

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

PARALLEL NETWORKS, LLC,)	
)	
Plaintiff,)	C.A. No. _____
)	
v.)	JURY TRIAL DEMANDED
)	
CITRIX SYSTEMS, INC.,)	
)	
Defendant.)	
)	

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Parallel Networks, LLC (“Parallel”) files this Complaint for patent infringement against Defendant Citrix Systems, Inc. (“Citrix” or “Defendant”) and alleges as follows:

PARTIES

1. Plaintiff Parallel Networks, LLC is a Delaware limited liability company having its principal place of business at 1105 N. Market St., Suite 300, Wilmington, Delaware 19801.
2. On information and belief, Citrix is a corporation organized under the laws of the State of Delaware, and has a principal place of business at 851 West Cypress Creek Road, Ft. Lauderdale, Florida, and/or is conducting business through an affiliate located at this address.

JURISDICTION AND VENUE

3. This civil action for patent infringement arises under the Patent Laws of the United States, 35 U.S.C. §§ 1 *et seq.* This Court has jurisdiction over the claims presented herein pursuant to 28 U.S.C. §§ 1331 and 1338(a).
4. On information and belief, Citrix makes, imports, uses, sells, and/or offers for sale the Accused Instrumentalities (as defined below) within the United States, including this

District, that infringe one or more claims of United States Patent No. 7,571,217 entitled “METHOD AND SYSTEM FOR UNIFORM RESOURCE LOCATOR TRANSFORMATION” (the “’217 Patent”). The ’217 Patent was duly and legally issued by the United States Patent and Trademark Office on August 4, 2009. A true and correct copy of the ’217 Patent is attached hereto as Exhibit 1.

5. On information and belief, Citrix makes, imports, uses, sells, and/or offers for sale the Accused Instrumentalities (as defined below) within the United States, including this District, that infringe one or more claims of United States Patent No. 8,352,570 entitled “METHOD AND SYSTEM FOR UNIFORM RESOURCE LOCATOR TRANSFORMATION” (the “’570 Patent”). The ’570 Patent was duly and legally issued by the United States Patent and Trademark Office on January 8, 2013. A true and correct copy of the ’570 Patent is attached hereto as Exhibit 2.

6. The ’217 Patent and ’570 Patent are collectively referred to herein as the “Asserted Patents.”

7. Parallel is the owner by assignment of all rights, title, and interests in the Asserted Patents, and is entitled to sue for past and future infringement thereof.

8. On information and belief, is a company that sells software and/or hardware to facilitate cloud computing. Citrix is engaged in the business of marketing and selling networking and cloud products to enable its customers to deliver cloud services to end-users with high performance, security and reliability. Citrix’s cloud platform products allow Citrix’s customers to build scalable and reliable private and public cloud computing environments. developing and selling security, storage, and application delivery hardware and software to support information technology systems. One particular example of the products offered by

Citrix are the Netscaler Products, including NetScaler App Delivery Controller, Netscaler for SDN, NetScaler Gateway, NetScaler Branch Repeater, NetScaler AppFirewall, NetScaler 1000V, NetScaler VPX, NetScaler Gateway VPX, and any and all substantially similar products (the “NetScaler Products” or “Accused Instrumentalities”). On information and belief, Citrix markets, offers for sale, and sells the Accused Instrumentalities in this District via an interactive website, <http://store.citrix.com/store?SiteID=citrixus&Action=DisplayHomePage&pgm=75448200>, that allows a website visitor to purchase directly from Citrix. On information and belief, Citrix also markets, offers for sale, and sells the Accused Instrumentalities via “Solution Providers” in this District, and/or directly by sales staff through the “Request a Sales Call” page on its website.

9. On information and belief, Citrix directly and/or indirectly imports, manufactures, uses, offers for sale, and/or sells the Accused Instrumentalities within the United States, including this District, that infringe one or more claims of the Asserted Patents.

10. Venue is proper in this District pursuant to 28 U.S.C. § 1400(b).

GENERAL ALLEGATIONS

11. On information and belief, Citrix is engaged in the business of developing, making or having made, using, offering for sale and selling the Accused Instrumentalities. Among the many features of the Accused Instrumentalities is the ability to act as a caching server to cache or facilitate the caching of data, including content and application data. Citrix’s Netscaler Products include “AppCache, a powerful, fully integrated caching solution that stores static and dynamically-generated application content, such as HTML pages, images, reports and

web objects, directly in NetScaler memory. Frequently requested content is directly delivered to clients, offloading busy web servers and reducing the number of round-trips to substantially improve the performance of web applications.” <http://www.citrix.com/products/netscaler-application-delivery-controller/features/app-delivery.html>. The Accused Instrumentalities provide caching in the manner claimed in one or more claims of the Asserted Patents. As a further example, Citrix’s NetScaler system receives requests for content, and performs a URL Transformation. See Citrix video entitled “URL Transformation” found at www.citrix.com/tv/#videos/2032; see also <http://support.citrix.com/article/CTX124400> (all as of August, 2013). The NetScaler system also “provides integrated content and application caching – a core element of application functionality, through AppCache, which provides fast, memory-based storage content such as HTML pages, CSS, images, files and web objects. Frequently accessed static and dynamic content can be cached in NetScaler and directly delivered to clients, offloading busy web servers and reducing the number of round-trip requests to the origin server.” <http://www.citrix.com/English/ps2/products/subfeature.asp?contentID=2316241> (as of August, 2013).

12. The quotations and materials cited above are accessible to the public from Citrix’s webpages, including Citrix’s technical support webpages. Citrix’s portal support.citrix.com is available to the public, including purchasers and/or users of the Accused Instrumentalities. As shown by at least these examples, Citrix provides technical support to teach and encourage its customers of the Accused Instrumentalities how to use these products to perform caching in the manner claimed in the Asserted Patents.

FIRST CLAIM FOR RELIEF
(Infringement of the '217 Patent)

13. Parallel incorporates paragraphs 1 through 12 as though fully set forth herein.

14. Upon information and belief, Citrix has been and now is directly infringing one or more claims of the '217 Patent by making, importing, using, offering for sale, and/or selling the patented inventions, and/or indirectly infringing one or more claims of the '217 Patent by actively inducing others to use the patented inventions.

15. More particularly, without limitation, Citrix is now directly infringing one or more claims of the '217 Patent by making, importing, using (including use for testing purposes), offering for sale, and/or selling the Accused Instrumentalities, all in violation of 35 U.S.C. § 271(a). The Accused Instrumentalities provide a system for communicating data, the system having a memory and an application, the application operable to receive requests for content and to cache content items in the manner claimed in one or more claims of the '217 Patent. As shown by Citrix's technical publications, the Accused Instrumentalities can be configured to perform the methods claimed in one or more claims of the '217 Patent.

16. In addition and/or in the alternative, Citrix has been and/or now is indirectly infringing one or more claims of the Asserted Patents by inducing customers to use the Accused Instrumentalities to directly infringe one or more claims of the Asserted Patents in violation of 35 U.S.C. § 271(b).

17. By the filing of this action, Citrix has been given actual notice of the existence of the '217 Patent. In spite of having received such notice, Citrix has intended, and continues to intend, to induce patent infringement by its customers, and, as of at least the filing date of this action, has had knowledge that the inducing acts would cause infringement or, alternatively, has been willfully blind to the possibility that its inducing acts would cause infringement.

18. The Accused Instrumentalities comprise the systems claimed in one or more claims of the '217 Patent, and, when configured and used as described in Citrix's technical

publications, perform the methods described and claimed in the Asserted Patents. Citrix has engaged in indirect infringement by its post-complaint conduct of providing its customers with the infringing Accused Instrumentalities, and/or by providing the Accused Instrumentalities and providing instructions to enable those customers to use the Accused Instrumentalities, each of which constitute the system claimed in one or more claims of the '217 Patent, and/or to utilize Accused Instrumentalities so as to practice the method claimed in one or more claims of the '217 Patent.

19. By way of example, and not as a limitation, Citrix induces such infringement by at least making its website available to customers and providing links and/or other directions on its website and/or the internet to instruct and teach users to use the Accused Instrumentalities in an infringing manner. Citrix engages in such activities knowingly, and, at least from the time of receipt of the present Complaint, has done so with the knowledge that such activities induce customers to directly infringe the Asserted Patents. In addition, or, in the alternative, Citrix engages in such activities knowingly, and, at least from the time of receipt of the present Complaint, has sold or distributed the Accused Instrumentalities knowing that such Accused Instrumentalities are especially made or adapted for use by its customers in an infringing use of one or more claims of the Accused Instrumentalities. On information and belief, Citrix's customers configure the Accused Instrumentalities to cache or facilitate the caching of data as described and claimed in the Asserted Patents. Thus, Citrix's customers, by using the Accused Instrumentalities, directly infringe the claimed methods of the Asserted Patents.

20. Parallel has been damaged by the infringing activities of Citrix, and will be irreparably harmed unless those infringing activities are preliminarily and permanently enjoined by this Court. Parallel does not have an adequate remedy at law.

21. By the filing of this action, Citrix has been given actual notice of the existence of the '217 Patent. Despite such notice, Citrix continues in acts of infringement without regard to the '217 Patent, and will likely continue to do so unless otherwise enjoined by this Court. Parallel is not seeking damages against Citrix for indirect infringement for the period prior to the filing of this Complaint. However, in the event that Parallel learns through discovery that Citrix has actual notice of the '217 Patent prior to the filing of this Complaint, Parallel reserves the right to seek damages for Citrix's activities prior to filing.

SECOND CLAIM FOR RELIEF
(Infringement of the '570 Patent)

22. Parallel incorporates paragraphs 1 through 12 as though fully set forth herein.

23. Upon information and belief, Citrix has been and now is directly infringing one or more claims of the '570 Patent by making, importing, using, offering for sale, and/or selling the patented inventions, and/or indirectly infringing one or more claims of the '570 Patent by actively inducing others to use the patented inventions.

24. More particularly, without limitation, Citrix is now directly infringing one or more claims of the '570 Patent by making, importing, using (including use for testing purposes), offering for sale, and/or selling the Accused Instrumentalities, all in violation of 35 U.S.C. § 271(a). The Accused Instrumentalities provide a system for communicating data, the system having a memory and an application, the application operable to receive requests for content and to cache content items in the manner claimed in one or more claims of the '570 Patent. As shown by Citrix's technical publications, the Accused Instrumentalities can be configured to perform the methods claimed in one or more claims of the '570 Patent.

25. In addition and/or in the alternative, Citrix has been and/or now is indirectly infringing one or more claims of the Asserted Patents by inducing customers to use the Accused

Instrumentalities to directly infringe one or more claims of the Asserted Patents in violation of 35 U.S.C. § 271(b).

26. By the filing of this action, Citrix has been given actual notice of the existence of the '570 Patent. In spite of having received such notice, Citrix has intended, and continues to intend, to induce patent infringement by its customers, and, as of at least the filing date of this action, has had knowledge that the inducing acts would cause infringement or, alternatively, has been willfully blind to the possibility that its inducing acts would cause infringement.

27. The Accused Instrumentalities comprise the systems claimed in one or more claims of the '570 Patent, and, when configured and used as described in Citrix's technical publications, perform the methods described and claimed in the Asserted Patents. Citrix has engaged in indirect infringement by its post-complaint conduct of providing its customers with the infringing Accused Instrumentalities, and/or by providing the Accused Instrumentalities and providing instructions to enable those customers to use the Accused Instrumentalities, each of which constitute the system claimed in one or more claims of the '570 Patent, and/or to utilize Accused Instrumentalities so as to practice the method claimed in one or more claims of the '570 Patent.

28. By way of example, and not as a limitation, Citrix induces such infringement by at least making its website available to customers and providing links and/or other directions on its website and/or the internet to instruct and teach users to use the Accused Instrumentalities in an infringing manner. Citrix engages in such activities knowingly and, at least from the time of receipt of the present Complaint, has done so with the knowledge that such activities induce customers to directly infringe the Asserted Patents. In addition, or, in the alternative, Citrix engages in such activities knowingly, and, at least from the time of receipt of the present

Complaint, has sold or distributed the Accused Instrumentalities knowing that such Accused Instrumentalities are especially made or adapted for use by its customers in an infringing use of one or more claims of the Accused Instrumentalities. On information and belief, Citrix's customers configure the Accused Instrumentalities to cache or facilitate the caching of data as described and claimed in the Asserted Patents. Thus, Citrix's customers, by using the Accused Instrumentalities, directly infringe the claimed methods of the Asserted Patents.

29. Parallel has been damaged by the infringing activities of Citrix, and will be irreparably harmed unless those infringing activities are preliminarily and permanently enjoined by this Court. Parallel does not have an adequate remedy at law.

30. By the filing of this action, Citrix has been given actual notice of the existence of the '570 Patent. Despite such notice, Citrix continues in acts of infringement without regard to the '570 Patent, and will likely continue to do so unless otherwise enjoined by this Court. Parallel is not seeking damages against Citrix for indirect infringement for the period prior to the filing of this Complaint. However, in the event that Parallel learns through discovery that Citrix had actual notice of the '570 Patent prior to the filing of this Complaint, Parallel reserves the right to seek damages for Citrix's activities prior to filing.

REQUEST FOR RELIEF

WHEREFORE, Parallel requests the following relief:

(a) A judgment in favor of Parallel that Citrix has directly infringed, and/or has indirectly infringed by way of inducement, one or more claims of the Asserted Patents;

(b) A judgment that Parallel has been irreparably harmed by the infringing activities of Citrix and is likely to continue to be irreparably harmed by Defendant's continued infringement;

(c) Preliminary and permanent injunctions prohibiting Citrix and its officers, agents, servants, employees and those persons in active concert or participation with any of them, as well as all successors or assignees of the interests or assets related to the Accused Instrumentalities, from further infringement, direct and indirect, of the Asserted Patents;

(d) A judgment and order requiring Citrix to pay Parallel damages adequate to compensate for infringement under 35 U.S.C. § 284, which damages may include lost profits but in no event shall be less than a reasonable royalty for the use made of the inventions of the Asserted Patents, including pre- and post-judgment interest and costs, including expenses and disbursements; and

(e) Any and all such further necessary or proper relief as this Court may deem just.

DEMAND FOR JURY TRIAL

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Parallel hereby demands a trial by jury of all issues so triable.

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