IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

SPIDER SEARCH ANALYTICS LLC	§	
	§	
Plaintiff,	§	**CIVIL ACTION NO. 3:18-cv-249**
	§	
v.	§	**JURY TRIAL DEMANDED**
	§	
LVMH WATCH & JEWELRY USA, INC.	§	
dba TAG HEUER	§	
	§	
Defendant.	§	

ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

COMES NOW, Plaintiff Spider Search Analytics LLC ("Plaintiff"), through the undersigned attorneys, and respectfully alleges, states, and prays as follows:

NATURE OF THE ACTION

1.   This is an action for patent infringement under the Patent Laws of the United States, Title 35 United States Code ("U.S.C.") to prevent and enjoin defendant LVMH Watch & Jewelry USA, Inc. dba TAG Heuer (hereinafter "Defendant") from infringing and profiting, in an illegal and unauthorized manner and without authorization and/or of the consent from Plaintiff, from U.S. Patent No. 7,454,430 (the "'430 patent", attached hereto as Exhibit "A") (the "Patent-in-Suit") pursuant to 35 U.S.C. § 271, and to recover damages, attorney's fees, and costs.

THE PARTIES

2.   Plaintiff is a Texas entity with its principal place of business at 101 E. Park Blvd, Suite 600, Plano, Texas 75074.

3.   Upon information and belief, Defendant is a company organized and existing under the laws of the State of Delaware, having a principal place of business in Springfield, NJ.

Upon information and belief, Defendant may be served with process at Corporation Service Company dba CSC – Lawyers Incorporated, 211 E 7th St, Suite 620, Austin, TX 78701.

JURISDICTION AND VENUE

4.   This action arises under the patent laws of the United States, Title 35 of the United States Code. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

5.   Venue is proper in this district under 28 U.S.C. §§ 1391(c) and 1400(b). On information and belief, acts of infringement have been committed in this District. Additionally, Defendant has a regular and established place of business in this District, including, without limitation, a physical store location at North Park Center, 8687 N. Central Expy B1 38, Dallas, TX 75225.

6.   On information and belief, Defendant is subject to this Court's specific and general personal jurisdiction pursuant to due process and/or the Texas Long Arm Statute, due at least to its substantial business in this forum, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct, and/or deriving substantial revenue from goods and services provided to individuals in Texas and in this Judicial District.

FACTUAL ALLEGATIONS

7.   On November 18, 2008, the United States Patent and Trademark Office ("USPTO") duly and legally issued the '430 patent, entitled "System and method for facts extraction and domain knowledge repository creation from unstructured and semi-structured documents" after a full and fair examination. (Exhibit A).

8.   Plaintiff is presently the owner of the patent, having received all right, title and interest in and to the '430 patent from the previous assignee of record. Plaintiff possesses all rights of recovery under the '430 patent, including the exclusive right to recover for past infringement.

9.   The '430 patent contains three (3) independent claims and twenty-four (24) dependent claims.

10.   The '430 patent claims, *inter alia*, a method for building a deep web crawler.

11.   Defendant uses, *inter alia*, a method that performs each and every step of at least one claim of the '430 patent.

DEFENDANT'S PRODUCTS

12.   In accordance with claim 10 of the '430 patent, Defendant uses a method for building a deep web crawler. Defendant uses SimilarWeb (the "Accused Product") to perform a method for building a deep web crawler that crawls dynamic web pages.

Source: https://www.similarweb.com/corp/clients/
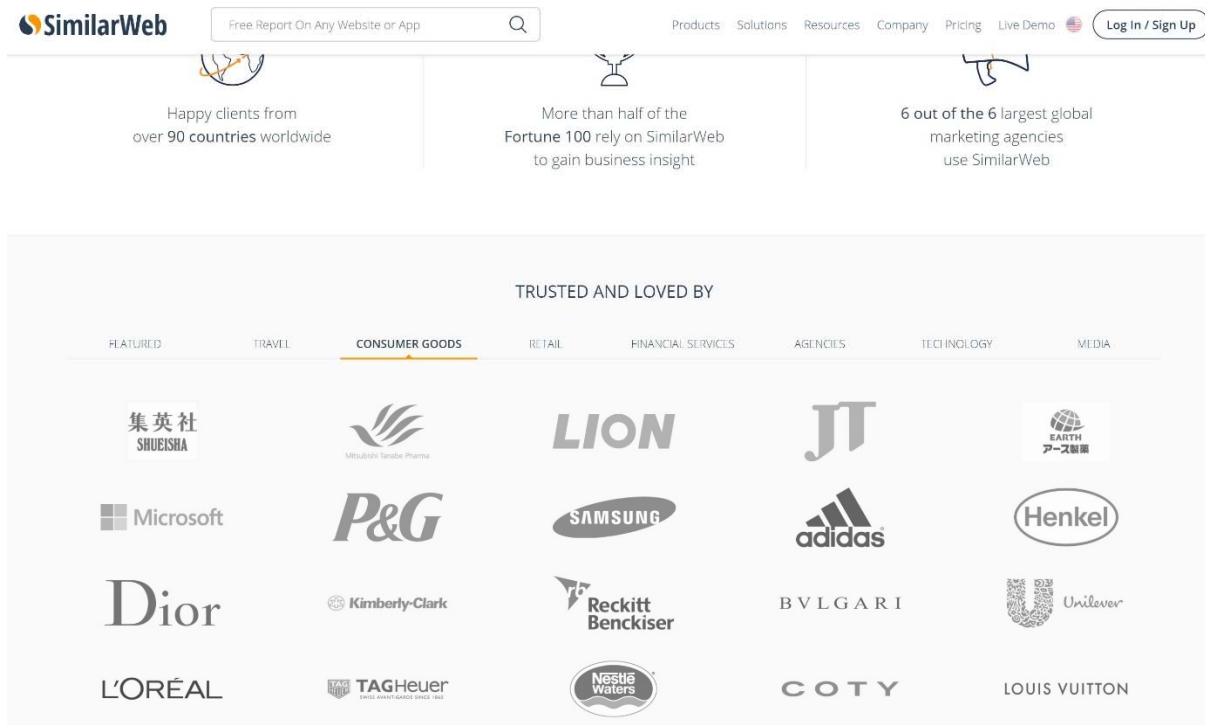
For example, the accused product implements crawlers that can crawl any website from the "deep web" to obtain data and statistics for use by its customers.

Trying our APIs

1. What is SimilarWeb?

SimilarWeb is a Web Measurement company providing Online Competitive Intelligence for websites and mobile apps.
Basing their stats on the largest international online panel, together with web crawlers and ISP data, SimilarWeb is able to provide traffic statistics for competitors' websites and iOS or Android applications. SimilarWeb's unmatched competitive analytics platform enables advanced industry benchmarks together with data driven marketing strategies.

Source: https://developer.similarweb.com/faq

Our Data

Transforming data into meaningful information is our passion

We have more than a hundred different data sources, which helps us assess and compare the quality of our data and eliminate biases. We combine clickstream data from our industry-leading panel with data from our crawler, which analyzes over a billion pages every single month, to get an even better snapshot of web and mobile activity.

Source: https://developer.similarweb.com/

13.   In accordance with claim 10 of the '430 patent, Defendant utilizes scout crawling rules to collect dynamic pages. For example, the accused product specifies a number of scout crawling rules in order to add new websites (including dynamic) to its records.

5. I can't find a website in your API – how can I add one?

There is no way to manually insert a website or category into our records—but don't worry, our crawlers will add all of them with time. Alternatively, feel free to contact our team directly.

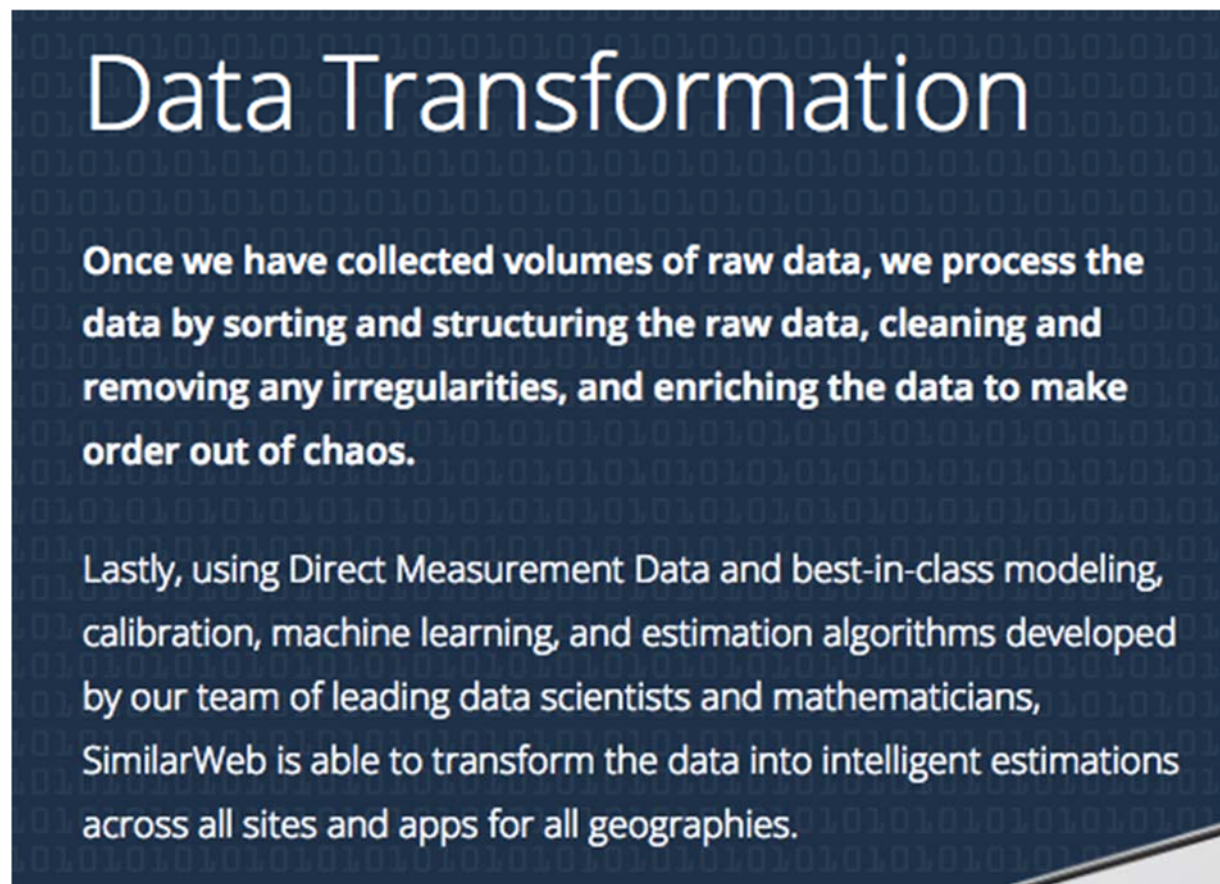Source: https://developer.similarweb.com/faq

2. How many URLs do you have in your database?

We currently have over 50 million domains in our database, which is constantly growing and continuously updated.

Source: https://developer.similarweb.com/faq

14.   In accordance with claim 10 of the '430 patent, Defendant utilizes an analyzer and extractor to determine underlying structure of queries.

Data Transformation

Once we have collected volumes of raw data, we process the data by sorting and structuring the raw data, cleaning and removing any irregularities, and enriching the data to make order out of chaos.

Lastly, using Direct Measurement Data and best-in-class modeling, calibration, machine learning, and estimation algorithms developed by our team of leading data scientists and mathematicians, SimilarWeb is able to transform the data into intelligent estimations across all sites and apps for all geographies.

Source: https://www.similarweb.com/ourdata

15.   In accordance with claim 10 of the '430 patent the accused product's analyzer provides instructions for the harvester. The harvester provides requests to a server and collects available pages from the server.

Our Data

1. Where does SimilarWeb get the data from?

Our data come from combination of our powerful crawler and click-stream data from our proprietary panel of tens of millions of users who have installed our apps.
We always try to make sure that our panel will be big and diversified.

Our panel is several times bigger than traditional panels. This allows us to learn about every website, big and small, and overcome the statistical errors that are typical of smaller panels.

We implement Big Data technology on our data center consisting of dozens of high-end servers to analyze the resulting tens of terabytes of data. Once we have collected volumes of raw data, we use statistical analysis and machine learning techniques to generate actionable knowledge. Our data is taken from diversified sources, then intelligently combined, normalized, and extrapolated upon to represent the entire internet population. Our data is analyzed continuously and aggregated on demand so we can immediately deliver accurate traffic details on every website.

Source: https://developer.similarweb.com/faq

The future of 'not provided' keywords

Google is directing more and more 'not provided' traffic to your website and affecting the ability to harvest keywords from organic search data. This is particularly galling for brands such as Merc Clothing who do not invest heavily in paid ads and miss out on chunks of data that Google deny them. It's predicted that, in the near future, 100% of keywords will be 'not provided' by Google Analytics. Instead of launching tricky and time consuming SEO campaigns to mine the relevant data, SimilarWeb PRO offers an opportunity to claw back your data from Google's greedy hands with just a few clicks of your mouse. The resulting data can help enhance your website and observe how competitors are blindly gaining volumes of traffic that are yours for the taking.

Source: https://www.similarweb.com/blog/similarweb-pro-reveals-your-true-traffic-data-with-not-provided-keywords

16.   The elements described in paragraphs 13-16 are covered by at least claim 10 of the '430 patent.

INFRINGEMENT OF THE '430 PATENT

17.   Plaintiff realleges and incorporates by reference the allegations set forth in paragraphs 1 to 16.

18.   In violation of 35 U.S.C. § 271, Defendant is now, and has been directly infringing the '430 patent.

19.   Defendant has had knowledge of infringement of the '430 patent at least as of the service of the present complaint.

20.   Defendant has directly infringed and continues to directly infringe at least claim 10 of the '430 patent by using the Accused Product without authority in the United States, and will continue to do so unless enjoined by this Court.   As a direct and proximate result of Defendant's direct infringement of the '430 patent, Plaintiff has been and continues to be damaged.

21.   By engaging in the conduct described herein, Defendant has injured Plaintiff and is thus liable for infringement of the '430 patent, pursuant to 35 U.S.C. § 271.

22.   Defendant has committed these acts of infringement without license or authorization.

23.   As a result of Defendant's infringement of the '430 patent, Plaintiff has suffered monetary damages and is entitled to a monetary judgment in an amount adequate to compensate for Defendant's past infringement, together with interests and costs.

24.   Plaintiff will continue to suffer damages in the future unless Defendant's infringing activities are enjoined by this Court. As such, Plaintiff is entitled to compensation for any continuing and/or future infringement up until the date that Defendant is finally and permanently enjoined from further infringement.

DEMAND FOR JURY TRIAL

Plaintiff, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of any issues so triable by right.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for the following relief:

1.   That Defendant be adjudged to have infringed the Patent-in-Suit directly, literally and/or under the doctrine of equivalents;

2.   That Defendant, its officers, directors, agents, servants, employees, attorneys, affiliates, divisions, branches, parents, and those persons in active concert or participation with any of them, be permanently restrained and enjoined from directly infringing the Patent-in-Suit;

3.   An award of damages pursuant to 35 U.S.C. §284 sufficient to compensate Plaintiff for the Defendant's past infringement and any continuing or future infringement up until the date that Defendant is finally and permanently enjoined from further infringement, including compensatory damages;

4.   An assessment of pre-judgment and post-judgment interest and costs against Defendant, together with an award of such interest and costs, in accordance with 35 U.S.C. §284;

5.   That Defendant be directed to pay enhanced damages, including Plaintiff's attorneys' fees incurred in connection with this lawsuit pursuant to 35 U.S.C. §285; and

6.   That Plaintiff have such other and further relief as this Court may deem just and proper.

Respectfully Submitted,

SPIDER SEARCH ANALYTICS LLC

Dated: January 31, 2018

/s/ Papool S. Chaudhari

By: _____

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