information and belief, Cisco Consumer manufactures, causes to be manufactured, assembles, and/or causes to be assembled Accused Products outside the United States and imports and/or causes their importation into the United States.

(3) Cisco International

11. Proposed respondent Cisco International is a partnership organized under the laws of Amsterdam with its principal place of business located at Harrlerbergweg 13-19, 1101 CH Amsterdam, Netherlands. Cisco International is a wholly-owned subsidiary of Cisco Systems. Cisco International designs and sells hardware, software, and services relating to networks, including cable set-top boxes, routers, switches, wireless access points, cable modems, and IP phones used in facilitating, regulating, and directing the transmission of data over various types of mediums and networks. Upon information and belief, Cisco International manufactures, causes to be manufactured, assembles, and/or causes to be assembled Accused Products outside the United States and imports and/or causes their importation into the United States.

(4) Scientific Atlanta

12. Proposed respondent Scientific Atlanta is a corporation organized under the laws of Georgia with its principal place of business located at 5030 Sugarloaf Pkwy, Lawrenceville, Georgia. Scientific Atlanta is a subsidiary of Cisco Systems. Scientific Atlanta designs and sells hardware and networking equipment relating, including cable set-top boxes, fiber optics communications equipment, and encoders and decoders used in facilitating, regulating, and directing the transmission of data over various types of mediums and networks. Upon information and belief, Scientific Atlanta manufactures, causes to be manufactured, assembles, and/or causes to be assembled Accused Products outside the United States and imports and/or causes their importation into the United States.

III. THE ASSERTED PATENTS

13. The Asserted Patents generally relate to, *inter alia*, network devices for facilitating the effective and reliable communication of data, including over wired and wireless mediums. The inventions of the Asserted Patents are implemented in a wide range of products, including POE switches, routers, gateways, and bridges; DSL WAPs; POE WAPs; cable WAPs; POE IP phones; and cable modems with VoIP.

14. The inventions of the Asserted Patents were conceived by Mr. Yehuda Binder ("Mr. Binder"), who was the founder and Managing Director of Serconet, Limited ("Serconet"), a corporation which was organized under the laws of Israel. Serconet was in the business of manufacturing high quality networking products, including products covered by Asserted Patents.

15. The Asserted Patents consist of three groups of patents: (*i*) the '280 patent, the related '600 patent, and the related '858 patent; (*ii*) the '459 patent and the related '966 patent; and (*iii*) the '360 patent.

A. IDENTIFICATION AND OWNERSHIP OF THE '280 PATENT

16. On April 25, 2006, the United States Patent and Trademark Office ("U.S. PTO") duly, properly, and legally issued the '280 patent, which is entitled "Local Area Network of Serial Intelligent Cells" and identified Mr. Binder as the inventor. A certified copy of the '280 patent is attached as Exhibit 2.

17. The '280 patent issued from Application No. 10/795,986, filed March 10, 2004, which is a division of (a) Application No. 10/178,223, filed June 25, 2002, which issued as U.S. Patent No. 7,016,368, and which is a continuation of (b) Application No. 09/123,486, filed July 28, 1998, which issued as U.S. Patent No. 6,480,510. A certified copy of the prosecution history

of the '280 patent is included in Appendix A. Copies of the references mentioned in the prosecution history of the '280 patent are included in Appendix H.[3]

18. Mr. Binder assigned all rights, title, and interest in the '280 patent to Serconet. Subsequently, Serconet assigned all rights, title, and interest in the '280 patent to MOSAID. A certified copy of the assignments for the '280 patent is attached as Exhibit 3.

B. IDENTIFICATION AND OWNERSHIP OF THE '600 PATENT

19. On November 6, 2007, the U.S. PTO duly, properly, and legally issued the '600 patent, which is entitled "Local Area Network of Serial Intelligent Cells" and identified Mr. Binder as the inventor. A certified copy of the '600 patent is attached as Exhibit 4.

20. The '600 patent issued from Application No. 10/793,769, filed March 8, 2004, which is a division of (a) Application No. 10/178,223, filed June 25, 2002, which is a continuation of (b) Application No. 09/123,486, filed July 28, 1998, which issued as U.S. Patent No. 6,480,510. A certified copy of the prosecution history of the '600 patent is included in Appendix B. Copies of the references mentioned in the prosecution history of the '600 patent are included in Appendix H.

21. Mr. Binder assigned all rights, title, and interest in the '600 patent to Serconet. Subsequently, Serconet assigned all rights, title, and interest in the '600 patent to MOSAID. A certified copy of the assignments for the '600 patent is attached as Exhibit 5.

C. IDENTIFICATION AND OWNERSHIP OF THE '858 PATENT

22. On November 9, 2010, the U.S. PTO duly, properly, and legally issued the '858 patent, which is entitled "Local Area Network of Serial Intelligent Cells" and identified Mr.

[3] MOSAID put forth its best efforts to correctly list the references attached to Appendix H. To the extent that a typographical error occurred during the creation of the table of Appendix H, the attached technical references should control, and what is shown in the attached file histories.

Binder as the inventor. A certified copy of the '858 patent is attached as Exhibit 6.

23. The '858 patent issued from Application No. 11/264,011, filed November 2, 2005, which is a continuation of (a) Application No. 10/178,223, filed June 25, 2002, which issued as U.S. Patent No. 7,016,368, and which is a continuation of (b) Application No. 09/123,486, filed July 28, 1998, which issued as U.S. Patent No. 6,480,510. A certified copy of the prosecution history of the '858 patent is included in Appendix C. Copies of the references mentioned in the prosecution history of the '858 patent are included in Appendix H.

24. Mr. Binder assigned all rights, title, and interest in the '858 patent to Serconet. Subsequently, Serconet assigned all rights, title, and interest in the '858 patent to MOSAID. A certified copy of the assignments for the '858 patent is attached as Exhibit 7.

D. IDENTIFICATION AND OWNERSHIP OF THE '459 PATENT

25. On January 11, 2005, the U.S. PTO duly, properly, and legally issued the '459 patent, which is entitled "Network Combining Wired and Non-wired Segments" and identified Mr. Binder as the inventor. A certified copy of the '459 patent is attached as Exhibit 8.

26. The '459 patent issued from Application No. 09/552,564, filed April 19, 2000. A certified copy of the prosecution history of the '459 patent is included in Appendix D. Copies of the references mentioned in the prosecution history of the '459 patent are included in Appendix H.

27. Mr. Binder assigned all rights, title, and interest in the '459 patent, as well as any reexaminations, to Serconet. Subsequently, Serconet assigned all rights, title, and interest in the '459 patent, as well as any reexaminations, to MOSAID. A certified copy of the assignments for the '459 patent is attached as Exhibit 9.

28. A request for ex parte reexamination of the '459 patent was filed on December 1,

2005, and was assigned reexamination control number 90/007,834. The claims were reexamined and a reexamination certificate issued on January 5, 2010 confirming the patentability of Claims 1-14 and 26-28 and determining that Claims 15-25 were patentable as amended. A certified copy of the '459 reexamination certificate is attached as Exhibit 10. A certified copy of the reexamination history of the '459 patent is included in Appendix E. Copies of the references mentioned in the reexamination of the '459 patent are included in Appendix H.

E. IDENTIFICATION AND OWNERSHIP OF THE '966 PATENT

29. On December 15, 2009, the U.S. PTO duly, properly, and legally issued the '966 patent, which is entitled "Network Combining Wired and Non-wired Segments" and identified Mr. Binder as the inventor. A certified copy of the '966 patent is attached as Exhibit 11.

30. The '966 patent issued from Application No. 11/128,229, filed May 13, 2005, which is a continuation of (a) Application No. 10/998,015, filed on November 29, 2004, which is a continuation of (b) Application No. 10/890,199, filed on July 14, 2004, which is a continuation of (c) Application No. 09/552,564, filed on April 19, 2000, which issued as U.S. Patent No. 6,842,459. A certified copy of the prosecution history of the '966 patent is included in Appendix F. Copies of the references mentioned in the prosecution history of the '966 patent are included in Appendix H.

31. Mr. Binder assigned all rights, title, and interest in the '966 patent to Serconet. Subsequently, Serconet assigned all rights, title, and interest in the '966 patent to MOSAID. A certified copy of the assignments for the '966 patent is attached as Exhibit 12.

F. IDENTIFICATION AND OWNERSHIP OF THE '360 PATENT

32. On November 24, 1998, the U.S. PTO duly, properly, and legally issued the '360 patent, which is entitled "Distributed Serial Control System" and identified Mr. Binder as the

inventor. A certified copy of the '360 patent is attached as Exhibit 13.

33. The '360 patent issued from Application No. 734,921, filed on October 22, 1996. A certified copy of the prosecution history of the '360 patent is included in Appendix G. Copies of the references mentioned in the prosecution history of the '360 patent are included in Appendix H.

34. Mr. Binder assigned all rights, title, and interest in the '360 patent to Serconet. Subsequently, Serconet assigned all rights, title, and interest in the '360 patent to MOSAID. A certified copy of the assignments for the '360 patent is attached as Exhibit 14.

G. NON-TECHNICAL DESCRIPTION OF THE ASSERTED PATENTS

35. A non-technical description of the Asserted Patents is hereby provided for each of the groups of patents in light of the related patents sharing largely the same specification.[4]

(1) The '280, '600, and '858 Patents

36. The '280, '600, and '858 patents are directed generally to, *inter alia*, a local area network for data communication, sensing, and/or control based on serially connected modules referred to as "Serial Intelligent Cells" ("SICs"). A local area network can be configured, for example, using multiple SICs interconnected so that communications between two adjacent SICs are both point-to-point and bidirectional. Such communications may occur in different areas of the network independent of one another. Example networks can use dedicated wiring and/or existing wiring, such as in-house telephone or electrical wiring. SICs also can enable concurrent power and data transmission on the same wiring. Some SICs may also optionally connect to other equipment, such as one or more data terminals, computers, telephones, sensors, or

[4] All non-technical descriptions of the inventions herein are presented to give a general background of those inventions. These statements are not intended to be used, nor should they be used, for purposes of patent claim interpretation. MOSAID presents these statements subject to and without waiver of its right to argue that claim terms should be construed in a particular way as contemplated by claim interpretation jurisprudence and the relevant evidence.

actuators, including to facilitate interconnectivity among devices. A network of SICs can offer one or more of the following advantages: (*i*) scalability, (*ii*) higher data rates, (*iii*) simpler circuitry and wiring, (*iv*) simultaneous communications, (*v*) more efficient network utilization, (*vi*) network assigned addresses, and/or (*vii*) fault protection.

(2) The '459 and '966 Patents

37. The '459 and '966 patents are directed generally to, *inter alia*, a data communication network, including those within a building and those having both wired and non-wired segments. The wired segments allow data communication through electrically conducting lines that also carry a service, including telephone signals, electrical power, or cable television signals. The non-wired segments allow data communication without using electrically conducting media, such as by propagating radio, light, or sound waves. A device is used to couple wired and non-wired segments together and to adapt their respective communication protocols. A network module combining wired and non-wired segments can offer the following advantages: (*i*) effective in-home data networking, (*ii*) mobility, and/or (*iii*) ease of use.

(3) The '360 Patent

38. The '360 patent is directed generally to, *inter alia*, a network topology allowing distributed sensing, control, or communications, using, *inter alia*, a power source and multiple line-Powered, Serially connected Intelligent Cells ("PSICs"). Some example network topologies allow for data to be passed in either direction from one cell to an adjacent cell and allow communication between one pair of adjacent cells that is independent of and simultaneous to communication between another pair of adjacent cells. These topologies also provide simultaneous power and data connection between PSICs, where, for example, one PSIC sends the power on the same data wiring to another PSIC(s). This invention can offer one or more of

the following advantages: (*i*) simultaneous data communications, (*ii*) improved addressing and control, and (*iii*) reduction of cabling.

H. FOREIGN COUNTERPARTS OF THE ASSERTED PATENTS

(1) Foreign Counterparts of the '280, '600, and '858 Patents

39. Below is a list of each foreign patent, each foreign patent application (not already issued as a patent), and each foreign patent application that has been denied, abandoned, or withdrawn, that correspond to the '280, '600, and '858 patents, with an indication of the prosecution status of each such foreign patent application:

Jurisdiction	App. or Patent No.	Status
Australia	4983699	National phase not entered
Austria	289142	National phase not entered
Brazil	9912695	National phase not entered
Canada	2338663	Issued patent
Canada	2490630	Application published, office action issued
China	101242283	Allowed claims
China	ZL99810085.4	Issued patent
Germany	69923721.1	Issued patent
Germany	69938111.8	Issued patent
EPO	1221228	Issued patent
EPO	1519517	Issued patent
EPO	1976190	Application and report published
EPO	2214347	Application published
EPO	10175569.2	Pending
FRANCE	1221228	Issued patent
FRANCE	1519517	Issued patent
Israel	140887	Issued patent
Israel	169680	Issued patent
Israel	189507	Issued patent
Israel	189508	Issued patent
Japan	200563027	Terminated
Norway	20010457	Finally shelved
South Korea	10-0646591	Issued patent
U.K.	1221228	Issued patent
U.K.	1519517	Issued patent
WIPO	WO0007322	National Phase

40. To the best of MOSAID'S present knowledge, information, and belief, there are no other foreign patents or applications pending, filed, abandoned, withdrawn, or rejected that are counterparts to the '280, '600, or '858 patents.

(2) Foreign Counterparts of the '459 and '966 Patents

41. Below is a list of each foreign patent, each foreign patent application (not already issued as a patent), and each foreign patent application that has been denied, abandoned, or withdrawn that correspond to the '459 and '966 patents, with an indication of the prosecution status of each such foreign patent application:

Jurisdiction	App. or Patent No.	Status
Australia	2001246792	Abandoned
Canada	2406682	Application published
China	1282355	Issued patent
China	ZL01809814.2	Issued patent
China	1960421	Published
EPO	1277334	Examination in progress
EPO	2214351	Request for examination made
EPO	2214393	Request for examination made
Israel	142832	Issued patent
Israel	165312	Issued patent
Israel	165311	Issued patent
Japan	2004501536	Published
Japan	2011019217	Published
South Korea	10-0897848	Issued patent
South Korea	20090019909	Withdrawn
South Korea	10-0907574	Issued patent
South Korea	10-0984594	Issued patent
WIPO	WO0180543	National Phase

42. To the best of MOSAID'S present knowledge, information, and belief, there are no other foreign patents or applications pending, filed, abandoned, withdrawn, or rejected that are counterparts to the '459 or '966 patents.

(3) Foreign Counterparts of the '360 Patent

43. Below is a list of each foreign patent, each foreign patent application (not already issued as a patent), and each foreign patent application that has been denied, abandoned, or withdrawn that correspond to the '360 patent, with an indication of the prosecution status of each such foreign patent application:

Jurisdiction	App. or Patent No.	Status
Australia	3046397	National phase not entered
EPO	0932959	Issued patent
France	0932959	Issued patent
Germany	69711904.1-08	Issued patent
Israel	119454	Issued patent
Japan	2010-199774	Published
Japan	4633784	Issued patent
Japan	4355028	Issued patent
Japan	4359860	Issued patent
U.K.	0932959	Issued patent
WIPO	WO9818236	National Phase

44. To the best of MOSAID'S present knowledge, information, and belief, there are no other foreign patents or applications pending, filed, abandoned, withdrawn, or rejected that are counterparts to the '360 patent.

I. LICENSES TO THE ASSERTED PATENTS

45. The identities of entities licensed under one or more of the Asserted Patents is provided on Exhibit 15. Pursuant to Commission Rule 210.12(a)(9)(*iv*), a copy of each involved license agreement is attached as Exhibits 16-19.

IV. CISCO'S UNLAWFUL AND UNFAIR ACTS OF PATENT INFRINGEMENT WITH RESPECT TO THE ASSERTED PATENTS

46. Cisco imports, sells for importation, and/or sells within the United States after importation, Accused Products that infringe claims of the Asserted Patents. Upon information and belief, Cisco manufactures, causes to be manufactured, assembles, and/or causes to be

assembled Accused Products outside the United States and imports and/or causes their importation into the United States. Representative Accused Products and asserted claims of the Asserted Patents are detailed below.

A. LISTING OF REPRESENTATIVE ACCUSED PRODUCTS

47. Examples of Cisco products that MOSAID currently believes infringe the Asserted Patents are set forth below. This list is not intended to be conclusive and instead is subject to revision as further information is obtained. These products are, *inter alia*, used, sold, and/or offered for sale in the United States after they have been imported into the United States. By identifying specific products below, MOSAID is not intending to limit and does not limit the scope of the Investigation to the specific products listed, but rather intends to accuse all products that fall within the scope of the Investigation and infringe any of the Asserted Patents.

48. Examples of Accused Products that infringe one or more claims of the Asserted Patents comprise certain of Cisco's (*i*) POE Switches, Routers, Gateways, and Bridges; (*ii*) DSL WAPs; (*iii*) POE WAPs; (*iv*) Cable WAPs; (*v*) POE IP phones; and (*vi*) cable modems with VoIP.

49. Examples of Accused Cisco POE Switches, Routers, Gateways, and Bridges include: (*i*) 1805 Integrated Services Router (including C1805-D, C1805-EJ, and C1805-D/K9); (*ii*) Catalyst 2960 Series Switch (including 2960PD-8TT-L, 2960-24PC-L, 2960-24LT-L); (*iii*) Catalyst 2960 Series Switches (including WS-C2960S-48FPD-L, WS-C2960S-48LPD-L, WS-C2960S-24PD-L, WS-C2960S-48FPS-L, WS-C2960S-48LPS-L, WS-C2960S-24PS-L, WS-C2960-48PST-L, WS-C2960-48PST-S, WS-C2960-24PC-L, WS-C2960-24PC-S, WS-C2960-24LC-S, and WS-C2960-24LT-L); (*iv*) Catalyst 2975 Series Switches (including WS-C2975GS-48PS-L); (*v*) Catalyst 3550 Series Intelligent Switch (including Catalyst 3550-24

PWR); (*vi*) Catalyst 3560 Series Switch (including WS-C3560-12PC-S, WS-C3560-24PS-S, WS-C3560-24PS-E, WS-C3560-48PS-S, WS-C3560-48PS-E, WS-C3560G-24PS-S, WS-C3560G-24PS-E, WS-C3560G-48PS-S, and WS-C3560G-48PS-E); (*vii*) Catalyst 3560-E Series Switch (including WS-C3560E-24PD-S, WS-C3560E-24PD-E, WS-C3560E-48PD-S, WS-C3560E-48PD-E, WS-C3560E-48PD-SF, and WS-C3560E-48PD-EF); (*viii*) Catalyst 3560-X Series Switches (including WS-C3560X-24P-L, WS-C3560X-48P-L,WS-C3560X-48PF-L, WS-C3560X-24P-S, WS-C3560X-48P-S, and WS-C3560X-48PF-S); (*ix*) Catalyst 3750 Series Switch (including 3750-24PS, 3750-48PS, 3750G-24PS, 3750G-48PS, 3750G-24WS-S25, and 3750G-24WS-S50); (*x*) Catalyst 3750-E Series Switch (including WS-C3750E-24PD-S,WS-C3750E-24PD-E, WS-C3750E-48PD-S, WS-C3750E-48PD-E, WS-C3750E-48PD-SF, WS-C3750E-48PD-EF, WS-C3560-8PC-S, and WS-C3560-12PC-S); (*xi*) Catalyst 3750-X Series Switches (including WS-C3750X-24P-L, WS-C3750X-48P-L, WS-C3750X-48PF-L, WS-C3750X-24P-S, WS-C3750X-48P-S, and WS-C3750X-48PF-S); (*xii*) Catalyst 4500 Series Switch (including 4503-E, 4507R-E, 4510R-E, and 4506-E); (*xiii*) Catalyst Series 6500 Switch (including 6503, 6503-E, 6506, 6506-E, 6509, 6509-E, 6509-NEB; 6509-NEB-A, and 6513); (*xiv*) Catalyst Express 500 Series Switch (including WS-CE500-24TT and WS-CE500-24LC); (*xv*) Catalyst Express 520 Series Switch (including WS-CE520-8PC-K9, WS-CE520-24LC-K9, and WS-CE520-24PC-K9); (*xvi*) Cisco 1800 Series Integrated Services Routers Fixed Configuration Models (including 1801 (w/ POE-180), 1802 (w/ POE-180), 1803 (w/ POE-180), 1811 (w/ POE-180), and 1812 (w/ POE-180)); (*xvii*) Cisco 1861 Integrated Services Router (including C1861-SRST-F/K9, C1861-SRST-B/K9, C1861-SRST-C-F/K9, C1861-SRST-C-B/K9, C1861-UC-4FXO-K9, and C1861-UC-2BRI-K9); (*xviii*) Cisco 2800 Series Integrated Services Routers (including 2801-AC-IP, 2811-AC-IP, 2821-AC-IP, and 2851-AC-IP); (*xix*)

Cisco 2900 Series Integrated Services Routers (including 2901/K9, 2911/K10, 2921/K11, and 2951/K12); (*xx*) Cisco 3800 Series Integrated Services Routers (including 3825-AC-IP and 3845-AC-IP); (*xxi*) Cisco LINKSYS Model SRW208P Gigabit Switch; (*xxii*) Small Business Managed Switches (including SRW224G4P, SRW224P, SRW248G4P, SRW208P, SRW208MP, SRW2008P, SRW2008MP, SRW2024P, SFE2000P, SGE2000P, SFE2010P, SGE2010P, and SFE1000P); (*xxiii*) Small Business Pro ESW 500 Series Switches (including ESW-520-8P-K9, ESW-520-24P-K9, ESW-520-48P-K9, ESW-540-8P-K9, and ESW-540-24P-K9); (*xxiv*) Small Business Smart Switches (including SLM224P, SLM248P, SLM224G4PS, and SLM248G4PS); (*xxv*) Small Business Unmanaged Switches (including SD208P); (*xxvi*) Unified Communications 500 Series for Small Business (including UC520W-8U-4FXO-K9, UC520W-8U-2BRI-K9, UC520W-16U-4FXO-K9, UC520W-16U-2BRI-K9, UC520W-16U-2BRI-K10, UC540W-FXO-K9, and UC540W-BRI-K9); and (*xxvii*) 2100 Series Wireless LAN Controllers (including 2125, 2112, and 2106).

50. Examples of Accused Cisco DSL WAPs include: (*i*) Cisco 500 Series Secure Router (including SR520W-ADSL-K9); (*ii*) Cisco 850 Series Integrated Services Routers (including 851W-G-A-K9 and 857W-G-A-K9); (*iii*) Cisco 870 Series Integrated Services Routers (including 871W-G-A-K9, 877W-G-A-K9, and 878W-G-A-K9); (*iv*) Cisco 1800 Series Integrated Services Routers (including 1801W, 1803W, and 1811W); (*v*) Cisco 3800 Series Integrated Services Routers (including 3825 w/HWIC1ADSL, 3825-AC-IP w/HWIC1ADSL, 3825-DC w/HWIC1ADSL, 3845 w/HWIC1ADSL, 3845-AC-IP w/HWIC1ADSL, and 3845-DC w/HWIC1ADSL); (*vi*) Cisco DDR2200 Residential Gateway (including 4015283); (*vii*) Cisco DDR2201 Residential Gateway (including 4030545); and (*viii*) Triple Play WAG310G Wireless-G ADSL2+ Gateway (including WAG310G-NA-40, WAG310G-AU-40, WAG310G-U2-40,

WAG310G-E2-40).

51. Examples of Accused Cisco POE WAPs include: (*i*) WAP200, (*ii*) WAP4410N, (*iii*) WET200, and (*iv*) Unified Communications 500 Series for Small Business (including UC520W-8U-4FXO-K9, UC520W-8U-2BRI-K9, UC520W-16U-4FXO-K9, UC520W-16U-2BRI-K9, UC520W-16U-2BRI-K10, UC540W-FXO-K9, and UC540W-BRI-K9).

52. Examples of Accused Cisco Cable WAPs include: (*i*) DPC2325, (*ii*) DPC2420, (*iii*) DPC3825, (*iv*) DPQ2425, (*v*) DPQ3925, and (*vi*) DPR2320.

53. Examples of Accused Cisco POE IP phones include: (*i*) Cisco Small Business IP Phones (including SPA922, SPA942, and SPA962); (*ii*) Cisco Unified IP Phone 500 Series (including 521G, 521SG, 524G, and 524SG); (*iii*) Cisco Small Business Pro SPA 500 Series IP Phones (including SPA501G, SPA502G, SPA504G, SPA508G, SPA509G, and SPA525G); (*iv*) Cisco Unified IP Phone 6900 Series (including 6921, 6941, and 6961); (*v*) Cisco Unified SIP Phones 3900 Series (including CP-3911); and (*vi*) Cisco Unified IP Phones 7900 Series (including 7985G, 7960G, 7940G, 7910G(+SW), 7912G, 7945G, 7962G, 7965G, 7975G, 7961G, 7961G-GE, 7971G-GE, 7931G, 7941G, 7941G-GE, 7970G, 7911G, and 7912G).

54. Examples of Accused Cisco Cable Modems with VoIP include: (*i*) DPC2202, (*ii*) DPC2203, (*iii*) DPC2607, (*iv*) DPC3208, (*v*) DPC3212, (*vi*) DPQ2202, (*vii*) DPQ2425, (*viii*) DPQ3212, (*ix*) DPX2203, (*x*) DPX2203C, and (*xi*) DPX2213.

B. PRELIMINARY ASSERTED CLAIMS OF THE ASSERTED PATENTS

(1) The '280 Patent

55. Accused Cisco POE Switches, Routers, Gateways, and Bridges infringe at least claims 18, 19, 23, 27, 30, 31, 36, 43, 45, 46, and 51 of the '280 patent.[5] Upon information and

[5] The identification herein of specific claims for any of the Asserted Patents or specific Accused

belief, Cisco's ESW-520-48P-K9 is a representative infringing Cisco POE Switch and/or Router.

56. Accused Cisco POE WAPs infringe at least claims 1, 5, 9, and 11-13 of the '280 patent. Upon information and belief, Cisco's WET200 is a representative infringing Cisco POE WAP.

57. Accused Cisco POE IP Phones infringe at least claims 1, 5, 9, 11-13, and 15 of the '280 patent. Upon information and belief, Cisco's 6941 is a representative infringing Cisco POE IP Phone.

58. A chart that applies claims of the '280 patent to representative products is attached as Exhibit 20.

(2) The '600 Patent

59. Accused Cisco POE Switches, Routers, Gateways, and Bridges infringe at least claims 44-46, 50-53, and 57-58 of the '600 patent. Upon information and belief, Cisco's ESW-520-48P-K9 is a representative infringing Cisco POE Switch and/or Router.

60. Accused Cisco POE WAPs infringe at least claims 12, 13, and 17-18 of the '600 patent. Upon information and belief, Cisco's WET200 is a representative infringing Cisco POE WAP.

61. Accused Cisco Cable Modems with VoIP infringe at least claims 83 and 139 of the '600 patent. Upon information and belief, Cisco's DPQ2202 is a representative infringing Cisco Modem with VoIP.

62. A chart that applies claims of the '600 patent to representative products is attached as Exhibit 21.

Products is not intended to limit the scope of the Investigation, and any remedy should extend to all infringing devices for all infringed claims of each of the Asserted Patents.

(3) The '858 Patent

63. Accused Cisco POE Switches, Routers, Gateways, and Bridges infringe at least claims 34-39 of the '858 patent. Upon information and belief, Cisco's ESW-520-48P-K9 is a representative infringing Cisco POE Switch and/or Router.

64. Accused Cisco POE WAPs infringe at least claims 111-114, 118, and 120-122 of the '858 patent. Upon information and belief, Cisco's WET200 is a representative infringing Cisco POE WAP.

65. Accused Cisco POE IP Phones infringe at least claims 111-114, 118, and 120-131 of the '858 patent. Upon information and belief, Cisco's 6941 is a representative infringing Cisco POE IP Phone.

66. A chart that applies claims of the '858 patent to representative products is attached as Exhibit 22.

(4) The '459 Patent

65. Accused Cisco POE Switches, Routers, Gateways, and Bridges that use an optical transceiver infringe at least claims 15 and 22-24 of the '459 patent. Upon information and belief, Cisco's ESW-520-48P-K9 using Cisco's MGBSX1 optical transceiver is a representative infringing product.

66. Accused Cisco DSL WAPs infringe at least claims 15-17, 24, and 25 of the '459 patent. Upon information and belief, Cisco's 877W is a representative infringing Cisco DSL WAP.

67. Accused Cisco POE WAPs infringe at least claims 15, 24, and 25 of the '459 patent. Upon information and belief, Cisco's WET200 is a representative infringing Cisco POE WAP.

68. Accused Cisco Cable WAPs infringe at least claims 15, 20, 21, 24, and 25 of the '459 patent. Upon information and belief, Cisco's DPC2325 is a representative infringing Cisco Cable WAP.

69. A chart that applies claims of the '459 patent to representative products is attached as Exhibit 23.

(5) The '966 Patent

70. Accused Cisco DSL WAPs infringe at least claims 1, 3, 5, 6, and 9 of the '966 patent. Upon information and belief, Cisco's 877W is a representative infringing Cisco DSL WAP.

71. A chart that applies claims of the '858 patent to a representative product is attached as Exhibit 24.

(6) The '360 Patent

72. Accused Cisco POE Switches, Routers, Gateways, and Bridges infringe at least claims 1, 6, and 9 of the '360 patent. Upon information and belief, Cisco's ESW-520-48P-K9 is a representative infringing Cisco POE Switch and/or Router.

73. A chart that applies claims of the '858 patent to a representative product is attached as Exhibit 25.

C. DIRECT, CONTRIBUTORY, AND INDUCED INFRINGEMENT

74. To the extent any of the asserted claims require Accused Products to be installed in a network or operated, including in conjunction with other products, in order to satisfy all claim elements, upon information and belief, the Accused Products infringe both directly and indirectly.

75. Upon information and belief, Cisco tests or operates Accused Products in the

United States by, *inter alia*, using them in a network and performing the claimed methods, thereby directly infringing any claim requiring such operation.

76. Cisco has had notice of each of the Asserted Patents since at least as early as the August 13, 2010 filing of the lawsuit in the District of Delaware in *Cisco Systems, Inc. v. MOSAID Technologies Inc.*, 10-cv-687-GMS, as described below in Section VII.A.

77. Each of the Accused Products is specifically designed to be combined in communications networks and to comply with various standards in a manner that results in the apparatuses and methods of the Asserted Patents.

78. The Accused Products have no substantial non-infringing use other than to be combined with communications networks and to comply with various standards in a manner that results in the apparatuses and methods of the Asserted Patents.

79. Cisco induces infringement of Asserted Patents by, *inter alia*, (*i*) designing and/or causing the design of the Accused Products specifically for use in communications networks and to comply with various standards in a manner that results in the apparatuses and methods of Asserted Patents, (*ii*) publishing and/or causing the publishing of materials describing the use of the Accused Products in infringing manners, and (*iii*) offering and/or causing to be offered support and technical assistance to customers that encourages use of Accused Products in communications networks in ways that infringe Asserted Patents.

V. SPECIFIC INSTANCES OF UNFAIR IMPORTATION AND SALE

80. The specific instances of importation of infringing Accused Products set forth below are only a representative sample of unlawful imports of infringing articles. Due to the size and costs of the Accused Products, MOSAID has not submitted physical exemplars together with the Complaint. As described below, MOSAID has included as exhibits digital pictures of

portions of the infringing Accused Products it has obtained.

A. REPRESENTATIVE CISCO POE SWITCHES AND ROUTERS

81. MOSAID has obtained the following representative infringing Cisco Switches, Routers, Gateways, and/or Bridges purchased in the United States: (*i*) Unified Communications 500 Series for Small Business UC540W-FXO-K9, (*ii*) Catalyst Express 520 Series Switch CE520-24PC-K9, (*iii*) 48-port 10/100/1000 POE ESW-520-48P-K9, and (*iv*) Small Business Smart Switches SF200-24P SLM224PT-NA. Also purchased in the United States was a representative optical transceiver (specifically the Cisco MGBSX1 Gigabit SX Mini-GBIC SFP transceiver) for use with certain Cisco Switches, Routers, Gateways, and Bridges.

(1) Unified Communications 500 Series for Small Business UC540W-FXO-K9

82. Upon information and belief, Cisco imports, causes to be imported, sells for importation, and/or sells within the United States after importation Accused Cisco Switches, Routers, Gateways, and Bridges, including the UC540W-FXO-K9 product.

83. On or about March 31, 2011, MOSAID purchased a Cisco UC540W-FXO-K9 product from online retailer IP Phone Warehouse to be shipped to MOSAID's Plano, Texas office. Exhibit 26 (Order receipt listing tracking number). On or about April 4, 2011, MOSAID received in Plano, Texas the shipment of the Cisco UC540W-FXO-K9 product from Tritech Corporation of America ("Tritech"). Exhibit 27 (Packing list with the tracking number).

84. Tritech is a Cisco "Premier Certified Partner," that, *inter alia*, resells Cisco's products to customers. Exhibit 28; Exhibit 29 (Cisco "Resale Channel Program Customer Brochure").

85. Upon information and belief, Tritech purchased directly or indirectly the Cisco UC540W-FXO-K9 product from Cisco in the United States. Exhibit 30 (picture showing the

box shipped to MOSAID having "Cisco Systems" packing tap); Exhibit 31 (showing, *inter alia*, a previous shipping label that although covered with a white sticker can be read through to show that the box was shipped from Cisco Systems, Inc. in Coppell, Texas to the address for Tritech in Fort Worth, Texas).

86. The Cisco UC540W-FXO-K9 product is clearly marked as having been made in China. Exhibits 31-33.[6]

(2) Catalyst Express 520 Series Switch CE520-24PC-K9

87. Upon information and belief, Cisco imports, causes to be imported, sells for importation, and/or sells within the United States after importation Accused Cisco Switches, Routers, Gateways, and Bridges, including the CE520-24PC-K9.

88. On or about March 30, 2011, MOSAID purchased a Cisco Catalyst Express 520 Series Switch CE520-24PC-K9 product from online retailer Amazon.com via affiliated seller Network People, Inc. to be shipped to MOSAID's Plano, Texas office. Exhibit 34. On or about April 5, 2011, MOSAID received in Plano, Texas the shipment of the Cisco CE520-24PC-K9 product. Exhibit 35.

89. Amazon.com and Network People, Inc. are Cisco "Registered Partner[s]" that, *inter alia*, resell Cisco's products to customers. Exhibits 36-37. See also Exhibit 29.

90. Upon information and belief, Amazon.com and/or Network People, Inc. purchased directly or indirectly the Cisco CE520-24PC-K9 product from Cisco in the United States. Exhibit 38 (picture showing the box as shipped to MOSAID having "Cisco Systems" packing tap and labels); *id.* (showing, *inter alia*, a previous shipping label that although covered with a white sticker can be read through to show that the box was shipped from Cisco in Hong

[6] Exhibit 33 is a picture of the bottom of the UC540W-FXO-K9 product which refers to it as model UC520-16.

Kong to Cisco in St. Petersburg, Florida); Exhibits 39-40 (showing, *inter alia*, a previous shipping label that although covered with Tech Data label can be read to show that the box was shipped via a Cisco expeditor to Cisco in St. Petersburg, Florida).

91. The CE520-24PC-K9 product is clearly marked as having been made in China. Exhibits 38 and 41.

(3) 48-port 10/100/1000 POE ESW-520-48P-K9

92. Upon information and belief, Cisco imports, causes to be imported, sells for importation, and/or sells within the United States after importation Accused Cisco Switches, Routers, Gateways, and Bridges, including the ESW-520-48P-K9 product.

93. On or about April 1, 2011, MOSAID purchased a 48-port 10/100/1000 POE ESW-520-48P-K9 product from online retailer Amazon.com to be shipped to MOSAID's Plano, Texas office. Exhibit 42. On or about April 4, 2011, MOSAID received in Plano, Texas the shipment of the Cisco ESW-520-48P-K9 product. Exhibit 43.

94. Amazon.com is a Cisco "Registered Partner" that, *inter alia*, resells Cisco's products to customers. Exhibit 36. See also Exhibit 29.

95. Upon information and belief, Amazon.com purchased directly or indirectly the Cisco ESW-520-48P-K9 product from Cisco in the United States. Exhibit 44 (picture showing the box as shipped to MOSAID having "Cisco Systems" packing tape and labels); Exhibit 45 (picture showing, *inter alia*, a previous shipping label that although covered with a white sticker can be read through to show that the box was shipped from Cisco in Houston, Texas to InGram Micro in Carrollton, Texas).

96. The ESW-520-48P-K9 product is clearly marked as having been made in China. Exhibits 46-48.

(4) Small Business Smart Switches SF200-24P SLM224PT-NA

97. Upon information and belief, Cisco imports, causes to be imported, sells for importation, and/or sells within the United States after importation Accused Cisco Switches, Routers, Gateways, and Bridges, including the SF200-24P SLM224PT-NA product.

98. On or about March 30, 2011, MOSAID purchased a Cisco SF200-24P SLM224PT-NA product from online retailer Buy.com via affiliated seller IT Dreams to be shipped to MOSAID's Plano, Texas office. Exhibit 49. On or about April 4, 2011, MOSAID received in Plano, Texas the shipment of the Cisco SF200-24P SLM224PT-NA from IT Dreams fulfilling the Buy.com order. Exhibit 50.

99. Buy.com and IT Dreams are Cisco "Registered Partner[s]" that, *inter alia*, resell Cisco's products to customers in the United States. Exhibits 51-52. See also Exhibit 29.

100. Upon information and belief, Buy.com and/or IT Dreams purchased directly or indirectly the Cisco SF200-24P SLM224PT-NA product from Cisco in the United States. Exhibit 53 (showing the product box having Cisco labels).

101. The SF200-24P SLM224PT-NA product is clearly marked as having been made in China. Exhibits 54-55.

(5) Cisco Gigabit SX Mini-GBIC SFP Transceiver MGBSX1

102. Upon information and belief, Cisco imports, causes to be imported, sells for importation, and/or sells within the United States after importation Accused Cisco Switches, Routers, Gateways, and Bridges, including the CE520-24PC-K9, ESW-520-48P-K9, and SLM224PT-NA. Further, Cisco imports, causes to be imported, sells for importation, and/or sells within the United States after importation optical transceivers, alone and in conjunction with its switches, routers, gateways, and/or bridges including optical transceiver product

MGBSX1.

103. MOSAID obtained the representative optical transceiver Cisco Gigabit SX Mini-GBIC SFP Transceiver MGBSX1 that was purchased in the United States.

104. On or about April 7, 2011, MOSAID purchased a Cisco MGBSX1 product from online retailer Amazon.com to be shipped to MOSAID's Plano, Texas office. Exhibit 56 (Printed order receipt). On or about April 8, 2011, MOSAID received in Plano, Texas the shipment of the Cisco MGBSX1 product from Amazon.com. Exhibit 57.

105. Amazon.com is a Cisco "Registered Partner" that, *inter alia*, resells Cisco's products to customers. Exhibit 36. See also Exhibit 29.

106. Upon information and belief, Amazon.com purchased directly or indirectly the Cisco MGBSX1 product from Cisco in the United States. Exhibits 58-59 (pictures showing the product box as having Cisco labels).

107. The Cisco MGBSX1 product is clearly marked as having been made in China. Exhibits 58 and 60.

108. Cisco's optical transceivers are designed, advertised, and sold to be used in conjunction with certain Cisco switches and/or routers, including the CE520-24PC-K9, ESW-520-48P-K9, and SLM224PT-NA. The Cisco MGBSX1 product is compatible with at least the ESW-520-48P-K9 product. Exhibit 61 at table 2. Cisco's optical transceivers can be purchased in the United States from Cisco along with compatible switches.

B. REPRESENTATIVE CISCO DSL WAPs

109. Upon information and belief, Cisco imports, causes to be imported, sells for importation, and/or sells within the United States after importation Accused Cisco DSL WAPs, including the Cisco 877W-G-A-K9 DSL WAP.

110. MOSAID purchased in the United States the Cisco 877W-G-A-K9 product, which is a representative infringing Cisco DSL WAP.

111. On or about April 5, 2011, MOSAID purchased a Cisco 877W-G-A-K9 product from online retailer Compu America to be shipped to MOSAID's Plano, Texas office. Exhibit 62. On or about April 8, 2011, MOSAID received in Plano, Texas the shipment of the Cisco 877W-G-A-K9 product from Network Configuration Test LLC fulfilling the Compu America order. Exhibits 62-63.

112. Upon information and belief, Compu America and/or Network Configuration Test LLC purchased directly or indirectly the Cisco 877W-G-A-K9 product from Cisco in the United States. Exhibits 64-65 (pictures showing the box as shipped to MOSAID having "Cisco Systems" packing tape and labels).

113. The Cisco 877W-G-A-K9 product is clearly marked as having been made in Hong Kong. Exhibits 66-68.

C. REPRESENTATIVE CISCO POE WAPs

114. MOSAID obtained the following representative infringing Cisco POE WAPs purchased in the United States: (*i*) WAP2000 Wireless-G Access Point POE, (*ii*) WAP4410N Wireless-N Access Point POE, and (*iii*) WET200 Wireless-G Business Ethernet Bridge.

(1) WAP2000 Wireless-G Access Point POE

115. Upon information and belief, Cisco imports, causes to be imported, sells for importation, and/or sells within the United States after importation Accused Cisco POE WAPs, including the Cisco WAP2000 POE WAP.

116. On or about April 5, 2011, MOSAID purchased a Cisco WAP2000 product from online retailer Amazon.com to be shipped to MOSAID's Plano, Texas office. Exhibit 69. On or

about April 6, 2011, MOSAID received in Plano, Texas the shipment of the Cisco WAP2000 product from Amazon.com. Exhibit 70.

117. Amazon.com is a Cisco "Registered Partner" that, *inter alia*, resells Cisco's products to customers. Exhibit 36. See also Exhibit 29.

118. Upon information and belief, Amazon.com purchased directly or indirectly the Cisco WAP2000 product from Cisco in the United States. Exhibit 71 (showing the box as shipped to MOSAID having "Cisco Systems" packing tape and labels).

119. The WAP2000 product is clearly marked as having been made in China. Exhibits 72-73.

(2) WAP4410N Wireless-N Access Point POE

120. Upon information and belief, Cisco imports, causes to be imported, sells for importation, and/or sells within the United States after importation Accused Cisco POE WAPs, including the WAP4410N POE WAP.

121. On or about April 5, 2011, MOSAID purchased a Cisco WAP4410N product from online retailer Amazon.com via affiliated seller WestBiz Corporation to be shipped to MOSAID's Plano, Texas office. Exhibit 74. On or about April 6, 2011, MOSAID received in Plano, Texas the shipment of the Cisco WAP4410N product. Exhibit 75.

122. Amazon.com is a Cisco "Registered Partner" that, *inter alia*, resells Cisco's products to customers. Exhibit 36. See also Exhibit 29.

123. Upon information and belief, Amazon.com and/or WestBiz Corp. purchased directly or indirectly the Cisco WAP4410N product from Cisco in the United States. Exhibit 76 (showing the product box having Cisco labels).

124. The WAP4410N product is clearly marked as having been made in Taiwan.

Exhibits 77-78.

(3) WET200 Wireless-G Business Ethernet Bridge

125. Upon information and belief, Cisco imports, causes to be imported, sells for importation, and/or sells within the United States after importation Accused Cisco POE WAPs, including the Cisco WET200 POE WAP.

126. On or about April 5, 2011, MOSAID purchased a Cisco WET200 product from online retailer Amazon.com to be shipped to MOSAID's Plano, Texas office. Exhibit 79. On or about April 6, 2011, MOSAID received in Plano, Texas the shipment of the Cisco WET200 product from Amazon.com. Exhibit 80.

127. Amazon.com is a Cisco "Registered Partner" that, *inter alia*, resells Cisco's products to customers. Exhibit 36. See also Exhibit 29.

128. Upon information and belief, Amazon.com purchased directly or indirectly the Cisco WET200 product from Cisco in the United States. Exhibit 81 (picture showing the product box having "Cisco Systems" packing tape and labels).

129. The WET200 product is clearly marked as having been made in China. Exhibits 82-83.

D. REPRESENTATIVE CISCO CABLE WAPS

130. MOSAID obtained the following representative infringing Cisco Cable WAPs purchased in the United States: (*i*) Wireless Residential Gateway with Digital Voice Adapter DPQ2425, (*ii*) DOCSIS Residential Gateway with Wireless Access Point DPC2325, and (*iii*) Cable Modem Gateway with Wireless Access Point DPR2320.

(1) Wireless Residential Gateway with Digital Voice Adapter DPQ2425

131. Upon information and belief, Cisco imports, causes to be imported, sells for

importation, and/or sells within the United States after importation Accused Cisco Cable WAPs, including the DPQ2425 product.

132. On or about April 5, 2011, MOSAID purchased a Cisco DPQ2425 product from online retailer Insight Direct USA Inc., www.insight.com, ("Insight") to be shipped to MOSAID's Plano, Texas office. Exhibit 84. On or about April 7, 2011, MOSAID received in Plano, Texas the shipment of the Cisco DPQ2425 product from Insight. Exhibits 85-86.

133. Insight is a featured Cisco "Online Partner" for the United States that, *inter alia*, resells Cisco's products to customers. Exhibits 87-89. Upon information and belief, Insight purchased directly or indirectly the Cisco DPQ2425 product from Cisco in the United States. *Id.*

134. The DPQ2425 product is clearly marked as having been made in China. Exhibits 90-91.

(2) DOCSIS Residential Gateway with Wireless Access Point DPC2325

135. Upon information and belief, Cisco imports, causes to be imported, sells for importation, and/or sells within the United States after importation Accused Cisco Cable WAPs, including the DPC2325 product.

136. On or about April 5, 2011, MOSAID purchased a Cisco DPC2325 product from online retailer Insight to be shipped to MOSAID's Plano, Texas office. Exhibit 84. On or about April 7, 2011, MOSAID received in Plano, Texas the shipment of the Cisco DPC2325 product from Insight. Exhibits 85-86.

137. Insight is a featured Cisco "Online Partner" for the United States that, *inter alia*, resells Cisco's products to customers. Exhibits 87-89. Upon information and belief, Insight purchased directly or indirectly the Cisco DPC2325 product from Cisco in the United States. *Id.*

138. The DPC2325 product is clearly marked as having been made in China.

Exhibits 92-93.

(3) Cable Modem Gateway With Wireless Access Point DPR2320

139. Upon information and belief, Cisco imports, causes to be imported, sells for importation, and/or sells within the United States after importation Accused Cisco Cable WAPs, including the DPR2320 product.

140. On or about April 5, 2011, MOSAID purchased a Cisco DPR2320 product from online retailer Insight to be shipped to MOSAID's Plano, Texas office. Exhibit 84. On or about April 7, 2011, MOSAID received in Plano, Texas the shipment of the Cisco DPR2320 product from Insight. Exhibits 85-86.

141. Insight is a featured Cisco "Online Partner" for the United States that, *inter alia*, resells Cisco's products to customers. Exhibits 87-89. Upon information and belief, Insight purchased directly or indirectly the Cisco DPR2320 product from Cisco in the United States. *Id.*

142. The DPR2320 product is clearly marked as having been made in China. Exhibits 94-95.

E. REPRESENTATIVE CISCO POE IP PHONES

143. MOSAID obtained the following representative infringing Cisco POE IP Phones which were purchased in the United States: (*i*) Cisco Unified IP phone 6900 Series, CP-6941-C-K9 and (*ii*) Cisco Small Business Pro SPA 500 Series IP Phones, SPA509G.

(1) Cisco Unified IP phone 6900 Series, CP-6941-C-K9

144. Upon information and belief, Cisco imports, causes to be imported, sells for importation, and/or sells within the United States after importation Accused Cisco POE IP Phones, including the CP-6941-C-K9 product.

145. On or about March 31, 2011, MOSAID purchased a CP-6941-C-K9 product from

online retailer Insight to be shipped to MOSAID's Plano, Texas office. Exhibit 96. On or about April 4, 2011, MOSAID received in Plano, Texas the shipment of the Cisco CP-6941-C-K9 product from Insight. Exhibits 97-99.

146. Insight is a featured Cisco "Online Partner" for the United States that, *inter alia*, resells Cisco's products to customers. Exhibits 87-89. Upon information and belief, Insight purchased directly or indirectly the Cisco CP-6941-C-K9 product from Cisco in the United States. *Id.*

147. The CP-6941-C-K9 product is clearly marked as having been made in China. Exhibits 100-101.

(2) Cisco Small Business Pro SPA 500 Series IP Phones, SPA509G

148. Upon information and belief, Cisco imports, causes to be imported, sells for importation, and/or sells within the United States after importation Accused Cisco POE IP Phones, including the SPA509G product.

149. On or about March 31, 2011, MOSAID purchased a Cisco SPA509G product from online retailer CDW.com to be shipped to MOSAID's Plano, Texas office. Exhibit 102. On or about April 4, 2011, MOSAID received in Plano, Texas the shipment of the Cisco SPA509G product from CDW.com. Exhibits 103-104.

150. CDW.com is a featured Cisco "Online Partner" for the United States that, *inter alia*, resells Cisco's products to customers. Exhibits 88-89, 105. Upon information and belief, CDW.com purchased directly or indirectly the Cisco SPA509G product from Cisco in the United States. *Id.*

151. The SPA509G product is clearly marked as having been made in China. Exhibit 106.

F. REPRESENTATIVE CISCO CABLE MODEMS WITH VOIP

152. MOSAID obtained the following representative infringing Cisco cable modems with VoIP which were purchased in the United States: (*i*) Cisco Explorer Series 4000 Digital Cable Set-Tops, DPQ2202 and (*ii*) Cisco Cable Modem with Embedded MTA, DPC2203.

(1) Cisco Explorer Series 4000 Digital Cable Set-Tops, DPQ2202

153. Upon information and belief, Cisco imports, causes to be imported, sells for importation, and/or sells within the United States after importation Accused Cisco Cable Modems with VoIP, including the DPQ2202 product.

154. On or about March 30, 2011, MOSAID purchased a Cisco DPQ2202 product from online retailer Insight to be shipped to MOSAID's Plano, Texas office. Exhibit 96. On or about April 1, 2011, MOSAID received in Plano, Texas the shipment of the Cisco DPQ2202 product from Insight. Exhibits 98-99.

155. Insight is a featured Cisco "Online Partner" for the United States that, *inter alia*, resells Cisco's products to customers. Exhibits 87-89. Upon information and belief, Insight purchased directly or indirectly the Cisco DPQ2202 product from Cisco in the United States. *Id.*

156. The DPQ2202 product is clearly marked as having been made in China. Exhibits 107-108.

(2) Cisco Cable Modem with Embedded MTA, DPC2203

157. Upon information and belief, Cisco imports, causes to be imported, sells for importation, and/or sells within the United States after importation Accused Cisco Cable Modems with VoIP, including the DPC2203 product.

158. On or about March 30, 2011, MOSAID purchased a Cisco DPC2203 product

from online retailer Insight to be shipped to MOSAID's Plano, Texas office. Exhibit 96. On or about April 1, 2011, MOSAID received in Plano, Texas the shipment of the Cisco DPC2203 product from Insight. Exhibits 98-99.

159. Insight is a featured Cisco "Online Partner" for the United States that, *inter alia*, resells Cisco's products to customers. Exhibits 87-89. Upon information and belief, Insight purchased directly or indirectly the Cisco DPC2203 product from Cisco in the United States. *Id.*

160. The DPC2203 product is clearly marked as having been made in China. Exhibits 109-110.

G. CISCO ALSO SELLS ACCUSED PRODUCTS WITHIN THE UNITED STATES AFTER IMPORTATION DIRECTLY

161. Upon information and belief, Cisco imports, causes to be imported, sells for importation, and/or sells within the United States after importation Cisco Accused Products.

162. Cisco sells Accused Products that were imported into the United States directly to customers in the United States at least via its website to registered customers. Exhibit 89 (explaining that one way to purchase Cisco products is that "customers with Direct Purchasing agreements can Order Direct from Cisco."); Exhibit 111.

163. Cisco provides Customer Service Representatives 24 hours a day to assist customers with purchasing Accused Products, including for U.S. customers. Exhibit 112. Product information about Accused Products is available on Cisco's website, including for access by Cisco's U.S. customers. Exhibit 113.

VI. CLASSIFICATION UNDER HARMONIZED TARIFF SCHEDULE

164. Upon information and belief, Cisco's infringing products may be classified under at least the following Harmonized Tariff Schedule of the U.S. ("HTS") numbers: 8517.18.50 ("Other apparatus for transmission or reception of voice, images or other data, including

apparatus for communication in a wired or wireless network (such as a local or wide area network)"), 8517.62.00 ("Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus . . ."), 8525.50.10 ("Television: Set top boxes which have a communication function"), 8534.00.00 (printed circuits), or 8543.90.68 (electrical machines and apparatus . . . , printed circuit assemblies, other). These HTS numbers are exemplary classification numbers for illustration only and are not intended to be exhaustive but instead merely reflective and representative of a broader set of HTS headings.

VII. RELATED PROCEEDINGS

A. CISCO DELAWARE ACTION

165. [redacted] on August 13, 2010, Cisco anticipated MOSAID's intention to enforce its patents by filing a declaratory judgment action against MOSAID in the District of Delaware against MOSAID concerning ten patents. Six of these ten patents are the Asserted Patents herein. MOSAID counterclaimed for infringement of the ten patents, including the Asserted Patents. The case was assigned to Judge Gregory M. Sleet and assigned case number 1:10cv-0687. Discovery has yet to begin and a date for a scheduling conference with the Court has not been set yet.

B. SHORETEL LITIGATION

166. On April 29, 2009, MOSAID filed a patent infringement action against ShoreTel, Inc. in the District of Delaware alleging, *inter alia*, that ShoreTel infringed five patents,

including the '360 and '280 patents. This action was assigned case number 09-CV-314.

167. Soon thereafter, MOSAID voluntarily dismissed the case with results favorable to MOSAID.

C. ASOKA LITIGATION

168. On August 25, 2005, Serconet filed a patent infringement action against Asoka USA, Inc. and Asoka's customers Amazon.com, Inc. and eBay, Inc. in the Eastern District of Texas. The case was assigned to Judge David Folsom and assigned case number 5:05-cv-167. Serconet alleged, *inter alia*, that the Defendants infringed the '459 patent. The patent subsequently was placed in reexamination and the parties agreed to stay the case pending its outcome.

169. The reexamination certificate for the '459 patent issued on January 5, 2010. The stay in the case was then lifted. The case settled in February 2011.

D. NETGEAR LITIGATIONS

170. On June 29, 2006, Serconet filed a patent infringement action against Netgear, Inc. in the Southern District of New York. The case was assigned to Judge Jed S. Rakoff and assigned case number 1:06-cv-5026. Serconet alleged, *inter alia*, that Netgear infringed five patents, including the '280 and '360 patents.

171. On July 20, 2006, the case was transferred to the Northern District of California. The case was assigned to Judge Phyllis J. Hamilton and assigned case number C-06-4646.

172. A case management conference was held and the case proceeded into discovery. A claim construction hearing was held and the Court entered a claim construction order on July 30, 2007. A mediation was held in October 2007 during which the case was fully settled. Serconet dismissed its claims soon thereafter in November 2007.

E. MERLOT LITIGATIONS

173. On August 5, 2005, Merlot Communications, Inc. ("Merlot") filed a declaratory judgment action against Serconet in the District of Connecticut concerning patents other than those at issue here. This case was assigned to Judge Christopher F. Droney and assigned case number 3:05-cv-1244. Merlot voluntarily dismissed this action shortly after Serconet filed a motion to dismiss due to lack of jurisdiction.

174. On November 2, 2005, Merlot filed a declaratory judgment action against Serconet in the District of Massachusetts. This case was assigned to Judge Michael A. Ponsor and assigned case number 3:5-cv-30235. Merlot filed a First Amended Complaint on January 6, 2006 concerning a number of patents, including the '360 patent. On March 15, 2006, the Court ordered the case transferred to the Southern District of New York where it was assigned case number 1:06-cv-2335.

175. On January 3, 2006, Serconet filed a patent infringement action against Merlot, and certain Merlot customers and distributors, in the Southern District of New York asserting five patents, including the '360 patent. The case was assigned to Judge Jed S. Rakoff and assigned case number 1:06-cv-013. The case transferred from the District of Massachusetts, case number 1:06-cv-2335, was consolidated with this case under the 1:06-cv-013 case number.

176. In June 2006, the cases were settled and dismissed with respect to Merlot, its customers, and its distributors.

VIII. DOMESTIC INDUSTRY

177. A domestic industry, as defined by Section 337(a)(2) and (3), exists in connection with each of the Asserted Patents. The existence of a domestic industry is supported by at least the following activities: (*i*) investment by licensees of the Asserted Patents in plant, equipment,

labor, capital, fabrication, manufacturing, testing, research, engineering and/or research and development, relating to products covered by the Asserted Patents, and (*ii*) substantial investment in and exploitation of the Asserted Patents by both MOSAID and Serconet through licensing and litigation in the United States, including active and ongoing licensing activity in the United States.

A. SUBSTANTIAL INVESTMENT BY LICENSEES IN EXPLOITATION OF ASSERTED PATENTS IN THE UNITED STATES

178. [redacted] have made significant investments in research and development, labor, capital, plant and equipment in the United States relating to their products that practice Asserted Patents and are covered by their licenses to Asserted Patents.[7]

(1) [redacted]

179. [redacted]

180. [redacted]

[7] Licensee Asoka also has made significant investments in research and development, labor, capital, and equipment in the United States relating to its products that practice Asserted Patents. Upon information and belief, Asoka USA's PlugLAN 8350 and Pluglink AV 9560-WAP with PlugLink 9650-ETH, for example, practice the invention of at least the '459 patent. MOSAID reserves its rights to establish that Asoka USA has made significant investments in the United States in furtherance of its products that practice Asserted Patents.

181. [redacted]

182. [redacted]

183. [redacted]

184. [redacted]

185. [redacted]

[redacted]

186. [redacted]

187. Inventions claimed in each of the Asserted Patents are embodied in [redacted] networking products for which it has made substantial investment in the United States, including in research and development, labor, capital, plant, and equipment. Exhibit 121 at 3-6.

a. The '280 Patent

188. Certain [redacted] POE switches, routers, gateways, and/or bridges are covered by at least claims 18, 19, 23, 27, 30, 31, 36, 43, 45, 46, and 51 of the '280 patent, including [redacted] products. Upon information and belief, the [redacted] product is a representative covered [redacted] switch and/or router. A chart that applies

the '280 patent to this representative product is attached as Exhibit 122.

189. Certain [redacted] POE WAPs are covered by at least claims 1, 5, 9, and 11-13 of the '280 patent, including [redacted] products. Upon information and belief, [redacted] is a representative covered [redacted] POE WAP product. A chart that applies the '280 patent to this representative product is attached as Exhibit 123.

b. The '600 Patent

190. Certain [redacted] POE switches, routers, gateways, and/or bridges are covered by at least claims 44-46, 50-53, and 57-58 of the '600 patent, including [redacted] products. Upon information and belief, the [redacted] product is a representative covered [redacted] switch and/or router. A chart that applies the '600 patent to this representative product is attached as Exhibit 124.

191. Certain [redacted] POE WAPs are covered by at least claims 12, 13, and 17-18 of the '600 patent, including [redacted] products. Upon information and belief, [redacted] is a representative covered [redacted] POE WAP product. A chart that applies the '600 patent to this representative product is attached as Exhibit 125.

192. Certain [redacted] cable modems with VoIP are covered by at least claims 83 and 139 of the '600 patent, including [redacted]

[redacted]. Upon information and belief, [redacted] is a representative covered [redacted] modem with VoIP. A chart that applies the '600 patent to this representative product is attached as Exhibit 126.

c. The '858 Patent

193. Certain [redacted] POE switches, routers, gateways, and/or bridges are covered by at least claims 34-39 of the '858 patent, including [redacted] products. Upon information and belief, [redacted] is a representative covered POE switch and/or router product. A chart that applies the '858 patent to this representative product is attached as Exhibit 127.

194. Certain [redacted] POE WAPs are covered by at least claims 111-114, 118, and 120-122 of the '858 patent, including [redacted] products. Upon information and belief, [redacted] is a covered representative [redacted] POE WAP product. A chart that applies the '858 patent to this representative product is attached as Exhibit 128.

d. The '459 Patent

195. Certain [redacted] POE switches, routers, gateways, and/or bridges that use an optical transceiver are covered by at least claims 15 and 22-24 of the '459 patent, including [redacted] products. Upon information and belief, [redacted]

[redacted] using an [redacted] optical transceiver is a representative covered POE switch and/or router product. A chart that applies the '459 patent to this representative product is attached as Exhibit 129.

196. Certain [redacted] DSL WAPs are covered by at least claims 15-17, 24, and 25 of the '459 patent, including [redacted] Upon information and belief, [redacted] is a representative covered [redacted] DSL WAP product. A chart that applies the '459 patent to this representative product is attached as Exhibit 130.

197. Certain [redacted] POE WAPs are covered by at least claims 15, 24, and 25 of the '459 patent, including [redacted] products. Upon information and belief, [redacted] is a representative covered [redacted] POE WAP product. A chart that applies the '459 patent to this representative product is attached as Exhibit 131.

198. Certain [redacted] Cable WAPs are covered by at least claims 15, 20, 21, 24, and 25 of the '459 patent, including [redacted] products. Upon information and belief, [redacted] is a representative covered [redacted] Cable WAP product. A chart that applies the '459 patent to this representative product is attached as Exhibit 132.

e. The '966 Patent

199. Certain [redacted] DSL WAPs are covered by at least claims 1, 3, 5, 6, and 9 of the '966 patent, including [redacted]. Upon information and belief, [redacted] is a representative covered [redacted] DSL WAP product. A chart that applies the '966 patent to this representative product is attached as Exhibit 133.

f. The '360 Patent

200. Certain [redacted] POE switches, routers, gateways, and/or bridges are covered by at least claims 1, 6, and 9 of the '360 patent, including [redacted] products. Upon information and belief, the [redacted] product is a representative covered [redacted] switch and/or router. A chart that applies the '360 patent to this representative product is attached as Exhibit 134.

(2) [redacted]

201. [redacted]

202. [redacted]

[redacted]

203. [redacted]

204. [redacted]

205. [redacted]

206. [redacted]

[redacted]

207. Inventions claimed in the '280 patent and '858 patent are embodied in [redacted] networking products for which it has made substantial investment in the United States, including in research and development, labor, capital, plant, and equipment.

a. The '280 Patent

208. Certain [redacted] POE IP phones are covered by at least claims 1, 5, 9, 11-13, and 15 of the '280 patent, including [redacted]. Upon information and belief, [redacted] is a representative covered [redacted] POE IP phone. A chart that applies the '280 patent to this representative product is attached as Exhibit 140.

b. The '858 Patent

209. Certain [redacted] POE IP phones are covered by at least claims 111-114, 118, and 120-131 of the '858 patent, including [redacted]. Upon information and belief, [redacted] is a representative covered [redacted] POE IP phone. A chart that applies the '858 patent to this representative product is attached as Exhibit 141.

B. SUBSTANTIAL INVESTMENT BY MOSAID AND SERCONET IN EXPLOITATION OF THE ASSERTED PATENTS IN THE UNITED STATES

210. MOSAID has made, and will continue to make, substantial investments in exploiting the Asserted Patents in the United States through licensing. As a result of substantial licensing efforts, four U.S. based companies have taken licenses to Asserted Patents. Exhibits 15-18 (the license agreements). Two of these licenses were with MOSAID and two were with

Serconet during its prior ownership of the Asserted Patents. *Id.*; Exhibit 142 (table summarizing the license agreements). The '360, '280, '600 and '858 patents are the subject of three of these license agreements. *Id.* The '459 and '966 patents are the subject of two of the licenses. *Id.* As shown in Exhibit 142, [redacted]

Id.

211. Substantial investment has been made in obtaining these existing licenses, including investment in patent litigation and negotiations in the United States. See identification of related proceedings in Section VII. Exhibit 143 identifies which of the Asserted Patents were asserted in each litigation. [redacted]

212. [redacted]

213. Substantial investment has also been made with respect to obtaining a license agreement with Cisco itself through activities taking place in the United States. [redacted] See Section VII.A. MOSAID counterclaimed for infringement. [redacted]

[redacted]

IX. RELIEF REQUESTED

WHEREFORE, by reason of the foregoing, Complainant MOSAID requests that the U.S. International Trade Commission:

(a) institute an immediate investigation pursuant to Section 337 of the Tariff Act of 1930, as amended, into the violations of that section based on the unlawful importation into the United States, sale for importation, and/or sale within the United States after importation of certain POE switches, bridges, gateways, routers, DSL WAPs, POE WAPs, cable WAPs, POE IP phones, and cable modems with VoIP and products containing them that infringe one or more claims of the Asserted Patents;

(b) schedule and conduct a hearing on said unlawful acts, and following such hearing;

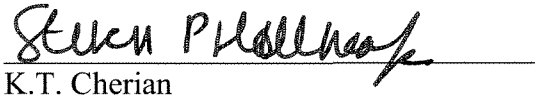
(c) issue a permanent general exclusion order, or, alternatively, a limited exclusion order pursuant to 19 U.S.C. § 1337(d), excluding from entry into the United States all infringing Accused Products and products containing infringing Accused Products, including certain POE switches, bridges, gateways, routers, DSL WAPs, POE WAPs, cable WAPs, POE IP phones, and cable modems with VoIP and products containing them that infringe on or more of the claims of the Asserted Patents;

(d) issue permanent orders pursuant to 19 U.S.C. § 1337(f) directing respondents to cease and desist from importing, marketing, advertising, demonstrating, warehousing of inventory for distribution, sale and use of respondents' infringing products, including certain POE switches, bridges, gateways, routers, DSL WAPs, POE WAPs, cable WAPs, POE IP phones, and cable modems with VoIP and products containing them that infringe on or more of the claims of one or more of the Asserted Patents; and

(e) grant such other and further relief as the Commission deems appropriate and just under the law, based on the facts complained of herein and determined by the investigation.

Dated: May 17, 2011

Respectfully submitted,



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VERIFICATION OF COMPLAINT

I, Michael B. Vladescu, Vice President, Licensing and Intellectual Property for MOSAID Technologies, Inc., declare that:

1. I am duly authorized to execute this verification.

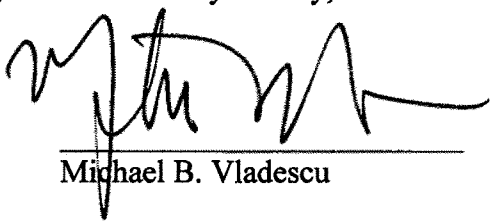
2. I have read the foregoing Complaint and am familiar with the allegations and statements contained therein.

3. To the best of my knowledge, information, and belief, founded after reasonable inquiry, the allegations and statements contained in the foregoing Complaint are well grounded in fact, are warranted by existing law or a good faith argument for the extension, modification or establishment of new law.

4. The allegations and other factual contentions have evidentiary support or are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery.

5. The foregoing Complaint is not being filed for any improper purpose.

I declare under penalty of perjury on this 13th day of May, 2011 that the foregoing is true and correct.



Michael B. Vladescu