

HON. _____

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICHAEL Z. MORICZ, an individual,

Plaintiff,

v.

GOOGLE, INC., a Delaware corporation,

Defendant.

Case No. _____

COMPLAINT FOR PATENT
INFRINGEMENT

JURY TRIAL DEMANDED

Plaintiff Michael Z. Moricz alleges as follows:

I. NATURE OF LAWSUIT

1. This is a patent infringement lawsuit brought under the patent laws of the United States, 35 U.S.C. §§ 271, 281, 283-285.

II. THE PARTIES

2. Mr. Moricz is an individual residing in Bellevue, Washington.

3. Defendant Google, Inc. is a Delaware corporation with its principal business address at 1600 Amphitheatre Parkway, Mountain View, California 94043.

III. JURISDICTION AND VENUE

4. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338.

5. This Court has general and specific personal jurisdiction over Google because Google maintains continuous and systematic contacts with the State of Washington, and

COMPLAINT FOR PATENT INFRINGEMENT - 1

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1 conducts business related to its primary search engine found at www.google.com (“Google
2 Search Engine”) in at least two permanent places of business that are physically located in
3 this District. In addition, Google maintains a registered agent for service of process in
4 Tumwater, Washington.

5 6. Venue is proper in this Court under 28 U.S.C. §§ 1391(b), 1391(c), and/or
6 1400(b).

7 **IV. BACKGROUND**

8 7. Mr. Moricz is the owner of the entire right, title and interest in U.S. Patent No.
9 7,693,956 (“the ‘956 Patent”), entitled “ACCESSING DEEP WEB INFORMATION
10 USING A SEARCH ENGINE,” issued April 6, 2010 (attached as “Exhibit A”). All
11 maintenance fees have been paid.

12 8. The ‘956 patent is generally directed to methods of accessing deep web pages
13 containing airline flight information using a search engine.

14 9. Mr. Moricz is the owner of all right, title and interest in U.S. Patent No.
15 7,716,303 (“the ‘303 Patent”), entitled “ACCESSING DEEP WEB INFORMATION
16 ASSOCIATED WITH TRANSPORTATION SERVICES USING A SEARCH ENGINE,”
17 issued May 11, 2010 (attached as Exhibit B). All maintenance fees have been paid.

18 10. The ‘303 patent is generally directed to methods and apparatuses enabling
19 access to deep web pages containing information associated with transportation services,
20 *e.g.*, car rentals, using a search engine.

21 11. Google is engaged in the business of developing and providing products and
22 services directed to web searches, including deep web searches.

23 12. Google’s products and services, including the Google Search Engine, include
24 the ability to access deep web information associated with airline flights and transportation
25 services as taught and claimed in the ‘956 and ‘303 patents.

26 13. Google has had knowledge of the technology claimed in at least the ‘956

1 patent since at least October 27, 2009.

2 **V. GOOGLE INFRINGES THE '956 PATENT**

3 14. Google has been and is directly infringing at least claims 1-6 and 8-10 of the
4 '956 Patent under 35 U.S.C. § 271(a) by making, using, selling and/or offering for sale the
5 Google Search Engine.

6 15. Google's infringement of the '956 Patent has injured and will continue to
7 injure Mr. Moricz unless and until the Court enjoins further infringement of the '956 Patent.

8 **VI. GOOGLE INFRINGES THE '303 PATENT**

9 16. Google has been and is directly infringing at least claims 1, 14, and 16 of the
10 '303 Patent by making, using, selling and/or offering for sale the Google Search Engine.

11 17. Google's infringement of the '303 Patent has injured and will continue to
12 injure Mr. Moricz unless and until the Court enjoins further infringement of the '303 Patent.

13 **VII. JURY DEMAND**

14 Mr. Moricz requests a trial by jury of all issues so triable.

15 **VII. PRAYER FOR RELIEF**

16 WHEREFORE, Mr. Moricz asks this Court to enter judgment against Google and
17 against its subsidiaries, affiliates, agents, servants, employees and all persons in active
18 concert or participation with Google, granting the following relief:

19 A. A judgment declaring that Google has infringed the '956 Patent;

20 B. A judgment declaring that Google has infringed the '303 Patent;

21 C. A judgment, order, or award of damages adequate to compensate Mr. Moricz
22 for Google's infringement of the '956 Patent, in no event less than a reasonable royalty,
23 together with prejudgment interest from the date infringement of the '956 Patent began;

24 D. A judgment, order, or award of damages adequate to compensate Mr. Moricz
25 for Google's infringement of the '303 Patent, in no event less than a reasonable royalty,
26 together with prejudgment interest from the date infringement of the '303 Patent began;

1 E. A preliminary and/or permanent injunction prohibiting Google and its
2 subsidiaries, affiliates, parents, successors, assigns, officers, employees, attorneys, agents,
3 and all other persons acting with Google or on its behalf from infringing the '956 Patent;

4 F. A preliminary and/or permanent injunction prohibiting Google and its
5 subsidiaries, affiliates, parents, successors, assigns, officers, employees, attorneys, agents,
6 and all other persons acting with Google or on its behalf from infringing the '303 Patent;

7 G. An accounting to determine information relevant to establishing the extent of
8 Google's infringement and amount of Mr. Moricz's damages;

9 H. An award of costs and attorneys' fees, pursuant to 35 U.S.C. § 285 to the
10 extent the Court finds this case to be exceptional;

11 I. An order trebling the damage award under 35 U.S.C. § 284, together with
12 prejudgment interest; and

13 J. Such other and further relief as this Court may deem proper and just.

14 Dated August 2, 2010

15 SCHWABE, WILLIAMSON & WYATT, P.C.

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