

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

PA ADVISORS, LLC,

Plaintiff,

v.

Case No.  
2-07-CV-480 TJW

GOOGLE INC.,  
YAHOO! INC.,  
FACEBOOK, INC.,  
CONTEXTWEB, INC.  
SPECIFIC MEDIA, INC.,  
FAST SEARCH & TRANSFER ASA,  
FAST SEARCH & TRANSFER, INC.,  
AGENTARTS, INC.,  
SEEVAST CORPORATION,  
PULSE 360, INC.,  
WPP GROUP USA, INC.,  
WPP GROUP PLC, AND  
24/7 REAL MEDIA, INC.

Defendants.

**SEEVAST'S AND PULSE 360'S MOTION TO DISMISS,  
OR IN THE ALTERNATIVE, FOR A MORE DEFINITE STATEMENT**

For the reasons set forth in Yahoo!, Inc.'s "Motion to Dismiss, or in the Alternative, for a More Definite Statement," Seevast Corporation and Pulse 360, Inc. respectfully move to dismiss the claims against them pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. In the alternative, Seevast and Pulse 360 join in Yahoo's motion for a more definite statement pursuant to Rule 12(e) of the Federal Rules of Civil Procedure. The arguments presented in Yahoo's motion are hereby incorporated by reference.

U.S. Patent No. 6,199,067 is directed toward a system and method for automatically generating personalized user profiles, based on linguistic patterns extracted from texts submitted by the user, to perform adaptive Internet or computer data searches. Complaint ¶ 18 & Ex. A. PA Advisors claims, in conclusory fashion, that Seevast and Pulse 360 are infringing the '067 patent. PA Advisors' allegations against these companies consists solely of the following statement:

Upon information and belief, Defendant Seevast has been and now is directly, literally and/or upon information and belief, jointly, equivalently and/or indirectly infringing by way of inducing infringement by others and/or contributing to the infringement by others of the '067 Patent in the State of Texas, in this judicial district, and elsewhere in the United States by providing, among other things, methods and systems implemented by and through various websites that comprise systems and methods for automatically generating personalized user profiles and for utilizing the generated profiles to perform adaptive Internet or computer data searches as covered by one or more claims of the '067 Patent. Defendant Seevast is thus liable for infringement of the '067 Patent pursuant to 35 U.S.C. §271.

Complaint ¶ 28. (PA Advisors recites the exact same allegation against Pulse 360 in paragraph 29 of the complaint.)

The complaint vaguely asserts that Seevast and Pulse 360 utilize "methods and systems implemented by and through various websites that comprise systems and methods for automatically generating personalized user profiles," but does not describe anything about Seevast's or Pulse 360's products that would suggest that they involve such methods or systems. Indeed, the complaint fails to identify what Seevast or Pulse 360 product allegedly infringes the '067 patent. The allegations against Seevast and Pulse 360 are plainly insufficient under Rule 8 of the Federal Rules of Civil Procedure.



**CERTIFICATE OF SERVICE**

I hereby certify that on this 21<sup>st</sup> day of December, 2007, a true and correct copy of the foregoing document has been served on the following counsel of record, via electronic delivery, in accordance with the Court's local rules and procedures, and notification (if indicated) by U.S. Mail:

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