

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

TITANIDE VENTURES, LLC,

Plaintiff,

v.

GOOGLE, INC.,

Defendants.

§ **Case No.: 4:12-cv-161**
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§ **JURY TRIAL DEMANDED**
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COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff, Titanide Ventures, LLC for its Complaint against Google, Inc., hereby alleges as follows:

THE PARTIES

1. Plaintiff Titanide Ventures, LLC, (“Titanide”) is a limited liability corporation duly organized and existing under the laws of the State of Texas, having its principal place of business at 911 NW Loop 281, Suite 211-30, Longview, TX 75604.

2. On information and belief, Google, Inc. (“Google”) is a corporation duly organized and existing under the laws of the State of Delaware, having its principal place of business at 1600 Amphitheatre Parkway, Mountain View, CA 94043.

JURISDICTION AND VENUE

3. This is an action for patent infringement arising under the Patent Act, 35 U.S.C. §§101 et seq. This Court has jurisdiction over Plaintiff’s federal law claims under 28 U.S.C. §§1331 and 1338(a).

4. This Court has specific and/or general personal jurisdiction over Defendant Google because it has committed acts giving rise to this action within this judicial district and/or has established minimum contacts within Texas and within this judicial district such that the exercise of jurisdiction over Defendant Google would not offend traditional notions of fair play and substantial justice.

5. Venue is proper in this District pursuant to 28 U.S.C. §§1391(b)-(c) and 1400(b) because Defendant Google has committed acts within this judicial district giving rise to this action, and continues to conduct business in this district, and/or has committed acts of patent infringement within this District giving rise to this action.

CLAIM 1

INFRINGEMENT OF U.S. PATENT 6,714,968

6. Titanide re-alleges and incorporates by reference the allegations set forth in the Paragraphs above as if fully set forth herein.

7. On March 30, 2004, United States Patent Number 6,714,968 (“the ’968 patent”) entitled “Method and System for Seamless Access to a Remote Storage Server Utilizing Multiple Access Interfaces Executing on the Remote Server” was duly and lawfully issued by the United States Patent and Trademark Office. A true and correct copy of the ’968 patent is attached hereto as **Exhibit A**.

8. Titanide is the owner and assignee of all right, title, and interest in and to the ’968 patent, including the right to assert all causes of action arising under said patent and the right to any remedies for infringement of it.

9. On information and belief, Defendant Google has been and now is infringing the ’968 patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, making, using, importing, offering to sell, and/or selling in the United States data storage products and/or services that embody the inventions claimed in the ’968 patent, including but not limited to Google Storage and all reasonably similar products. On information and belief, Defendant Google indirectly infringes by contributing to its customers’ infringement

of Google Storage and all reasonably similar products. On information and belief, Defendant Google indirectly infringes by actively inducing its customers to use Google Storage and all reasonably similar products. On information and belief, Defendant Google knew or should have known its actions would induce and/or contribute to infringement of the '968 patent.

10. On information and belief, Defendant Google will continue to infringe the '968 patent unless enjoined by this Court.

11. Defendant Google's acts of infringement have damaged Titanide in an amount to be proven at trial, but in no event less than a reasonable royalty. Defendant Google's infringement of Titanide's rights under the '968 patent will continue to damage Titanide causing irreparable harm, for which there is no adequate remedy at law, unless enjoined by this Court.

CLAIM 2

INFRINGEMENT OF U.S. PATENT 6,735,623

12. Titanide re-alleges and incorporates by reference the allegations set forth in the Paragraphs above as if fully set forth herein.

13. On May 11, 2004, United States Patent Number 6,735,623 ("the '623 patent") entitled "Method and System for Accessing a Remote Storage Area" was duly and lawfully issued by the United States Patent and Trademark Office. A true and correct copy of the '623 patent is attached hereto as **Exhibit B**.

14. Titanide is the owner and assignee of all right, title, and interest in and to the '623 patent, including the right to assert all causes of action arising under said patent and the right to any remedies for infringement of it.

15. On information and belief, Defendant Google has been and now is infringing the '623 patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, making, using, importing, offering to sell, and/or selling in the United States data storage products and/or services that embody the inventions claimed in the '623 patent, including but not limited to Google Storage and all reasonably similar products. On information and belief, Defendant Google indirectly infringes by contributing to its customers' infringement

of Google Storage and all reasonably similar products. On information and belief, Defendant Google indirectly infringes by actively inducing its customers to use Google Storage and all reasonably similar products. On information and belief, Defendant Google knew or should have known its actions would induce and/or contribute to infringement of the '623 patent.

16. On information and belief, Defendant Google will continue to infringe the '623 patent unless enjoined by this Court.

17. Defendant Google's acts of infringement have damaged Titanide in an amount to be proven at trial, but in no event less than a reasonable royalty. Defendant Google's infringement of Titanide's rights under the '623 patent will continue to damage Titanide causing irreparable harm, for which there is no adequate remedy at law, unless enjoined by this Court.

CLAIM 3

INFRINGEMENT OF U.S. PATENT 6,952,724

18. Titanide re-alleges and incorporates by reference the allegations set forth in the Paragraphs above as if fully set forth herein.

19. On Oct. 5, 2005, United States Patent Number 6,952,724 ("the '724 patent") entitled "Network-Based Remote Data Storage System Having Multiple Access Interfaces" was duly and lawfully issued by the United States Patent and Trademark Office. A true and correct copy of the '724 patent is attached hereto as **Exhibit C**.

20. Titanide is the owner and assignee of all right, title, and interest in and to the '724 patent, including the right to assert all causes of action arising under said patent and the right to any remedies for infringement of it.

21. On information and belief, Defendant Google has been and now is infringing the '724 patent in the State of Texas, in this judicial district, and elsewhere in the United States by, among other things, making, using, importing, offering to sell, and/or selling in the United States data storage products and/or services that embody the inventions claimed in the '724 patent, including but not limited to Google Storage and all reasonably similar products. On information and belief, Defendant Google indirectly infringes by contributing to its customers' infringement

of Google Storage and all reasonably similar products. On information and belief, Defendant Google indirectly infringes by actively inducing its customers to use Google Storage and all reasonably similar products. On information and belief, Defendant Google knew or should have known its actions would induce and/or contribute to infringement of the '724 patent.

22. On information and belief, Defendant Google will continue to infringe the '724 patent unless enjoined by this Court.

23. Defendant Google's acts of infringement have damaged Titanide in an amount to be proven at trial, but in no event less than a reasonable royalty. Defendant Google's infringement of Titanide's rights under the '724 patent will continue to damage Titanide causing irreparable harm, for which there is no adequate remedy at law, unless enjoined by this Court.

PRAYER FOR RELIEF

1. Wherefore, Titanide respectfully requests that this Court enter judgment against Defendant Google as follows:

- a. For judgment that Defendant Google has infringed and continues to infringe the claims of the '968, '623, and '724 Patents;
- b. For preliminary and permanent injunction against Defendant Google and its respective officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in active concert therewith from infringement of the '968, '623, and '724 Patents;
- c. For an accounting of all damages caused by Defendant Google's acts of infringement;
- d. For damages to be paid by Defendant Google adequate to compensate Titanide for Defendant Google's infringement, including interest, costs and disbursement as justified under 35 U.S.C. § 284;
- e. For judgment finding this to be an exceptional case, and awarding Titanide attorney fees under 35 U.S.C. § 285; and

f. For such relief at law and in equity as the Court may deem just and proper.

DEMAND FOR A JURY TRIAL

Titanide demands a trial by jury of all issues triable by a jury.

Dated: March 22, 2012

Respectfully submitted,

/s/ Christopher D. Banys (w/permission Wesley Hill)

Christopher D. Banys - *Lead Attorney*

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