

## **Microsoft, Oracle sued: Tech duo accused of trampling DB patents: The University of Tennessee's royalty collection arm wants its pound of flesh**



3 May 2017 at 07:01, [Thomas Claburn](#)

The University of Tennessee Research Foundation (UTRF) and Saint Matthew Research (SMR) on Tuesday filed lawsuits against [Microsoft](#) and [Oracle](#) alleging the infringement of database patents.

The UTRF exists to commercialize intellectual property arising from research at the University of Tennessee; SMR is a California-based limited liability company with an exclusive license to the patents at issue.

In separate complaints filed in US District Court in the Eastern District of Tennessee, the plaintiffs claim that Microsoft and Oracle are violating "the groundbreaking work of several of The University of Tennessee's faculty in the fields of parallel processing and high performance database design."

The complaints – largely similar but for the defendant named – describe work done by University of Tennessee professor J. Douglas Birdwell and his colleagues in the late 1990s to facilitate the search of large sets of DNA profile data.

Database structures at the time weren't able to provide sufficiently rapid access to records, so Birdwell and his associates developed an efficient way to handle distributed queries in conjunction with parallel processing architectures.

"While Dr Birdwell and his collaborators initially sought to address the need for database systems capable of handling the size and complex nature of DNA profile information, their work led to groundbreaking innovations applicable to database systems that handle a wide variety of complex and large datasets," the complaint states. "The technologies developed for handling large volumes of DNA profile data were identified by The University of Tennessee researchers as providing groundbreaking insights applicable far beyond forensic applications."

To support its claim about the impact of the research, the complaint says that the patents at issue in the lawsuit have been cited in more than 300 US patent applications by such companies as IBM, HPE, Google, SAP, Microsoft, Oracle, EMC, and Qualcomm, among others.

Microsoft and Oracle are charged with violating US Patent No. [8,099,733](#), US Patent No. [6,741,983](#), US Patent No. [7,272,612](#), and US Patent No. [7,882,106](#). Oracle is charged with violating a fifth patent, US Patent No. [7,454,411](#).

The plaintiffs want the judge in the case to declare that the alleged infringement by Microsoft and Oracle was "willful, wanton, malicious, bad-faith, deliberate, consciously wrongful, flagrant, or characteristic of a pirate," a finding that would increase any damages awarded.

At this point, no damage amount has been specified. But if the case makes it to trial, expect the sum sought to be considerable.

Microsoft was not immediately available for comment.

Oracle declined to comment. ®