IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

SUPERSPEED, LLC, Plaintiff, vs. GOOGLE, INC., Defendant.	Civil Action No. 4:12-cv-01688 **JURY TRIAL DEMANDED**

COMPLAINT

1. This is a patent infringement lawsuit brought by Plaintiff SuperSpeed, LLC ("SuperSpeed") against Google, Inc. ("Google") for infringement of a United States Patent owned by SuperSpeed.

I. PARTIES

2. Plaintiff SuperSpeed is a Delaware corporation. SuperSpeed is the successor by merger to EEC Systems, Inc. ("EEC"). SuperSpeed's principal place of business is 327E Boston Post Road, Sudbury, Massachusetts 01776.

3. Defendant Google is a Delaware corporation. Its principal place of business is 1600 Amphitheatre Parkway, Mountain View, California 94043.

II. JURISDICTION AND VENUE

4. This complaint states claims arising under the patent laws of the United States. Plaintiff SuperSpeed asserts causes of action under 35 U.S.C. § 271 for infringement of its patent. This Court has original and exclusive subject matter jurisdiction over this claim under 28 U.S.C. §§ 1331 and 1338(a).

5. Venue is proper in this Court under 28 U.S.C. §§ 1391(b) and 1400(b). Defendant Google maintains offices in this judicial district and conducts business within this district. A substantial part of the events giving rise to this suit occurred in this district, including

acts of infringement by Google, as well as sales and offers for sale by Google of infringing products and services.

III. BACKGROUND

6. SuperSpeed and its predecessor EEC have developed and marketed software for increasing performance of computers linked together in a network. The software is designed to work in a network environment known as a shared-disk cluster. In this configuration, multiple computers can all communicate with each other and can all access data from the same data storage device or devices, such as hard disks. For example, a bank might have hundreds of computers as part of its network, some for employees handling customer service calls, others for employees running credit checks for loan applications, and so forth. Each of these computers needs access to the bank's customer's credit card records, which are stored on a series of hard disks. A shared-disk cluster permits any one of the computers to communicate across the network with the credit card database on the hard disks, retrieve records for a particular customer, and make changes that will then be available to all other users on the network.

7. Accessing data on hard disks and other mechanical storage devices is a relatively slow process. The speed of data processing operations that require regular access to data on such devices can be significantly impeded by the time required for the computer to communicate with the disk. When multiple computers are all drawing data from the same disk, the process is even slower.

8. SuperSpeed's software helps overcome this problem by permitting data "caching" in a shared-disk cluster network. "Caching" accelerates data processing operations by making a copy of frequently accessed data in the random access memory (or "RAM") of the individual computer that is using the data. A computer can access data in RAM approximately two-hundred-thousand times faster than data on a hard disk. As a result, caching can increase performance dramatically, particularly when the computer must repeatedly access the same block of data.

9. EEC applied for and received patents on its caching methods from the United States Patent and Trademark Office. The 5,918,244 patent (the '244 patent) was filed on May 31, 1996 and issued on June 29, 1999.

10. All of EEC's assets and liabilities, including the '244 patent, were acquired by SuperSpeed in 1999. SuperSpeed applied for and received additional patents on data caching methods.

IV. CLAIM ONE—PATENT INFRINGEMENT

11. Defendant Google has infringed and continues to infringe one or more claims of the '244 patent by making, using, selling, importing, and/or offering to sell within the United States infringing products, including Google Docs and Google Drive. (A copy of the '244 patent is attached as Exhibit A.)

12. Google has also infringed and continues to infringe the '244 patent by actively inducing the infringement of others.

13. Google's acts of infringement are irreparably harming and causing damage to SuperSpeed.

14. Google will continue to infringe the patents unless enjoined.

V. JURY DEMAND

15. SuperSpeed demands a trial by jury on all issues.

VI. PRAYER FOR RELIEF

16. SuperSpeed seeks an award of damages from Google in an amount no less than a reasonable royalty.

17. SuperSpeed seeks a permanent injunction to prevent Google's continued unlicensed use of the patented methods.

18. Google's conduct makes this an exceptional case as set forth in 35 U.S.C. § 285. Pursuant to this statutory provision, SuperSpeed seeks the recovery of its reasonable and necessary attorneys' fees.

DATED: June 5, 2012

Respectfully submitted,

/s/Neal S. Manne

Neal S. Manne
State Bar No. 12937980
nmanne@susmangodfrey.com
SUSMAN GODFREY L.L.P.
1000 Louisiana Street, Suite 5100
Houston, Texas 77002
Telephone: (713) 651-9366
Facsimile: (713) 654-6666

Attorney-In-Charge for Plaintiff,
SuperSpeed, LLC

OF COUNSEL:

Max L. Tribble, Jr.
State Bar No. 20213950
mtribble@susmangodfrey.com
SUSMAN GODFREY L.L.P.
1000 Louisiana Street, Suite 5100
Houston, Texas 77002
Telephone: (713) 651-9366
Facsimile: (713) 654-6666

Kathryn P. Hoek
California Bar No. 219247
khoek@susmangodfrey.com
SUSMAN GODFREY L.L.P.
1901 Avenue of the Stars, Suite 950
Los Angeles, CA 90067
Telephone: (310) 789-3100
Facsimile: (310) 789-3150

Attorneys for Plaintiff SuperSpeed, LLC