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11 GOOGLE LLC

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13
14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA

16 GOOGLE LLC, a Delaware limited liability
17 company,

) Case No.: 25-10826

)

) **COMPLAINT FOR:**

)
18 1. **Circumvention of Technological
19 Measures (17 U.S.C.
20 § 1201(a)(1)(A))**

)
21 2. **Trafficking in Technology
22 Designed for Circumvention of
23 Technological Measures (17 U.S.C.
24 § 1201(a)(2))**

)
25 **JURY TRIAL DEMANDED**
26
27
28

1 1. Google LLC’s search services are the product of enormous investments of human
2 and financial capital. Through lessons learned from decades of experimentation, enhancements,
3 and expenditures, Google has developed first-in-class methods for understanding what its users
4 are looking for, and locating and recommending relevant content from the vastness of the World
5 Wide Web.

6 2. To enhance its popular search engine and assist users in finding what they are
7 looking for, Google incorporates a range of licensed copyrighted content in its search results pages
8 for various services. For example, Knowledge Panels that provide detailed information in response
9 to a specific query often contain copyrighted photographs that Google licenses from third parties.
10 Google relies upon myriad pieces of copyrighted content to create Google Maps, including but not
11 limited to a variety of third-party images. Similarly, Google Shopping works closely with
12 merchant partners to provide users with the best information about products that they may want to
13 buy, including merchant-supplied pictures.

14 3. Defendant SerpApi, LLC (“SerpApi”) offers services that “scrape” this copyrighted
15 content and more from Google, using deceptive means to automatically access and take it for free
16 at an astonishing scale and then offering it to various customers for a fee. In doing so, SerpApi
17 acquires for itself the valuable product of Google’s labors and investment in the content, and denies
18 Google’s partners compensation for their works.

19 4. In an effort to halt this harmful misappropriation and protect its partner
20 relationships, Google developed and deployed a technological measure, known as SearchGuard,
21 that restricts access to its search results pages and the copyrighted content they contain. So that it
22 could continue its free riding, however, SerpApi developed a means of circumventing
23 SearchGuard. With the automated queries it submits, SerpApi engages in a wide variety of
24 misrepresentations and evasions in order to bypass the technological protections Google deployed.
25 But each time it employs these artifices, SerpApi violates federal law.

26 5. Section 1201(a)(1) of the Copyright Act prohibits the circumvention of
27 technological measures that control access to copyrighted material and punishes each act of
28 circumvention with statutory damages of between \$200 and \$2,500 per act. Section 1201(a)(2) of

1 the Copyright Act prohibits the manufacture, offering to the public, or trafficking of services that
2 are marketed for use in circumventing technological measures, and likewise carries statutory
3 damages. SerpApi has violated these provisions on a massive scale.

4 6. Google seeks redress for SerpApi's statutory violations through this lawsuit. It
5 alleges on personal knowledge as to its own actions and on information and belief as to the actions
6 of others as follows:

THE PARTIES AND NATURE OF THE ACTION

8 7. Google is a Delaware limited liability company and a wholly-owned subsidiary of
9 Alphabet, Inc., with its principal place of business located at 1600 Amphitheatre Parkway,
10 Mountain View, California. Google owns and operates multiple services, including Google
11 Search, a search engine service, accessible, among other places, on the World Wide Web at
12 www.google.com. Google has invested billions of dollars to develop, operate and improve Google
13 Search, endeavoring to provide users with information that Google believes will be most relevant
14 to their search queries.

15 8. Defendant SerpApi is an entity incorporated in Texas with its principal place of
16 business in Austin, Texas. SerpApi operates an online “Application Programming Interface”
17 (“API”) service available at serpapi.com. SerpApi offers its customers paid subscriptions to a
18 “Google Search API,” a software service that it advertises as a way to “Scrape Google.” Through
19 this service, SerpApi automatically circumvents Google’s technological protection measures to
20 access and appropriate Google’s Search results, including the substantial copyrighted content that
21 Google licenses from others. SerpApi then offers that content to its customers for a fee.

JURISDICTION AND VENUE

23 9. The Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a)
24 because this action arises under the Copyright Act, 17 U.S.C. §§ 1201, *et seq.*

25 10. The Court has personal jurisdiction over SerpApi because SerpApi specifically
26 targeted its unlawful conduct at Google in California, circumventing Google's technological
27 protection measures and accessing and scraping Google's Search results in this state, with
28 knowledge that its actions harm Google in California. SerpApi has an employee in California who

1 actively promotes its illicit behavior from California. It also advertises California corporations as
2 customers and commits unlawful acts on their behalf, and offers a “Supported Locations API” that
3 includes over 900 locations in California through which customers can access SerpApi’s services.
4 Google’s claims arise directly from SerpApi’s contacts with California.

5 11. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1391(b)(2) and 1400 because
6 a substantial part of the events giving rise to the claims occurred in this judicial district and because
7 SerpApi may be found here. At all relevant times, SerpApi directed its wrongful acts at Google,
8 which has its principal place of business within this judicial district. SerpApi transacts business
9 in this judicial district, including by offering and selling its Google-specific circumvention services
10 to residents of this district.

DIVISIONAL ASSIGNMENT

12 12. Because this is an intellectual property case, it may be assigned to any division
13 under Civil Local Rule 3-2(c) and N.D. Cal. General Order No. 44.

BACKGROUND

Google's Search Results

16 13. Google’s longstanding corporate mission is to “organize the world’s information
17 and make it universally accessible and useful.” As a step in fulfilling that mission, Google operates
18 Google Search. In accordance with websites’ instructions and permissions expressed through the
19 industry-standard robots.txt protocol, Google Search locates websites or other information on the
20 Internet that it believes users would find relevant to given queries, organizes that information, and
21 presents a list of such sites and information as “Search results.”

22 14. Google prepares its Search results using a number of complex algorithms that
23 identify and rank results based on Google's views as to what information the user may find most
24 relevant. Google is constantly innovating with respect to the process by which it identifies
25 information of potential relevance. Google has invested decades of work and billions of dollars to
26 develop and operate Google Search, and the service processes billions of user queries a day.

27 15. One example of such innovation is Google's Knowledge Graph, a database
28 containing a compilation of information from a variety of licensed and open sources. Google's

1 Search results often show information that comes from its Knowledge Graph presented within
 2 “Knowledge Panels” alongside links to websites and other information of potential interest to
 3 users. Knowledge Panels offer a snapshot of timely information that Google believes is responsive
 4 to users’ queries.

5 16. Google licenses copyrighted content to include in its Knowledge Graph and display
 6 in Knowledge Panels, including high resolution images. For example, in response to a user’s query
 7 for “Willie Mays,” Google may display search results including a Knowledge Panel like this:

22 Google obtained the image of Mays on the top left under a copyright license.

23 17. Other search-related services featuring copyrighted content include Google
 24 Shopping, where merchants supply product images and descriptions, and Google Maps, where
 25 Google displays a variety of terrestrial pictures, business-supplied imagery and user-generated
 26 reviews.

SerpApi's Operations

18. SerpApi was founded in 2017 after founder Julien Khaleghy concluded that “scraping images from Google was an intensive process.”

19. SerpApi's business model is parasitic. At tremendous scale, it appropriates the output of other services that have made substantial investments to generate it, and delivers the content to third parties for a fee. To do so, SerpApi uses automated means to scrape these other services – generating billions of artificial requests and then copying and selling the responses. SerpApi does not compensate the services it scrapes for the output or for the costs of responding to the massive burdens their automated processes impose on the services' computer infrastructures. Its scraping invariably violates the services' governing agreements and flouts access restrictions that those services convey to automated crawlers or "bots" through robots.txt instructions.

20. SerpApi likewise does not get permission from or compensate the copyright holders whose content it grabs and redistributes. It pays them no license fees, shares no advertising or subscription revenue and does not drive visitors to their websites. It simply takes their content and sells it for its own benefit.

21. Google's high quality, content-rich Search results make it a favorite target for SerpApi's scraping operation and its customers. On its website, SerpApi highlights paid subscriptions to a "Google Search API," an automated software tool that SerpApi advertises as a way to access and "Scrape Google." Google estimates that SerpApi sends hundreds of millions of artificial search requests each day to Google. Over the last two years, that volume has increased by as much as 25,000%.

22. SerpApi also offers and advertises services specifically targeting the copyrighted content that Google includes in its Search results with specialized services to scrape Google’s Knowledge Panels. As it explains in its marketing materials, “for some requests, Google Search includes a ‘Knowledge Graph’ block, typically on the right side. SerpApi is able to extract and make sense of this information.” SerpApi similarly offers and advertises focused scraping services for Google Shopping, Google Maps, and more.

1 23. SerpApi knows full well that Google does not want its Search results to be scraped,
2 but it does not care. In fact, it goes to great lengths to hide its activities. According to SerpApi's
3 blog, its services include default features to "avoid being detected and blocked by Google,"
4 including the "latest technologies to mimic human behavior."

5 24. For Google, SerpApi's automated scraping not only consumes substantial
6 computing resources without payment, but also disrupts Google's content partnerships. Google
7 licenses content so that it can enhance the Search results it provides to users and thereby boost its
8 competitive standing. SerpApi undermines Google's substantial investment in those licenses,
9 making the content available to other services that need not incur similar costs.

10 25. SerpApi's scraping of Google Search results also impacts the rights holders who
11 license content to Google. Without permission or compensation, SerpApi takes their content from
12 Google and widely distributes it for use by third parties. That, in turn, threatens to disrupt Google's
13 relationship with the rights holders who look to Google to prevent the misappropriation of the
14 content Google displays. At least one Google content partner, Reddit, has already sued SerpApi
15 for its misconduct.

Google's SearchGuard

17 26. Google bears both fixed and marginal costs to process queries that are sent to
18 Google Search. It hopes to offset those costs and generate revenue from such queries, but does
19 not do so when the queries are automated. Instead, those queries impose a deadweight loss on
20 Google. Accordingly, Google prohibits automated access to and scraping of its Search results in
21 its Terms of Service Agreement with users. The agreement expressly forbids the use of “automated
22 means to access content from any of [its] services in violation of the machine-readable instructions
23 on our web pages (for example, robots.txt files that disallow crawling, training, or other
24 activities).” Google’s robots.txt instructions also make clear to automated crawlers, like
25 SerpApi’s, that Google’s Search results are not to be crawled.

26 27. To backstop its contractual prohibition and robots.txt instructions, to further protect
27 its investments in copyrighted content, to help safeguard the rights of the rights holders that supply
28 it, and to help preserve its relationships with those rights holders, Google developed, at

1 considerable expense, a technological protection measure called SearchGuard. SearchGuard is the
2 product of tens of thousands of person hours and millions of dollars of investment. Its purpose is
3 to prevent unauthorized third parties from automatically accessing Google's Search results and
4 appropriating the content in them *en masse*, but to do so without degrading the Google Search
5 experience for ordinary users.

6 28. SearchGuard effectively controls access to copyrighted works because, in the
7 ordinary course of its operation, it requires the application of information to gain access to Google
8 Search results and the copyrighted content they contain.

9 29. SearchGuard works in part by sending a JavaScript “challenge” to search queries
10 Google receives from unrecognized sources to validate that the query to Google comes from a real
11 user as opposed to automated software. Google’s computer system transmits JavaScript code that
12 calls upon the user’s browser to send Google a “solve” for the challenge, that is, to send Google
13 specific information regarding the browser and user generating the request. For human users, the
14 solve is relatively straightforward; their browsers run the JavaScript code and send back the
15 required information seamlessly, without disrupting the user experience. But automated systems,
16 like SerpApi’s, that submit automated queries at a massive scale typically cannot solve the
17 SearchGuard challenge. As a result, SearchGuard denies them access to Google’s Search results
18 and the copyrighted works within them.

SerpApi's Circumvention of SearchGuard

20 30. When SearchGuard launched in January 2025, it effectively blocked SerpApi from
21 accessing Google's Search results and the copyrighted content of Google's partners. But SerpApi
22 immediately began working on a means to circumvent Google's technological protection measure.
23 SerpApi quickly discovered means to do so and deployed them.

24 31. SerpApi's answer to SearchGuard is to mask the hundreds of millions of automated
25 queries it is sending to Google *each day* to make them appear as if they are coming from human
26 users. SerpApi's founder recently described the process as "creating fake browsers using a
27 multitude of IP addresses that Google sees as normal users."

32. SerpApi's fakery takes many forms. For example, when SerpApi submits an
automated query to Google and SearchGuard responds with a challenge, SerpApi may
misrepresent the device, software, or location from which the query is sent in order to solve the
challenge and obtain authorization to submit queries. Additionally or alternatively, SerpApi may
solve SearchGuard's challenge with a "legitimate" request and then syndicate the resulting
authorization, that is, share it with unauthorized machines around the world, to enable their "fake
browsers" to generate automated queries that appear to Google as authorized. It also uses
automated means to bypass CAPTCHAs, another aspect of SearchGuard that tests users to ensure
they are humans rather than machines.

10 33. SerpApi routinely boasts of its circumvention of SearchGuard. In a recent blog
11 post, for example, it explained that SearchGuard had made SerpApi’s “web scraping more
12 difficult,” but claimed it was “fortunate to be minimally impacted” because its services had
13 “already pre-solved Google’s JavaScript challenge.” SerpApi also bragged that when “Google
14 later increased the difficulty” of SearchGuard challenges, it “briefly interrupted our ability to
15 perform web searches. However, thanks to the dedicated efforts of our engineers we were quickly
16 able to resolve the problem.” And SerpApi promised that if Google implements new technological
17 protection measures, SerpApi intends to bypass those as well: “It’s hard to say what Google might
18 do going forward[.] However, at SerpApi we’re confident in our ability to handle any new
19 variations to these changes Google might introduce.”

20 34. SerpApi's circumvention of technological protection measures in general, and
21 Google's in particular, is the principal service it sells. It boldly promises that potential customers
22 "don't need to care about ... captcha, IP address, bots detection, maintaining user-agent, HTML
23 headers, [or] being blocked by Google." That, according to SerpApi, is because it uses "advanced
24 algorithms to bypass CAPTCHAs and other anti-bot mechanisms, ensuring uninterrupted and
25 efficient data extraction."

FIRST CAUSE OF ACTION

(VIOLATION OF THE DMCA, 17 U.S.C. § 1201(A)(1)(A))

28 || 35. Google incorporates by reference each and all of the allegations in the foregoing

1 paragraphs, as if fully set forth herein.

2 36. Google's Search results pages contain countless copyrighted works that third party
3 rights holders have licensed to Google to include in Google Search results.

4 37. Google's SearchGuard is a technological measure that effectively controls access
5 to the copyrighted works that are licensed to appear in Google's Search results within the meaning
6 of 17 U.S.C. § 1201. In the ordinary course of its operation, SearchGuard requires the authorized
7 application of information to gain access to the works.

8 38. Without authorization from the relevant right holders, SerpApi has, on billions of
9 separate occasions, circumvented SearchGuard in order to gain access to Google Search results
10 and the copyrighted content they contain.

11 39. Each time SerpApi has circumvented SearchGuard, it has violated Section
12 1201(a)(1) of the Digital Millennium Copyright Act.

13 40. SerpApi's statutory violations have caused and will continue to cause harm to
14 Google: (i) through the direct imposition of costs to respond to SerpApi's billions of automated
15 queries; (ii) by undermining Google's investment in the copyrighted content it has licensed; (iii)
16 by threatening to disrupt Google's relationship with content licensors; and (iv) by forcing Google
17 to incur substantial costs to develop and enhance technological measures to protect against
18 SerpApi's unauthorized scraping of licensed copyrighted content.

19 41. SerpApi has received and will continue to receive significant financial benefits
20 from its acts of circumvention by selling the Google Search results that it is only able to access by
21 virtue of its circumventions.

22 42. Google is entitled to recover from SerpApi the actual damages Google has suffered
23 because of SerpApi's statutory violations as well as any additional, non-duplicative profits
24 SerpApi has earned from them. Google may alternatively elect to recover statutory damages of no
25 less than \$200 and as much as \$2,500 for each of SerpApi's many statutory violations.

26 43. SerpApi's circumvention is ongoing and is causing Google irreparable harm
27 because SerpApi will not be able to pay the damages it will owe for its misconduct. Given the
28 massive statutory liability SerpApi has incurred and will continue to incur in the future – a figure

1 that increases with hundreds of millions of additional violations *every day* – Google’s harm will
2 not be remedied by a statutory damages award because SerpApi will be unable to pay it. SerpApi
3 reportedly earns a few million dollars in annual revenue, but already faces liability that is orders
4 of magnitude higher and growing.

5 44. Google thus will continue to suffer harm for which it has no adequate remedy at
6 law unless SerpApi's statutory violations are enjoined by the Court.

7 WHEREFORE, Google prays for judgment as set forth below.

SECOND CAUSE OF ACTION

(VIOLATION OF THE DMCA, 17 U.S.C. § 1201(A)(2))

10 45. Google incorporates by reference each and all of the allegations in the foregoing
11 paragraphs, as if fully set forth herein.

12 46. SerpApi manufactures, offers to the public, provides, or otherwise traffics in
13 services and technology that function to circumvent SearchGuard, a Google technological measure
14 that effectively controls access to copyrighted works.

15 47. SerpApi's services and technology have, at most, a limited commercially
16 significant purpose beyond the circumvention of SearchGuard, and SerpApi has marketed its
17 services and technology with knowledge that they are and will be used to circumvent SearchGuard.
18 SerpApi's blog post, for example, brags extensively about the company's circumvention of
19 SearchGuard, and its plans to continue circumventing Google's technological measures.

20 48. By manufacturing, offering to the public, providing, and otherwise trafficking in its
21 circumvention services and technology, and marketing them with knowledge that they will be used
22 to circumvent SearchGuard, SerpApi violates Section 1201(a)(2) of the Digital Millennium
23 Copyright Act.

24 49. SerpApi's statutory violations have caused and will continue to cause harm to
25 Google: (i) through the direct imposition of costs to respond to SerpApi's billions of automated
26 queries; (ii) by undermining Google's investment in the copyrighted content it has licensed; (iii)
27 by threatening to disrupt Google's relationship with content licensors; and (iv) by forcing Google

1 to incur substantial costs to develop and enhance technological measures to protect against
2 SerpApi's unauthorized scraping of licensed copyrighted content.

3 50. SerpApi has received and will continue to receive significant financial benefits
4 from providing and marketing its services and tools for the purpose of circumvention.

5 51. Google is entitled to recover from SerpApi the actual damages Google has suffered
6 because of SerpApi's violations of 1201(a)(2) as well as any additional, non-duplicative profits
7 SerpApi has earned from them. Google may alternatively elect to recover statutory damages of no
8 less than \$200 and as much as \$2,500 for each of SerpApi's many statutory violations.

9 52. SerpApi's statutory violations are ongoing and are causing Google irreparable harm
10 because SerpApi will not be able to pay the damages it will owe for its misconduct. Given the
11 massive statutory liability SerpApi has incurred and will continue to incur in the future, Google's
12 harm will not be remedied by a statutory damages award because SerpApi will be unable to pay
13 it. SerpApi reportedly earns a few million dollars in annual revenue, but already faces liability
14 that is orders of magnitude higher and growing.

15 53. Google thus will continue to suffer harm for which it has no adequate remedy at
16 law unless SerpApi's statutory violations are enjoined by the Court.

17 WHEREFORE, Google prays for judgment as set forth below.

PRAYER FOR RELIEF

19 WHEREFORE, Google prays for an order and judgment against SerpApi as follows:

20 a. Enjoining SerpApi, its officers, agents, servants, employees, attorneys, affiliated
21 companies, assigns and successors in interest, and those persons in active concert or participation
22 with them from violating 17 U.S.C. § 1201 *et seq.*, by circumventing Google's technological
23 measures and/or by designing, manufacturing, marketing, selling, offering to the public, or
24 otherwise trafficking in any technology, product, service, or device that is designed or marketed
25 to circumvent Google's technological measures;

26 b. Compelling the destruction by SerpApi of any technology, device or product
27 involved in its violations of Section 1201;

- 1 c. Awarding Google statutory damages for each of SerpApi's violations of Section
- 2 1201, or alternatively, at Google's selection, Google's actual damages and SerpApi's profits from
- 3 such violations;
- 4 d. Awarding Google its costs and attorneys' fees pursuant to 17 U.S.C. § 1203;
- 5 e. Prejudgment and post-judgment interest;
- 6 f. Such other and further relief as the Court may deem proper.

JURY DEMAND

Google hereby demands a jury trial of all issues triable by a jury.

10 | Dated: December 19, 2025

WILSON SONSINI GOODRICH & ROSATI
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