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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

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HYPERPHRASE TECHNOLOGIES,)
LLC, and HYPERPHRASE INC.)
)
Plaintiffs,)
)
v.)
)
GOOGLE INC.,)
)
)
)
Defendant.)

THERESA M. OWENS
CLERK US DIST COURT
WD OF WI
Civil Action No 06 C 0199 S

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiffs, HyperPhrase Technologies, LLC and HyperPhrase Inc. (collectively "HyperPhrase"), complain of defendant, Google Inc. ("Google") as follows:

NATURE OF LAWSUIT

1. This is a claim for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code. This Court has exclusive jurisdiction over the subject matter of the Complaint under 28 U.S.C. § 1338(a).

PARTIES

2. HyperPhrase Technologies, LLC is a Wisconsin limited liability company with places of business at 402 Gammon Place, Suite 300, Madison, Wisconsin 53719 and at 10532 N. Port Washington Rd., Mequon, Wisconsin 53217. HyperPhrase, Inc. is a wholly-owned subsidiary of HyperPhrase Technologies, LLC. HyperPhrase Technologies, LLC owns all right, title and interest

in and has standing to sue for infringement of the following United States Patents: United States Patent No. 6,434,567 ("the '567 Patent"), entitled "Method for Specifying Enterprise-wide Database Address Formats"; United States Patent No. 6,507,837 ("the '837 Patent"), entitled "Tiered and Content Based Database Searching"; and United States Patent No. 6,516,321 ("the '321 Patent"), entitled "Method for Database Address Specification". HyperPhrase, Inc. owns all right, title and interest in and has standing to sue for infringement of the following United States Patent: United States Patent No. 5,903,889 ("the '889 Patent"), entitled "System and Method for Translating, Collecting and Archiving Patient Records for Automated Data Storage and Retrieval".

3. Defendant Google is a Delaware corporation with a principal place of business at 1600 Amphitheater Parkway, Mountain View, California 94043. Google has committed acts of infringement in this judicial district and does regular business in this judicial district, including providing the products and services accused of infringement in this judicial district.

4. As a result of the marketing, distribution and advertising channels established by Google in the United States and this district, the Google products and services at issue in this case are provided for use or download throughout this judicial district.

5. Google also markets services and products throughout the United States and this judicial district using its website, www.google.com.

6. This Court has personal jurisdiction over Google by virtue of each of Google's acts of patent infringement which have been committed in Wisconsin and in this judicial district, and by virtue of Google's transaction of business in Wisconsin.

GOOGLE'S ACTS OF PATENT INFRINGEMENT

7. Google has infringed the HyperPhrase Patents through, among other activities, the manufacture, use, importation, sale and/or offer for sale of the Google Toolbar, including the AutoLink feature, and Google Ads products, including AdSense. Google has also knowingly and intentionally induced others to infringe (such as its customers, users and advertisers in this judicial district and throughout the United States) by willfully and intentionally aiding, abetting, assisting and encouraging their infringement.

8. Specifically, Google's manufacture, use, importation, offer for sale and/or sale of the Google Toolbar or Google Ads products, constitutes an infringement of at least the following claims of the HyperPhrase patents: claims 1 and 7 of the '889 Patent; claims 48 and 61 of the '837 Patent; claims 35, 46, 48, 53, 56 and 63 of the '567 Patent; and claims 1 and 24 of the '321 Patent.

9. Google's infringement has injured HyperPhrase and HyperPhrase is entitled to recover damages adequate to compensate it for such infringement, but in no event less than a reasonable royalty.

NOTICE AND WILLFULNESS

10. Google has actual and/or constructive notice of Google's infringement of the HyperPhrase Patents.

11. Google's infringement has occurred with knowledge of the HyperPhrase patents and has been willful in violation of 35 U.S.C. § 284 ¶ 2. Google's infringement has injured and will continue to injure HyperPhrase, unless and until this Court enters an injunction prohibiting further infringement and, specifically, enjoining further manufacture, use, importation, offers for sale and/or sale of Google products and services that fall within the scope of any of the HyperPhrase Patents.

VENUE

12. Venue is proper in this district under 28 U.S.C. §§ 1391(c) - (d) and 1400(b).

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs, HyperPhrase, ask this Court to enter judgment against Google and against its subsidiaries, affiliates, agents, servants, employees and all persons in active concert or participation with them, granting the following relief:

A. An award of damages adequate to compensate HyperPhrase for the infringement that has occurred, together with prejudgment interest from the date infringement of the HyperPhrase Patents began;

B. An award to HyperPhrase of all remedies available

under 35 U.S.C. § 284;

C. An award to HyperPhrase of all remedies available under 35 U.S.C. § 285;

D. A permanent injunction prohibiting further infringement, inducement and contributory infringement of the HyperPhrase Patents; and,

E. Such other and further relief as this Court or a jury may deem proper and just.



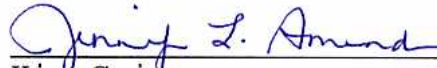
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JURY DEMAND

HyperPhrase demands a trial by jury on all issues so triable.



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