



## **Helferich Patent Licensing, LLC**

### **Patent Information**

Helferich Patent Licensing, LLC (HPL) has an extensive portfolio of patents, covering the United States and other countries. Included in the portfolio is the patent for i) creating, configuring, and/or storing content or messages (including audio, visual, graphical, textual or other data or media), and/or (ii) causing or initiating the wireless transmission of such content or messages (including SMS and MMS messages) to or from mobile communication devices, and/or (iii) providing and/or maintaining a software or hardware solution, component, or module that facilitates the wireless transmission of such content or messages (including SMS and MMS messages) to or from communication devices, but (iii) excluding Wireless Service Provision and making, using, selling, offering for sale, importing or exporting a Mobile Wireless Communication Devices.

#### **Why is this important to know?**

As the popularity of text-to-shortcode marketing grew, Helferich began the pursuit to enforce its patents by filing lawsuits against several of the top companies in news, retail, sports, mobile communications and computing for patent infringement. Since courts have ruled in Helferich's favor, nearly 100 companies have obtained a license agreement.

#### **How to protect your business?**

Mobilozophy is one of only three mobile marketing providers that have entered into a license agreement with HPL. According to the license terms, Mobilozophy, our clients and intermediaries using our software solutions are free of liability for any claims of patent infringement of 61 patents. (See list of patents below)

#### **What is the cost to obtain a license?**

Depending on the structure of the license, the cost can be upwards of \$750,000. Companies with licenses must have a tracking mechanism to record the number of messages sent containing a URL.

#### **What are your risks for not being protected?**

By not obtaining a license or working with a mobile marketing provider that has entered into a license agreement with HPL, you run the risk of a potential lawsuit costing hundreds of thousands of dollars per month. There is the possibility that you will have to cease all text-to-shortcode campaigns that include a hyperlink and pay a royalty fee on any previous messages that contained a URL.

### **Does this license protect you from patent liability when posting to social media networks?**

The license terms does provide protection against patent infringement for posting content containing URLs to social media networks. However, the content would need to be posted using Mobilozophy's software. To offer our clients and intermediaries full value of our license, this is a feature we are considering integrating into our platform in 2013.

### **What are the advantages of working with Mobilozophy?**

Mobilozophy is a mobile marketing company that provides businesses of any size the technology and services to push advertising, marketing, promotions and loyalty programs directly to targeted audiences via mobile and other wireless devices to increase sales, promote new products or services, encourage repeat business and generate revenue.

Our software-as-service web-based mobile marketing platform and APIs are Helferich-licensed approved, which allows our clients and intermediaries the ability to execute text-to-shortcode programs without patent infringement. We have connectivity with Tier 1, 2 and 3 carriers providing you the broadest audience reach possible.

Our text-to-shortcode pricing is based on transaction bundles with and without hyperlinks.

Other Mobilozophy products and services include:

- Mobile Application Development
- Mobile Website Builder
- Mobile Coupon Publisher and Redemption API
- Mobile and Social Integration
- QR Code Generator
- Proximity Mobile Marketing
- Online and Mobile Ordering

*Mobilozophy's license agreement provides its Clients and intermediaries protection against patent liability to HPL for the patents listed below.*

1. U.S. Patent No. 7,957,695, entitled "Method for Integrating Audio And Visual Messaging;" issued June 7, 2011.
2. U.S. Patent No. 7,843,314, entitled "Paging Transceivers and Methods for Selectively Retrieving Messages;" issued November 30, 2010;
3. U.S. Patent No. 7,835,757 entitled "System and Method for Delivering Information to a Transmitting and Receiving Device," issued November 16, 2010;
4. U.S. Patent No. 7,627,305, titled "Systems and Methods for Adding Information to a Directory Stored in a Mobile Device" issued December 1, 2009.
5. U.S. Patent No. 7,499,716, titled "System and Method for Delivering Information to a Transmitting and Receiving Device" issued March 3, 2009.
6. U.S. Patent No. 7,403,787, titled "Paging Transceivers and Methods for Selectively Retrieving Messages" issued July 22, 2008.
7. U.S. Patent No. 7,376,432, titled "Paging Transceivers and Methods for Selectively Retrieving Messages" issued May 20, 2008.
8. U.S. Patent No. 7,280,838, titled "Paging Transceivers and Methods for Selectively Retrieving Messages," issued October 9, 2007.
9. U.S. Patent No. 7,277,716, titled "Systems and Methods for Delivering Information to a Communication Device," issued October 2, 2007.
10. U.S. Patent No. 7,242,951, titled "Paging Transceivers and Methods for Selectively Retrieving Messages," issued July 10, 2007.
11. U.S. Patent No. 7,155,241, titled "Systems and Methods for Enabling a User of a Communication Device to Manage Remote Information," issued December 26, 2006.
12. U.S. Patent No. 7,146,157, titled "Systems and Methods for Downloading Audio Information to a Mobile Device," issued December 5, 2006.
13. U.S. Patent No. 7,039,428, titled "System and Method for Delivering Information to a Transmitting and Receiving Device," issued May 2, 2006.
14. U.S. Patent No. 7,003,304, titled "Paging Transceivers and Methods for Selectively Retrieving Messages," issued February 21, 2006.
15. U.S. Patent No. 6,983,138, titled "User Interface for Message Access," issued January 3, 2006.
16. U.S. Patent No. 6,826,407, titled "System and Method for Integrating Audio and Visual Messaging," issued November 30, 2004.

17. U.S. Patent No. 6,696,921, titled "Transmitting and Receiving Devices and Methods for Transmitting Data to and Receiving Data from a Communications System," issued February 24, 2004.
18. U.S. Patent No. 6,636,733, titled "Wireless Messaging Method," issued October 21, 2003.
19. U.S. Patent No. 6,462,646, titled "Transmitting and Receiving Devices and Methods for Transmitting Data to and Receiving Data from a Communication System," issued October 8, 2002.
20. U.S. Patent No. 6,459,360, titled "Networks, Communication Systems, Transmitting and Receiving Devices and Methods for Transmitting, Receiving, and Erasing Stored Information," issued October 1, 2002.
21. U.S. Patent No. 6,259,892, titled "Pager Transceivers and Methods for Performing Action on Information at Desired Times," issued July 10, 2001.
22. U.S. Patent No. 6,253,061, titled "Systems and Methods for Delivering Information to a Transmitting and Receiving Device," issued June 26, 2001.
23. U.S. Patent No. 6,233,430, titled "Paging Transceivers and Methods for Selectively Retrieving Messages," issued May 15, 2001.
24. U.S. Patent No. 6,097,941, titled "User Interface for Voice Message Access," issued August 1, 2000.
25. U.S. Patent No. 6,087,956, titled "Paging Transceivers and Methods for Selectively Erasing Information," issued July 11, 2000.
26. U.S. Patent Application No. 13/210, 223, titled "Wireless Messaging Systems and Methods."
27. U.S. Patent Application No. 13/109,437, titled "System and Method for Delivering Information to a Transmitting and Receiving Device."
28. U.S. Patent Application No. 13/109,389, titled "System and Method for Delivering Information to a Transmitting and Receiving Device."
29. U.S. Patent Application No. 12/973,722, titled "Wireless Messaging Systems and Methods."
30. U.S. Patent Application No. 12/580,189, titled "System and Method for Delivering Information to a Transmitting and Receiving Device."
31. U.S. Patent Application No. 12/367,358, titled "Content provision to subscribers via wireless transmission."
32. U.S. Patent Application No. 12/267,436, titled "Wireless Messaging System."
33. U.S. Patent Application No. 12/167,971, titled "System and Method for Delivering Information to a Transmitting and Receiving Device."
34. U.S. Patent Application No. 11/598,832, titled "Systems and Methods for Downloading Information to a Mobile Device."
35. U.S. Patent Application No. 11/598,202, titled "Wireless Messaging System."

36. U.S. Patent Application No. 10/958,731, titled "System and Method for Integrating Audio and Visual Messaging."
37. Patent No. AU 778730 (Australia), titled "System & Method for Integrating Audio & Visual Messaging, issued April 14, 2005.
38. Patent No. EP 1021868 (EPO), titled "Paging Transceivers and Methods for Selectively Erasing Information," issued December 28, 2005.
39. Patent No. EP 1046243 (EPO), titled "User Interface for Voice Message Access," issued March 8, 2006.
40. Patent No. ZA 2001/7420 (South Africa), titled "System & Method for Integrating Audio & Visual Messaging," issued November 27, 2002.
41. Patent No. SK 526274 (South Korea), titled "Pager Transceivers and Methods for Selectively Retrieving Messages," issued October 28, 2005.
42. Patent No. SK 511835 (South Korea), titled "Paging Transceivers and Methods for Selectively Erasing Information, issued October 25, 2005.
43. Patent No. CA 2304343 (Canada), titled "System and Method for Delivering Information to a Transmitting and Receiving Device," issued July 3, 2007.
44. Patent No. CA 2314182 (Canada), titled "User Interface for Voice Message Access," filed December 7, 1998.
45. Patent No. MX 264997 (Mexico), titled "Wireless Messaging System."
46. Patent No. JP 4287043 (Japan), titled "Pager Transceivers and Methods for Selectively Erasing Information."
47. Patent Application No. CA 2363420 (Canada), titled "System and Method for Integrating Audio and Visual Messaging," filed March 29, 2000.
48. Patent Application No. CA 2404409 (Canada), titled "Wireless Messaging System," filed April 2, 2001.
49. Patent Application No. TBD, Division of CA 2404409 (Canada).
50. Patent Application No. EP 009184839 (EPO), titled "System & Method for Integrating Audio & Visual Messaging," filed March 29, 2000.
51. Patent Application No. HK 2104632.4 (Hong Kong), titled "System and Method for Integrating Audio and Visual Messaging," filed March 29, 2000.
52. Patent Application No. IN 2828/DEL/98 (India), titled "Paging Transceivers and Methods for Selectively Erasing Information," filed September 21, 1998.
53. Allowed Patent Application No. JP 2000-513362 (Japan), titled "Paging Transceivers and Methods for Selectively Erasing Information," Filed September 18, 1998.
54. Patent Application No. JP 2008-302127 (Japan).
55. Patent Application No. JP 2009-52858 (Japan).
56. Patent Application No. JP 2009-52859 (Japan).

57. Patent Application No. MX PA01009803 (Mexico), titled "System & Method for Integrating Audio & Visual Messaging," filed March 29, 2000.
58. Allowed Patent Application No. MX 2002/009608 (Mexico), titled "Wireless Messaging System," filed April 2, 2001.
59. Patent Application No. MX/a/2009/002635 (Mexico).
60. All continuations, continuations-in-part, divisional, reissue, or reexamination applications of the above patents and patent applications, previously filed or filed in the future.
61. All foreign counterparts (both issued and pending) of the above patents and patent applications.