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UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SOFTWARE RIGHTS ARCHIVE, LLC,

Plaintiff,

v.

MICROSOFT CORPORATION,

Defendant.

CASE NO.

SOFTWARE RIGHTS ARCHIVE, LLC'S  
COMPLAINT FOR PATENT  
INFRINGEMENT

JURY DEMAND

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

I. THE PARTIES

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

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

II. JURISDICTION AND VENUE

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

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





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.

VI. THE '524 PATENT

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

25. On November 23, 2010, United States Patent No. 7,870,524 (the "'524 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 Software Rights Archive, LLC as assignee. A true and correct copy of the '524 Patent is attached hereto as Exhibit D. SRA is the assignee of the '524 Patent and holds the right to sue and recover for past, present, and future infringement thereof.

26. Defendant has directly infringed and continues to infringe directly the '524 Patent by their use, offer for sale, and sale of search engines, systems and services covered by the claims of the '524 Patent. Defendant has also infringed and continues to infringe the '524 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 '524 Patent under 35 U.S.C. § 271.

27. Defendant's acts of infringement have damaged SRA. Defendant's infringement of SRA's rights under the '524 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.

28. Upon information and belief, Defendant's infringement of the '524 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.

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

VII. JURY DEMAND

30. SRA demands a trial by jury.

VIII. PRAYER FOR RELIEF

WHEREFORE, SRA prays for relief against Defendant as follows:

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

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

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

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

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

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

G. SRA's costs of court; and

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

3 /s/ Lynn M. Engel  
4 By /s/ Philip S. McCune  
5 Lynn M. Engel, WSBA #21934  
6 Philip S. McCune, WSBA #21081  
7 *lynne@summitlaw.com*  
8 *philm@summitlaw.com*  
9 SUMMIT LAW GROUP PLLC  
10 315 Fifth Avenue S., Suite 1000  
11 Seattle, WA 98104-2682  
12 Tel: (206) 676-7000  
13 Fax: (206) 676-7001

14 And by

15 Lee L. Kaplan (*pro hac vice pending*)  
16 Jeffrey A. Potts (*pro hac vice pending*)  
17 Raj Duvvuri (*pro hac vice pending*)  
18 *lkaplan@skv.com*  
19 *jpotts@skv.com*  
20 *rduvvuri@skv.com*  
21 SMYSER KAPLAN & VESELKA, L.L.P.  
22 700 Louisiana Street, Suite 2300  
23 Houston, TX 77002  
24 Tel: (713) 221-2300  
25 Fax: (713) 221-2320

26 Victor G. Hardy (*pro hac vice pending*)  
Chester J. Shiu (*pro hac vice pending*)  
*vhardy@dpelaw.com*  
*cshiu@dpelaw.com*  
DiNOVO PRICE ELLWANGER & HARDY  
LLP  
7000 North MoPac Expressway, Suite 350  
Austin, TX 78731  
Tel: (512) 539-2630  
Fax: (512) 539-2627

***Attorneys for Plaintiff Software Rights Archive,  
LLC***