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1 2 3 4 5 6		DISTRICT COURT		
7	FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE			
8 9 10	SOFTWARE RIGHTS ARCHIVE, LLC, Plaintiff,	CASE NO. SOFTWARE RIGHTS ARCHIVE, LLC'S		
11 12	v. MICROSOFT CORPORATION, Defendant.	COMPLAINT FOR PATENT INFRINGEMENT JURY DEMAND		
13 14 15	For its Complaint, Software Rights Archive, LLC ("SRA") alleges as follows: I. THE PARTIES			
16	 Plaintiff SRA is a limited liability company organized and existing under the law of the State of Delaware. Upon information and belief, Defendant Microsoft Corporation ("Microsoft") is corporation organized and existing under the laws of the State of Washington with a principal 			
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21	place of business at One Microsoft Way, Redmond, Washington 98052. II. JURISDICTION AND VENUE			
22 3. This action arises under the United States Patent Act, codified at 35				
23	<i>et seq.</i> This Court has exclusive subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).			
24 25	4. This Court has personal jurisdiction over Defendant Microsoft because Defendant			
25 26	does business in this District and has committed acts of infringement in this District and continues			
	to commit acts of infringement in this District.			
	SOFTWARE RIGHTS ARCHIVE, LLC'S COMPLAINT FOR PATENT INFRINGEMENT - 1 CASE NO.	SUMMIT LAW GROUP PLLC 315 FIFTH AVENUE SOUTH, SUITE 1000 SEATTILE, WASHINGTON 98104-2682 Telephone: (206) 676-7000 Fax: (206) 676-7001		

5. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b), (c) and 1400(b), because Defendant resides in this District, has committed acts of direct and indirect infringement in this District, has transacted business in this District, and has established minimum contacts with this District.

III. THE '352 PATENT

6. SRA incorporates by this reference the allegations set out in paragraphs 1-5 above.
7. On August 6, 1996, United States Patent No. 5,544,352 (the "'352 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 as sole inventor
and Libertech, Inc. as assignee. A true and correct copy of the '352 Patent is attached as
Exhibit A. SRA is the assignee of all right, title and interest in and to the '352 Patent, and holds
the right to sue and recover for past, present, and future infringement thereof.

8. Defendant has directly infringed and continues to infringe directly the '352 Patent by their use, offer for sale, and sale of search engines, systems and services covered by the claims of the '352 Patent. Defendant has also infringed and continues to infringe the '352 Patent by jointly infringing with others and/or contributing to and/or inducing infringement by others. Defendant is therefore liable to Plaintiff for infringement of the '352 Patent under 35 U.S.C. § 271.

9. Defendant's acts of infringement have damaged SRA. Defendant's infringement of SRA's rights under the '352 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 not less than a reasonable royalty.

10. Upon information and belief, Defendant's infringement of the '352 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.

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

IV. THE '494 PATENT

12. SRA incorporates by this reference the allegations set out in paragraphs 1-11 above.

13. On November 3, 1998, United States Patent No. 5,832,494 (the "'494 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 Libertech, Inc. as assignee. A true and correct copy of the '494 Patent is attached as Exhibit B. SRA is the assignee of the '494 Patent and holds the right to sue and recover for past, present, and future infringement thereof.

14. Defendant has directly infringed and continues to infringe directly the '494 Patent by their use, offer for sale, and sale of search engines, systems and services covered by the claims of the '494 Patent. Defendant has also infringed and continues to infringe the '494 Patent by jointly infringing with others and/or contributing to and/or inducing others to infringe. Defendant is therefore liable to Plaintiff for infringement of the '494 Patent under 35 U.S.C. § 271.

15. Defendant's acts of infringement have damaged SRA. Defendant's infringement of SRA's rights under the '494 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.

16. Upon information and belief, Defendant's infringement of the '494 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.

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

SOFTWARE RIGHTS ARCHIVE, LLC'S COMPLAINT FOR PATENT INFRINGEMENT - 3 CASE NO.

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V. THE '571 PATENT

2 18. SRA incorporates by this reference the allegations set out in paragraphs 1-17
3 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.

SOFTWARE RIGHTS ARCHIVE, LLC'S COMPLAINT FOR PATENT INFRINGEMENT - 4 CASE NO.

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VI. THE '524 PATENT

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

SOFTWARE RIGHTS ARCHIVE, LLC'S COMPLAINT FOR PATENT INFRINGEMENT - 5 CASE NO.

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1	VII. JURY DEMAND		
2	30.	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		ringed, 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 infringem	ent has been, and continues to be,
9	willful;		
10	C.	Awarding SRA damages adequate to comp	ensate 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 I	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	s the Court deems just.
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	SOFTWARE R FOR PATENT CASE NO.	IGHTS ARCHIVE, LLC'S COMPLAINT INFRINGEMENT - 6	SUMMIT LAW GROUP PLLC 315 FIFTH AVENUE SOUTH, SUITE 1000 SEATTLE, WASHINGTON 98104-2682 Telephone: (206) 676-7000 Fax: (206) 676-7001

DATED this 15th day of July, 2011.

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SUMMIT LAW GROUP PLLC /s/ Lynn M. Engel By /s/ Philip S. McCune Lynn M. Engel, WSBA #21934 Philip S. McCune, WSBA #21081 lynne@summitlaw.com philm@summitlaw.com SUMMIT LAW GROUP PLLC 315 Fifth Avenue S., Suite 1000 Seattle, WA 98104-2682 Tel: (206) 676-7000 Fax: (206) 676-7001 And by Lee L. Kaplan (pro hac vice pending) Jeffrey A. Potts (pro hac vice pending) Raj Duvvuri (pro hac vice pending) lkaplan@skv.com *ipotts@skv.com* rduvvuri@skv.com SMYSER KAPLAN & VESELKA, L.L.P. 700 Louisiana Street, Suite 2300 Houston, TX 77002 Tel: (713) 221-2300 Fax: (713) 221-2320 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 SOFTWARE RIGHTS ARCHIVE, LLC'S COMPLAINT SUMMIT LAW GROUP PLLC FOR PATENT INFRINGEMENT - 7 315 FIFTH AVENUE SOUTH, SUITE 1000 CASE NO. SEATTLE, WASHINGTON 98104-2682 Telephone: (206) 676-7000 Fax: (206) 676-7001