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6 UNITED STATES DISTRICT COURT
7 FOR THE WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

8 SOFTWARE RIGHTS ARCHIVE, LLC,

9 Plaintiff,

10 v.

11 MICROSOFT CORPORATION,

12 Defendant.
13

CASE NO.

SOFTWARE RIGHTS ARCHIVE, LLC'S
COMPLAINT FOR PATENT
INFRINGEMENT

JURY DEMAND

14 For its Complaint, Software Rights Archive, LLC ("SRA") alleges as follows:

15 I. THE PARTIES

16 1. Plaintiff SRA is a limited liability company organized and existing under the laws
17 of the State of Delaware.

18 2. Upon information and belief, Defendant Microsoft Corporation ("Microsoft") is a
19 corporation organized and existing under the laws of the State of Washington with a principal
20 place of business at One Microsoft Way, Redmond, Washington 98052.

21 II. JURISDICTION AND VENUE

22 3. This action arises under the United States Patent Act, codified at 35 U.S.C. § 1
23 *et seq.* This Court has exclusive subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

24 4. This Court has personal jurisdiction over Defendant Microsoft because Defendant
25 does business in this District and has committed acts of infringement in this District and continues
26 to commit acts of infringement in this District.

SOFTWARE RIGHTS ARCHIVE, LLC'S COMPLAINT
FOR PATENT INFRINGEMENT - 1
CASE NO.

SUMMIT LAW GROUP PLLC
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V. THE '571 PATENT

18. SRA incorporates by this reference the allegations set out in paragraphs 1-17 above.

19. On May 15, 2001, United States Patent No. 6,233,571 (the "'571 Patent'"), entitled "Method and Apparatus for Indexing, Searching and Displaying Data" was duly and lawfully issued by the United States Patent and Trademark Office naming Daniel Egger, Shawn Cannon, and Ronald D. Sauers as inventors, and Daniel Egger as assignee. A true and correct copy of the '571 Patent is attached hereto as Exhibit C. SRA is the assignee of the '571 Patent and holds the right to sue and recover for past, present, and future infringement thereof.

20. Defendant has directly infringed and continues to infringe directly the '571 Patent by their use, offer for sale, and sale of search engines, systems and services covered by the claims of the '571 Patent. Defendant has also infringed and continues to infringe the '571 Patent by jointly infringing with others and/or contributing to infringement and/or inducing others to infringe. Defendant is therefore liable to Plaintiff for infringement of the '571 Patent under 35 U.S.C. § 271.

21. Defendant's acts of infringement have damaged SRA. Defendant's infringement of SRA's rights under the '571 Patent will continue to damage SRA. SRA is entitled to recover from Defendant the damages sustained by SRA as a result of Defendant's wrongful acts in an amount subject to proof at trial, but in no event less than a reasonable royalty.

22. Upon information and belief, Defendant's infringement of the '571 Patent is willful and deliberate, entitling SRA to enhanced damages under 35 U.S.C. § 284. Upon information and belief, Defendant has demonstrated at least objective recklessness in connection with its willful infringement.

23. This case is exceptional, entitling SRA to recover attorneys' fees and costs incurred in prosecuting this action under 35 U.S.C. § 285.

1 VI. THE '524 PATENT

2 24. SRA incorporates by this reference the allegations set out in paragraphs 1-23
3 above.

4 25. On November 23, 2010, United States Patent No. 7,870,524 (the "'524 Patent"),
5 entitled "Method and Apparatus for Indexing, Searching and Displaying Data" was duly and
6 lawfully issued by the United States Patent and Trademark Office naming Daniel Egger, Shawn
7 Cannon, and Ronald D. Sauers as inventors, and Software Rights Archive, LLC as assignee. A
8 true and correct copy of the '524 Patent is attached hereto as Exhibit D. SRA is the assignee of
9 the '524 Patent and holds the right to sue and recover for past, present, and future infringement
10 thereof.

11 26. Defendant has directly infringed and continues to infringe directly the '524 Patent
12 by their use, offer for sale, and sale of search engines, systems and services covered by the claims
13 of the '524 Patent. Defendant has also infringed and continues to infringe the '524 Patent by
14 jointly infringing with others and/or contributing to infringement and/or inducing others to
15 infringe. Defendant is therefore liable to Plaintiff for infringement of the '524 Patent under 35
16 U.S.C. § 271.

17 27. Defendant's acts of infringement have damaged SRA. Defendant's infringement of
18 SRA's rights under the '524 Patent will continue to damage SRA. SRA is entitled to recover from
19 Defendant the damages sustained by SRA as a result of Defendant's wrongful acts in an amount
20 subject to proof at trial, but in no event less than a reasonable royalty.

21 28. Upon information and belief, Defendant's infringement of the '524 Patent is willful
22 and deliberate, entitling SRA to enhanced damages under 35 U.S.C. § 284. Upon information and
23 belief, Defendant has demonstrated at least objective recklessness in connection with its willful
24 infringement.

25 29. This case is exceptional, entitling SRA to recover attorneys' fees and costs incurred
26 in prosecuting this action under 35 U.S.C. § 285.

1 VII. JURY DEMAND

2 30. SRA demands a trial by jury.

3 VIII. PRAYER FOR RELIEF

4 WHEREFORE, SRA prays for relief against Defendant as follows:

5 A. For judgment that Defendant has directly infringed, jointly infringed, induced
6 others to infringe, and/or committed acts of contributory infringement with respect to the claims of
7 the '352, '494, '571, and '524 Patents;

8 B. For judgment that Defendant's patent infringement has been, and continues to be,
9 willful;

10 C. Awarding SRA damages adequate to compensate for the infringement by
11 Defendant, past, present, and future, but in no event less than a reasonable royalty for the use
12 made of the inventions by Defendant, together with interest and costs under 35 U.S.C. § 284;

13 D. Enhancing the foregoing damages due to Defendant's willful infringement,
14 pursuant to 35 U.S.C. § 284;

15 E. Awarding pre- and post-judgment interest on the damages assessed;

16 F. Declaring this case exceptional pursuant to 35 U.S.C. § 285, and awarding SRA its
17 reasonable attorney fees and costs;

18 G. SRA's costs of court; and

19 H. Awarding to SRA such other and further relief as the Court deems just.

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1 DATED this 15th day of July, 2011.

2 SUMMIT LAW GROUP PLLC

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