

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974 is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM)

**I. (a) PLAINTIFF**

**PAID SEARCH ENGINE TOOLS, LLC**

**DEFENDANTS**

**GOOGLE, INC. and MICROSOFT CORPORATION**

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF

**(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)**

**S. Calvin Capshaw  
Elizabeth L. DeRieux  
Brown McCarroll, L.L.P.  
P. O. Box 3999  
Longview, Texas 75606-3999  
Phone: (903) 236-9800**

**ATTORNEYS (IF KNOWN)**

**II. BASIS OF JURISDICTION** (PLACE AN "X" IN ONE BOX ONLY)

- 1 U.S. Government Plaintiff
- 2 U.S. Government Defendant
- 3 Federal Question (U.S. Government Not a Party)
- 4 Diversity (Indicate Citizenship of Parties in item III)

**III CITIZENSHIP OF PRINCIPAL PARTIES** (PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

	PTF	DEF		PTF	DEF
Citizen of This State	1	1	incorporated or Principal Place of Business in This State	4	4
Citizen of Another State	2	2	incorporated and Principal Place of Business in Another State	5	5
Citizen or Subject of a Foreign Country	3	3	of Business in Another State Foreign Nation	6	6

**IV. NATURE OF SUIT** (PLACE AN "X" IN ONE BOX ONLY)

CONTRACT		TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
110 Insurance	<b>PERSONAL INJURY</b>	<b>PERSONAL INJURY</b>	<b>PERSONAL INJURY</b>	610 Agriculture	422 Appeal 28 USC 158	400 State Reapportionment
120 Marine	310 Airplane	362 Personal Injury - Med Malpractice	362 Personal Injury - Med Malpractice	620 Other Food & Drug	423 Withdrawal 28 USC 157	410 Antitrust
130 Miller Act	315 Airplane Product	365 Personal Injury - Product Liability	365 Personal Injury - Product Liability	625 Drug Related Seizure of Property 21 LISC 881		430 Banks and Banking
140 Negotiable Instrument	320 Assault Libel & Slander	368 Asbestos Personal Injury Product Liability	368 Asbestos Personal Injury Product Liability	630 Liquor Laws		450 Commerce/ICC Rates/etc
150 Recovery of Overpayment & Enforcement of Judgment	330 Federal Employers Liability	<b>PERSONAL PROPERTY</b>	<b>PERSONAL PROPERTY</b>	640 R.R. & Truck	<b>PROPERTY RIGHTS</b>	460 Deportation
151 Medicare Act	340 Marine	370 Other Fraud	370 Other Fraud	650 Airline Regs	820 Copyrights	470 Racketeer Influenced and Corrupt Organizations
152 Recovery of Defaulted Student Loans (Excl Veterans)	345 Marine Product Liability	371 Truth in Lending	371 Truth in Lending	660 Occupational Safety/Health	x 830 Patent	810 Selective Service
153 Recovery of Overpayment of Veteran's Benefits	350 Motor Vehicle	380 Other Personal Property Damage	380 Other Personal Property Damage	690 Other	840 Trademark	850 Securities/Commodities/Exchange
160 Stockholders' Suits	355 Motor Vehicle Product Liability	385 Property Damage Product Liability	385 Property Damage Product Liability	<b>LABOR</b>	<b>SOCIAL SECURITY</b>	875 Customer Challenge 12 USC 3410
190 Other Contract	360 Other Personal Injury			710 Fair Labor Standards Act	861 HIA (1 395ff)	891 Agricultural Acts
195 Contract Product Liability				720 Labor/Mgmt Relations	862 Black Lung (923)	892 Economic Stabilization Act
<b>REAL PROPERTY</b>	<b>CIVIL RIGHTS</b>	<b>PRISONER PETITIONS</b>	<b>PRISONER PETITIONS</b>	730 Labor/Mgmt. Reporting & Disclosure Act	863 DIWC/DIWW (405(g))	893 Environmental Matters
210 Land Condemnation	441 Voting	510 Motions to Vacate Sentence	510 Motions to Vacate Sentence	740 Railway Labor Act	864 SSID Title XVI	894 Energy Allocation Act
220 Foreclosure	442 Employment	<b>HABEAS CORPUS:</b>	<b>HABEAS CORPUS:</b>	790 Other Labor Litigation	865 RSI (405(g))	895 Freedom of Information Act
230 Rent Lease & Ejectment	443 Housing Accommodations	530 General	530 General	791 Empl. Ret. Inc Security Act	<b>FEDERAL TAX SUITS</b>	900 Appeal of Fee Determination Under Equal Access to Justice
240 Torts to Land	444 Welfare	535 Death Penalty	535 Death Penalty		870 Taxes (U.S Plaintiff or Defendant)	950 Constitutionality of State State Statutes
245 Tort Product Liability	440 Other Civil Rights	540 Mandamus & Other	540 Mandamus & Other		871 IRS - Third Party	890 Other Statutory Actions
290 All Other Real Property		550 Civil Rights	550 Civil Rights		26 USC 7609	
		555 Prison Condition	555 Prison Condition			

**V. ORIGIN** (PLACE AN "X" IN ONE BOX ONLY)

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from another district (specify)
- 6 Multidistrict Litigation
- 7 Appeal to District Judge From Magistrate Judgment

**VI. CAUSE OF ACTION** (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE BRIEF STATEMENT OF CAUSE DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

35 U.S. § 271 - Patent Infringement

**VII. REQUESTED IN COMPLAINT:** CHECK IF THIS IS A CLASS ACTION UNDER FR C P 23  DEMAND Injunction and Demand CHECK YES only if demanded in complaint: JURY DEMAND:  YES  NO

**VII. RELATED CASE(S)** (See Instructions): IF ANY Paid Search Engine LLC v. Yahoo Civil Action No. 2:07cv403 (TJW) Judge ward

DATE February 12 2008 SIGNATURE OF ATTORNEY OF RECORD *Elizabeth L. DeRieux*

FOR OFFICE USE ONLY RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG JUDGE \_\_\_\_\_