

The Latest Information Regarding All Legal Proceedings Between Oxylabs and Luminati (now Bright Data)

Our commitment to a fair market in which innovation thrives through legitimate competition

The story's first chapter dates back to July 2018, when Luminati (now Bright Data) sued Oxylabs, claiming that Oxylabs' technology infringed Bright Data's patents. Oxylabs has always maintained the position that Oxylabs has not infringed on any of Bright Data's patents.

In fact, Bright Data's allegations were resolved in the first concluded case, as a settlement was reached between both parties, resulting in all claims and counterclaims in the case being dismissed with prejudice. Hence, our existing and future partners should not be concerned regarding Bright Data's messages regarding Oxylabs' products.

That said, little did we know at the time, for Bright Data, it wasn't necessarily all about winning

about tying up its competition in endless legal proceedings, distracting its rivals from their core business operations, and discouraging regular companies from using non-Bright Data providers. Indeed, Bright Data filed two additional lawsuits against Oxylabs. In those lawsuits, Oxylabs asserts that Bright Data's patents are not infringed, are invalid, and are not eligible for patent protection.

Hence, Oxylabs will continue to protect its technology and reputation utilizing all available legal remedies, including appellate process to ensure fair market practices that encourage legitimate competition for all market stakeholders' interests.

**Julius Cerniauskas**

CEO at Oxylabs

The legal cases

Note: Luminati has since rebranded to Bright Data

Case No. 299

Resolved by settlement

Luminati v. Oxylabs

Luminati (now Bright Data) sued Oxylabs, claiming that Oxylabs' residential proxy network service and Real-Time Crawler allegedly infringed Luminati's two patents, U.S. Patents [9.241.044](#) and [9.742.866](#).

Case No. 395

Ongoing

Luminati v. Oxylabs

Luminati (now Bright Data) filed a new patent lawsuit against Oxylabs, claiming that Oxylabs' residential proxy network service and Real-Time Crawler allegedly infringed three additional Luminati patents. U.S.



Patents [10,469,614](#), [10,257,319](#),
[10,484,510](#).

Sign up



Case No. 396

Ongoing

Luminati v. Oxylabs

Luminati (now Bright Data) filed a new patent lawsuit against Oxylabs, claiming that Oxylabs' data center IP technologies allegedly infringed on additional Luminati patents, U.S. Patents [10,484,511](#), [10,637,968](#).

Case No. 73

Resolved by parties' agreement

Oxylabs v. Luminati

Oxylabs sued Luminati (now Bright Data) and its investor EMK Capital LLP on the following claims: unfair competition, false advertising, false patent marking, defamation/business disparagement, tortious interference with prospective business relations, tortious interference with the existing contract, breach of contract, and conspiracy.

Case No. 011

Ongoing

Oxylabs v. Luminati

Oxylabs has filed the lawsuit against Bright Data claiming the infringement of three patents of Oxylabs. Oxylabs alleges that its competitor infringes on Oxylabs' patents claiming Smart Proxy Rotator and web script management technologies for the provisioning of web scraping and other business services.

The legal timeline

2018

July 19, 2018 Case No. 299

Luminati (now Bright Data) filed a complaint against Oxylabs

Luminati (now Bright Data) sued Oxylabs, claiming that two Oxylabs' products - Oxylabs' residential proxy network service and Real-Time Crawler - **allegedly infringed Bright Data's two patents**, U.S. Patents [9,241,044](#) and [9,742,866](#) ([Case No. 299](#)).

2019

August 21, 2019 Case No. 299

Claim Construction Order

The Court issued its claim construction⁽¹⁾ opinion (a so-called Markman⁽²⁾ opinion), which proved to be critical for the later stages of [Case No. 299](#). With this decision, at Oxylabs' request, the Court **invalidated** one of the three independent claims of Bright Data's patents (Claim 108) as indefinite and issued an order construing the claims of Bright Data's patents.

September 9, 2019 Case No. 299

Oxylabs filed its Motion for Judgment on the Pleadings⁽³⁾ (a so-called Alice Motion⁽⁴⁾) seeking a ruling that **Bright Data's patents were invalid for impermissibly claiming an abstract idea.**

November 4, 2019 [Case No. 299](#)

Oxylabs filed Motion for Summary Judgment

Oxylabs also filed a **Motion for Summary Judgment that Oxylabs did not infringe Bright Data's patents.** Both motions (i.e., Motion for Judgment on the Pleadings and Motion for Summary Judgment) were pending, and if the Court had granted either of them, the lawsuit would have concluded on the merits in Oxylabs' favor.

November 5, 2019 [Case No. 299](#)

Luminati (now Bright Data) withdrew non-patent claims

On December 12, 2018, in [Case No. 299](#), Bright Data asserted certain **non-patent claims** against Oxylabs. Oxylabs wrote to Bright Data on September 10, 2019, and advised that these additional claims asserted in [Case No. 299](#) were frivolous and that the continued pursuit of the claims would subject Bright Data to liability for Oxylabs' attorney's fees. On November 4, 2019, rather than pursue these additional non-patent claims asserted in [Case No. 299](#), **Bright Data voluntarily withdrew them without prejudice.**

December 6, 2019 [Case No. 395](#) [Case No. 396](#)

Luminati (now Bright Data) filed two new complaints against Oxylabs

Bright Data filed two new patent lawsuits against Oxylabs, claiming that Oxylabs' technologies **allegedly infringed on five additional patents**, U.S. Patents [10,469,614](#), [10,257,319](#), [10,484,510](#) ([Case No. 395](#)) and [10,484,511](#), [10,637,968](#) ([Case No. 396](#)). In [Case No. 395](#), Bright Data also once again asserted the same **additional non-patent claims**, which **Bright Data voluntarily withdrew** in [Case No. 299](#) back in November 2019.

2020

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.