

AO 440 (Rev. 12/09) Summons in a Civil Action

FILED CLERK
U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT

for the
Eastern District of Texas

DEC 10 PM 1:43

TEXAS EASTERN

BY _____

INNOVATIVE SONIC LIMITED

Plaintiff

v.

RESEARCH IN MOTION LTD., ET AL

Defendant

Civil Action No. 6:10-CV-455

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* RESEARCH IN MOTION LTD.
295 Phillip Street
Waterloo, Ontario, Canada N2L 3W8

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Otis Carroll
Ireland, Carroll & Kelley, P.C.
6101 S. Broadway, Suite 500
Tyler, Texas 75703
Tel: (903) 561-1600

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 9/3/10



CLERK OF COURT

David Malone

Signature of Clerk or Deputy Clerk

SUMMARY OF THE DOCUMENT TO BE SERVED

ELEMENTS ESSENTIELS DE L'ACTE

Convention on the service abroad of judicial and extrajudicial documents in civil or commercial matters, signed at The Hague, November 15, 1965

Convention relative à la signification et à la notification à l'étranger des actes judiciaires et extrajudiciaires en matière civile ou commerciale, signée à La Hage, le 15 Novembre 1965.

(article 5, fourth paragraph)
(article 5, alinéa 4)

Name and address of the requesting authority: **L. Celeste Ingalls**
Nom et adresse de l'autorité requérante: **Crowe Foreign Services**
1020 SW Taylor Street, Suite 240
Portland, Oregon 97205

Particulars of the parties*: **Innovative Sonic Limited PLAINTIFF**
Identité des parties: **Research In Motion Ltd., et al. DEFENDANTS**

JUDICIAL DOCUMENT**

ACTE JUDICIAIRE

Nature and purpose of the document:
Nature et objet de l'acte: **To give notice to the defendant, Research In Motion Ltd., of the institution against it of a claim for civil damages and to summon it to answer the claim.**

Nature and purpose of the proceedings, and, where appropriate, the amount in dispute:
Nature et objet de l'instance, le cas échéant, le montant du litige:

Civil claim for patent infringement and related actions. Plaintiff's claims include, but are not limited to, allegations that defendants' have induced, contributed, and/or directly infringed upon the plaintiff's registered United States Patents, causing plaintiff to suffer damages. Plaintiff seeks judgment including, but not limited to, permanent injunction against defendants from further infringement, damages in an amount to be determined, interest, costs of suit, attorneys fees, and such other and further relief as the Court deems just and proper.

Date and place for entering appearance:** **N/A**
Date et lieu de la comparution:

Court which has given judgment:** **N/A**
Jurisdiction qui a rendu la décision:

Date of judgment:** **N/A**
Date de la décision:

Time limits stated in the document:**
Indication des délais figurant dans l'acte: **Defendant is required to serve an ANSWER upon Plaintiff's attorney and file same ANSWER with the Court within twenty-one (21) days after receiving the Summons and other documents herein.**

EXTRAJUDICIAL DOCUMENT*

ACTE EXTRAJUDICIAIRE

Nature and purpose of the document: **N/A**
Nature et objet de l'acte:

Time limits stated in the document:** **N/A**
Indication des délais figurant dans l'acte:

*** If appropriate, identity and address of the person interested in the transmission of the document.**
S'il y a lieu, identité et adresse de la personne intéressée à la transmission de l'acte.

**** Delete if inappropriate.**
Rayer les mentions inutiles.

**SUMMARY OF THE DOCUMENT TO BE SERVED
PAGE 2 OF 2**

*Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters,
signed at The Hague, the 15th of November 1965
(Article 5, fourth paragraph)*

Identite et adresse du destinataire / Identity and address of the addressee / --:

**Research In Motion Ltd.
295 Phillip Street
Waterloo, Ontario N2L 3W8**

IMPORTANT

LE DOCUMENT CI-JOINT EST DE NATURE JURIDIQUE ET PEUT AFFECTER VOS DROITS ET OBLIGATIONS. LES «ELEMENTS ESSENTIELS DE L'ACTE» VOUS DONNENT QUELQUES INFORMATIONS SUR SA NATURE ET SON OBJET IL EST TOUTEFOIS INDISPENSABLE DE LIRE ATTENTIVEMENT LE TEXTE MEME DU DOCUMENT IL PEUT ETRE NECESSAIRE DE DEMANDER UN AVIS JURIDIQUE

SI VOS RESSOURCES SO NT INSUFFISANTES, RENSEIGNEZ-VOUS SUR LA POSSIBILITE D'OBTENIR L'ASSISTANCE JUDICIAIRE ET LA CONSULTATION JURIDIQUE SOIT DANS VOTRE PAYS SOIT DANS LE PAYS D'ORIGINE DU DOCUMENT

LES DEMANDES DE RENSEIGNEMENTS SUR LES POSSIBILITES D'OBTENIR L'ASSISTANCE JUDICIAIRE OU LA CONSULTATION JURIDIQUE DANS LE PAYS D'ORIGINE PEUVENT ETRE ADRESSEES A:

Pro BAR
301 E Madison Avenue
Harlingen, TX 78550-4907
956-425-9231

IMPORTANT

THE ENCLOSED DOCUMENT IS OF A LEGAL NATURE AND MAY AFFECT YOUR RIGHTS AND OBLIGATIONS. THE 'SUMMARY OF THE DOCUMENT TO BE SERVED' WILL GIVE YOU SOME INFORMATION ABOUT ITS NATURE AND PURPOSE YOU SHOULD HOWEVER READ THE DOCUMENT ITSELF CAREFULLY IT MAY BE NECESSARY TO SEEK LEGAL ADVICE

IF YOUR FINANCIAL RESOURCES ARE INSUFFICIENT YOU SHOULD SEEK INFORMATION ON THE POSSIBILITY OF OBTAINING LEGAL AID OR ADVICE EITHER IN THE COUNTRY WHERE YOU LIVE OR IN THE COUNTRY WHERE THE DOCUMENT WAS ISSUED.

ENQUIRIES ABOUT THE AVAILABILITY OF LEGAL AID OR ADVICE IN THE COUNTRY WHERE THE DOCUMENT WAS ISSUED MAY BE DIRECTED TO:

Pro BAR
301 E Madison Avenue
Harlingen, TX 78550-4907
956-425-9231

REQUEST
FOR SERVICE ABROAD OF JUDICIAL OR EXTRA JUDICIAL DOCUMENTS

DEMANDE
AUX FINS DE SIGNIFICATION OU DE NOTIFICATION A L'ETRANGER
D'UN ACTE JUDICIAIRE OU EXTRAJUDICIAIRE

Convention on the service abroad of judicial and extrajudicial documents in civil or
commercial matters, signed at The Hague, November 15, 1965

Convention relative à la signification et à la notification à l'étranger des actes judiciaires ou extrajudiciaires en matière civile
commerciale, signée à La Hage, le 15 Novembre 1965.

Identity and address of the applicant
Identité et adresse du requérant

L. Celeste Ingalls**
Crowe Foreign Services
1020 SW Taylor Street, Suite 240
Portland, Oregon 97205
USA
Email: Lci@foreignservices.com

Fax Number: 1-503-222-3950

Address of receiving authority
Adresse de l'autorité destinataire

Ministry of the Attorney General
Ontario Court of Justice
393 Main Street
Haileybury, ON P0J 1K0
Canada

T (705) 672-3395 ext. 214 F (705) 672-3360

The undersigned applicant has the honour to transmit - in duplicate - the documents listed below and, in conformity with article 5 of the above-mentioned Convention, requests prompt service of one copy thereof on the addressee, i.e.,
(identity and address)

Le requérant soussigné a l'honneur de faire parvenir - en double exemplaire - a l'autorité destinataire les documents ci-dessous énumérés en la priant conformément à l'article 5 de la Convention précitée, d'en faire remettre sans retard un exemplaire au destinataire, savior:
(identité et adresse)

Research In Motion Ltd.
295 Phillip Street
Waterloo, Ontario N2L 3W8

- (a) in accordance with the provisions of sub-paragraph (a) of the first paragraph of article 5 of the Convention.*
a) selon les formes légales (article 5, alinéa premier, lettre a).
- (b) in accordance with the following particular method (sub-paragraph (b) of the first paragraph of article 5)*:
-b) selon la forme particulière suivante (article 5, alinéa premier, lettre b):
- (c) by delivery to the addressee, if he accepts it voluntarily (second paragraph of article 5)*.
e) le cas échéant, par remise simple (article 5, alinéa 2).

The authority is requested to return or to have returned to the applicant a copy of the documents - and of the annexes* - with a certificate as provided on the reverse side.

Cette autorité est priée de renvoyer ou de faire renvoyer au requérant un exemplaire de l'acte - et de ses annexes - avec l'attestation figurant au verso.

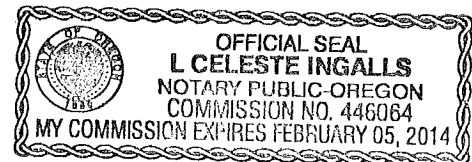
List of documents

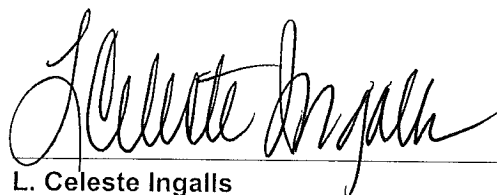
Énumération des pièces

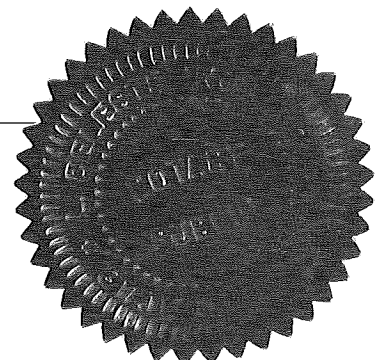
Done at Portland, Oregon, USA, the 20th day of Sept, 2010.
Fait à Portland, Oregon, USA, le...

Executed "Summary" (2 pages)
Summons in a Civil Action
Complaint for Patent Infringement, with Exhibits

Signature and/or stamp.
Signature et/ou cachet




L. Celeste Ingalls



*Delete if inappropriate
Rayer les mentions inutiles

** Authorized applicant pursuant to Rule 4(c)(2) of the
Federal Rules of Civil Procedure, Public Law 97-462

**CERTIFICATE
ATTESTATION**

The undersigned authority has the honour to certify, in conformity with article 6 of the Convention,
L'autorité soussignée a l'honneur d'attester conformément à l'article 6 de ladite Convention,

1) that the document has been served*

1. que la demande a été exécutée

—the (date)

—le (date)

—at (place, street, number)

—à (localité, rue numéro)

25 October 2010

176 Columbia St. Waterloo, Ontario

—in one of the following methods authorised by article 5—

—dans une des formes suivantes prévues à l'article 5:

(a) in accordance with the provisions of sub-paragraph (a) of the first paragraph of article 5 of the Convention*.

a) selon les formes légales (article 5, alinéa premier, lettre a)

(b) in accordance with the following particular method*:

b) selon la forme particulière suivante : _____

(c) by delivery to the addressee, who accepted it voluntarily,*

c) par remise simple

The documents referred to in the request have been delivered to:

Les documents mentionnés dans la demande ont été remis à:

—(identity and description of person)

—(identité et qualité de la personne)

Jordan R. Vaeth

—relationship to the addressee (family, business or other):

—liens de parenté, de subordination ou autres, avec le destinataire de l'acte:

Commercial Counsel

2) that the document has not been served, by reason of the following facts*:

2. que la demande n'a pas été exécutée, en raison des faits suivants:

In conformity with the second paragraph of article 12 of the Convention, the applicant is requested to pay or reimburse the expenses detailed in the attached statement.*

Conformément à l'article 12, alinéa 2, de ladite Convention, le requérant est prié de payer ou de rembourser les frais dont le détail figure au mémoire ci-joint.

Annexes

Annexes

Documents returned:

Pièces renvoyées:

As per requested

Done at

Fait à

Kitchener, Ont., the 25 Oct. 2010

Signature and/or stamp...

Signature et/ou cachet.

In appropriate cases, documents establishing the service:

Le cas échéant, les documents justificatifs de l'exécution:

2

W. Smith
Sheriff's Officer

*Delete if inappropriate.

Rayer les mentions inutiles.