UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MICHAEL PHILIP KAUFMAN,
 	
                    Plaintiff,
 	
v.
 	
MONDAY.COM LTD.,
 	
                    Defendant.
	Civil Action No. 23-cv-5864
	
	COMPLAINT FOR PATENT INFRINGEMENT
	
	JURY TRIAL DEMANDED

Plaintiff MICHAEL PHILIP KAUFMAN ("Plaintiff"), as and for his complaint against

the defendant, Monday.com Ltd. ("Monday.com"), alleges as follows:

NATURE OF THE ACTION

1.   This is an action against Monday.com for patent infringement. The patents

asserted herein concern technology for automatically generating a user interface to work with the

data in a relational database and related systems and methods. Plaintiff alleges herein that

Monday.com's online data-driven services infringe the asserted patents.

THE PARTIES

2.   Plaintiff is an individual who resides in this District.

3.   Upon information and belief, Monday.com is a corporation organized under the

laws of Israel with its principal place of business at 6 Yitzhak Sadeh Street, Tel Aviv, Israel.

JURISDICTION AND VENUE

Subject Matter Jurisdiction

4.   This action is for patent infringement and arises under 35 U.S.C. § 271 et seq. This Court has subject matter jurisdiction thereof pursuant to 28 U.S.C. §§ 1331, 1338(a) and 1367.

Personal Jurisdiction

5.   This Court has personal jurisdiction over Monday.com under 28 U.S.C. § 1694, Rule 4(k)(1)(A) & (C), Fed. R. Civ. P., and the laws of the State of New York, including New York C.P.L.R. §§ 301, 302(a)(1)-(4), and consistent with the Due Process Clause of the United States Constitution. On information and belief, Monday.com has sufficient minimum contacts with the forum because Monday.com transacts substantial business in the State of New York and in this District. Monday.com has its North American headquarters at 225 Park Avenue South, New York, New York 10003, a regular and established place of business in this District at which Monday.com has agents conducting business. Through those agents in this District, Monday.com is regularly engaged in carrying on a substantial part of its ordinary business on a permanent basis from at least its offices within the District, over which activity Monday.com exercises a substantial measure of control. On information and belief Monday.com has committed acts of infringement in this District through its employees making, using, offering to sell, and/or selling the patented invention of the asserted patents, as further outlined below. Further, Monday.com was recently selected for the 2023 Fortune "Best Workplaces in New York" list. Monday.com has also purposely availed itself of the forum in New York through, among other activities, a recent advertising campaign in the New York City subway system.

Venue

6.   Venue is proper in this judicial District pursuant to 28 U.S.C. §§ 1391, 1400(b),

for any one or more of the reasons that Monday.com is an alien, is subject to personal

jurisdiction in this District, has committed acts of infringement in this District and has a regular

and established place of business in this District as alleged in paragraph 5.

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STATEMENT OF FACTS

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The Asserted Patents

7.   Plaintiff is the first named inventor and assignee of the entire interest of U.S.

Patent No. 7,885,981[1] (the "'981 patent"), U.S. Patent No. 10,977,220[2] (the "'220 patent"), and

10,025,801[3] (the "'801 patent") (the foregoing being collectively referred to herein as the

"Asserted Patents"). Each of the Asserted Patents is incorporated herein by reference.

Monday.com's Services

8.   Monday.com sells work management, sales/customer relationship management

(CRM) and development/product team services ("Monday.com Services") over the internet,

through server facilities operated by Monday.com and made accessible by it to the public

through Monday.com's website at the Internet address Monday.com. The Monday.com Services

are widely used throughout the U.S. and this District.

9.   Underlying the Monday.com Services are relational databases, hosted on facilities

operated by Monday.com, which house end-user data for the Monday.com Services. On

information and belief, these are "multi-tenant" databases which house data for a plurality of

unrelated user organizations and end users. Each end-user organization's data is organized on

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[1] Attached hereto as Exhibit A.
[2] Attached hereto as Exhibit B.
[3] Attached hereto as Exhibit C.

Monday.com's multi-tenant database as a relational database ("user database"), within relational database tables (hereinafter, "user tables") defined within the multi-tenant system. The user databases and their user tables (collectively, "user-level structures") are made accessible to and manageable by the end users through web-based applications designed, managed, and operated by Monday.com in the U.S.

10.   As implemented by Monday.com, user database structures participate in cross-reference relationships defined by primary and foreign keys within related user tables. Monday.com presents data to end users in the form of "boards." According to Monday.com literature, including Monday.com patents, the term "board" can be considered synonymous with "table."

11.   The below sample code is from the Monday.com API reference for "Connect Boards," a type of column which allows items (which may be referred to as instances or rows) from one Monday.com board to link to an item in another board. This sample alters fields in a "connect boards" column via a "mutation" operation (which operates to change data on the server) – demonstrating that numerical keys are used to identify the items to be connected across the two boards. In this example, the "item_ids" 12345, 23456, and 34567 are primary keys for the rows in one table which are to be linked to the same row (with item_id or primary key 11111) in another table. 11111 thus becomes a foreign key in the "connect_boards2" field for each of rows 12345, 23456, and 34567, such that all three of these rows now "point" to row 11111.

```
mutation {change_multiple_column_values(item_id:11111, board_id:22222,
column_values:
    "{\"connect_boards2\" : {\"item_ids\" : [12345, 23456, 34567]}}") {id}}
```

Source: https://developer.Monday.com/api-reference/docs/connect

12.   Monday.com's services allow end users to modify the structure of the user tables in a user database by adding, removing, or altering fields, tables, and/or relationships between data among tables.

13.   The user interface ("UI") presented by Monday.com's web applications, having no advance knowledge of any structural changes that a user may make to the database, adapts itself dynamically to the changes, automatically generating an end-user UI that works with the modified database structure. On information and belief, the Monday.com UI for relational data generally is generated in the same automatic manner as for the user-modified portions, that is, for any default or pre-existing user database structures as well as for those modified during the session in which the UI display is generated.

14.   As alleged in greater detail below, Monday.com's UIs provide the ability to create, retrieve, update and delete relational data, along with mechanisms for representing, managing, and navigating relationships between data records across related database tables. On information and belief, these interface facilities are generated automatically based on a computerized process provided by Monday.com to scan the database structure for the user and determine the tables, constraints, and relationships of the data model.

15.   Monday.com operated in the U.S. servers for the Monday.com Services as alleged herein during the respective terms of the Asserted Patents, without authorization by Plaintiff.

COUNT I

(DIRECT INFRINGEMENT OF U.S. PATENT NO. 7,885,981)

16.   Plaintiff realleges and incorporates paragraphs 1-15 above by reference.
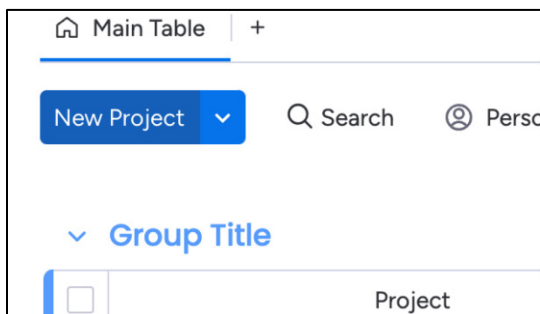
17.   By operating its servers in the U.S. as alleged herein during the term of the '981

patent, without authorization by Plaintiff, Monday.com directly infringed at least claim 1 of the

'981 patent, literally and/or under the doctrine of equivalents, under 35 U.S.C. § 271(a).

18.   In the case of claim 1 of the '981 patent, Monday.com performs as recited in the

claim preamble, "automatically generating an end-user interface for working with the data within

a relational database defined within a relational DBMS … wherein [the] relational database may

be of any arbitrary size or complexity," and meets the claim limitations by performing the steps

of the claim, literally, and/or under the doctrine of equivalents, as follows:

> **(a) providing an output stream from said server, for user display and input devices, defining a user interface paradigm comprising a set of modes for interacting with a given database table, said modes comprising create, retrieve, update and delete, and a corresponding display format for each mode**

Monday.com provides an output stream from its servers (http protocol stream), for user display

and input devices (the user's screen, keyboard, mouse, etc.). The http protocol stream defines, for

the user's web browser, a user interface paradigm providing create, retrieve, update, and delete

modes for interacting with database tables, with corresponding UI display formats.

A "create" mode is reflected in Monday.com screens such as the following:

After clicking on the "New Project" button, a new row appears in the Projects table:

A "retrieve" mode is reflected in Monday.com screens such as the following:

An "update" mode is reflected in Monday.com screens such as the following:

A "delete" mode is reflected in Monday.com screens such as the following, where after clicking on a row, the delete option appears at the bottom right of the screen:
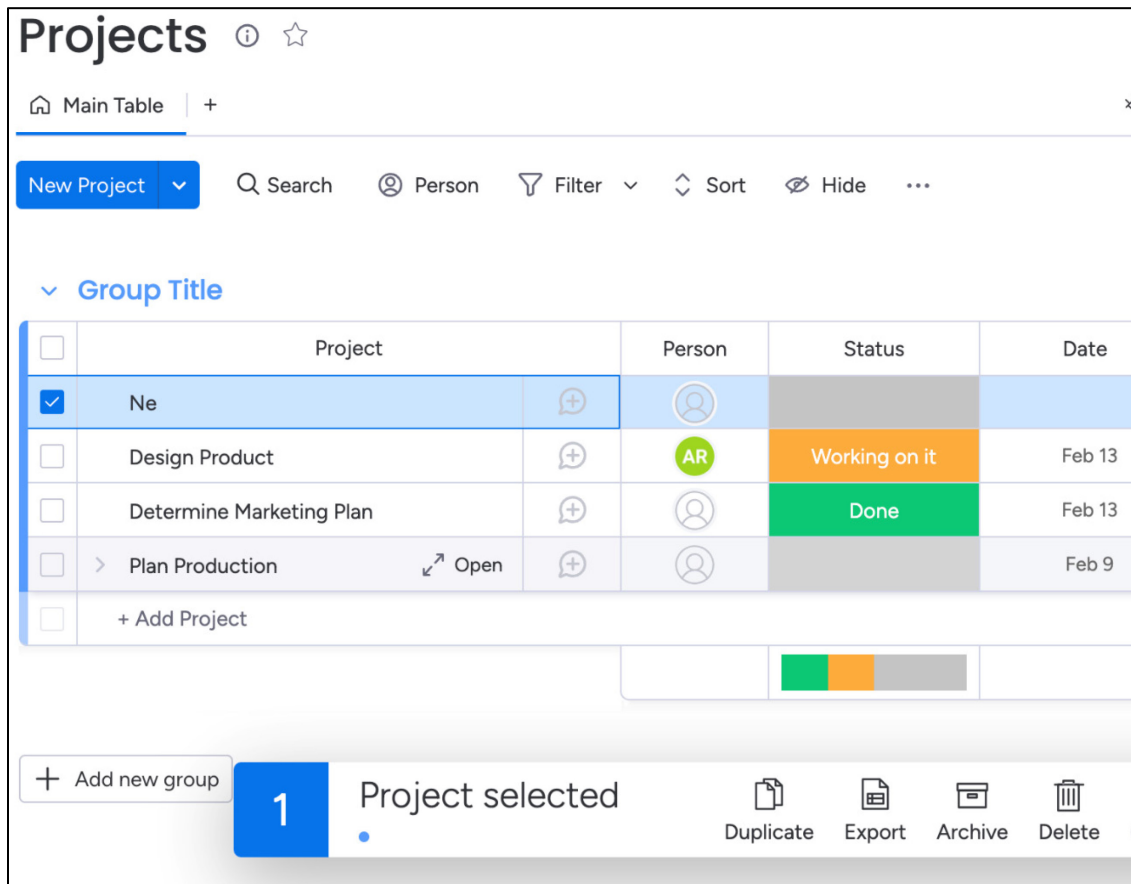
(b) causing said server to scan said database and apply a body of rules to determine the table structures, constraints and relationships of said data model, and store representations thereof in machine-readable media accessible to said server

To determine the elements to be represented in the user interface, Monday.com's server scans the user's database and applies a body of rules to determine its table structures, constraints, and relationships, and stores a representation thereof in the server's machine-readable storage. While this step is internal to Monday.com's operations, Plaintiff alleges on information and belief that it is reasonable to assert that this step takes place because the various Monday.com systems all allow the users to alter the table structures, constraints and relationships and the Monday.com UI is observed to dynamically adapt to such changes. For example, in a user-level database having

Projects and Tasks tables, a user can add a Connect Boards column (for Tasks) to the Projects table, such that each Project can be assigned one or more Tasks, as shown above in the example "retrieve" display. The Monday.com applications automatically render updated displays after this new column is added, reflecting that the applications re-scan the user database prior to re-rendering the user display screens, thus evidencing performance of this claim step.

(c) causing said server to use said representations to construct a corresponding client application for access through said user display and input devices

Monday.com's servers use the representations they have stored pursuant to step (b) to construct a client application corresponding to the database, for access through the user display and input devices in communication with the server. This may be seen, for example, where screens of a user-modified database are rendered, as above.

wherein said client application provides a connection to said database

It is apparent, from the fact that user changes to the database data are persistent across repeated accesses, that the generated client application provides a connection to the database.

provides displays of the table contents of said database for each of said modes in accordance with the display formats of said paradigm

As illustrated with respect to step (b) above, the client application UI provides displays of the user-level tables for performing create, retrieve, update, and delete activities, in accordance with the display formats of the UI paradigm.

integrates into each said mode display processes for representing, navigating, and managing said relationships across tables, for selecting among said modes, and for navigating across said tables and interacting in accordance the selected mode with the data in the tables that are reached by said navigation

Each mode display integrates a number of processes, including processes for representing, navigating, and managing said relationships across tables; for selecting among the create,

retrieve, update, and delete modes; and for interacting in accordance with the selected mode with

the data in the tables that are reached by said navigation. For example,

"Representing":

The above display integrates a process for representing a relationship across tables, in this

example, by replacing the foreign key for a Project's corresponding Task record with that Task's

name, and also with the blue indicator to the left of each Task field.

"Navigating":

The above display demonstrates "navigating" a relationship, in this example, from a Projects

display to the display of its entire corresponding Tasks record.

"Managing":
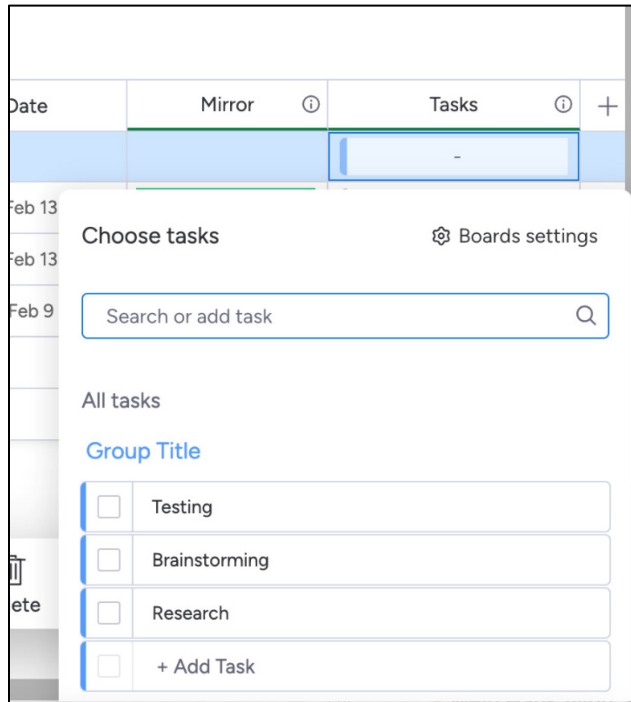
The above display integrates a process for "managing" a relationship across tables, in this example, by providing a list of available Tasks so as to limit permissible inputs to those defined in the corresponding column of the related table.

while observing and enforcing relational interdependencies among data across tables

Monday.com's end-user applications provide all of the above features, which are operable in a manner that consistently observes and enforces relational interdependencies among data across tables.

19.   In performing as described in paragraph 18, Monday.com also directly infringed claim 2 of the '981 patent, under 35 U.S.C. § 271(a), literally, and/or under the doctrine of equivalents, by providing through its generated user applications the additional feature of user interface components for revealing and enforcing non-relational constraints (*e.g.*, restricting user input to conform with applicable data types such as numbers, alphabetical input, and dates, etc.).

20.   In performing as described in paragraph 18, Monday.com also directly infringed claim 3 of the '981 patent, under 35 U.S.C. § 271(a), literally, and/or under the doctrine of equivalents, in that Monday.com's databases provide the database feature known as "referential integrity constraints," as recited in claim 3.

21.   Claim 4 of the '981 patent is an independent "system" claim corresponding to claim 1, claiming a computer system that Monday.com runs to perform the process recited in claim 1. Monday.com directly infringed claim 4, under 35 U.S.C. § 271(a), literally, and/or under the doctrine of equivalents, by making and using its servers, which constitute the claimed system, in the U.S., during the term of the '981 patent, without authority from Plaintiff.

22.   Claim 5 of the '981 patent is an independent "computer-readable media" claim corresponding to claim 1, claiming a machine-readable medium containing software that Monday.com runs to perform the process recited in claim 1. Monday.com directly infringed claim 5, under 35 U.S.C. § 271(a), literally, and/or under the doctrine of equivalents, by making and using the claimed computer-recorded medium, for example, the computer-readable media on Monday.com's servers that contains a recorded copy of the computer programs that run Monday.com's servers, in the U.S., during the term of the '981 patent, without authority from Plaintiff, as well as any other copies of these computer programs stored on computer-readable media.

23.   Pursuant to 35 U.S.C. § 284, Plaintiff is entitled to compensation for said infringements, in no event less than a reasonable royalty, for the use made of the invention by Monday.com as herein alleged, together with pre- and post-judgment interest and costs as fixed by the Court.

COUNT II

(DIRECT INFRINGEMENT OF U.S. PATENT NO. 10,977,220)

24.   Plaintiff realleges and incorporates paragraphs 1-23 above by reference.

25.   In the case of claim 1 of the '220 patent, Monday.com performs as recited in the claim preamble, "automatically generating a user interface, operating under control of a computer processor, for working with the data within a relational database, wherein the database is described by a data model comprising a plurality of tables, constraints, and relationships, and is stored within a relational database management system (RDBMS) accessible to the computer processor," and meets the claim limitations by performing the steps of the claim, literally, and/or under the doctrine of equivalents, as follows:

(a) scanning the database to determine the tables, constraints, and relationships of the data model;

Monday.com's systems scan the user's database to determine its table structures, constraints, and relationships. While this step is internal to Monday.com's operations, Plaintiff alleges on information and belief that it is reasonable to assert that this step takes place because the various Monday.com systems all allow the users to alter the table structures, constraints and relationships and the Monday.com UI is observed to dynamically adapt to such changes. For example, in a user-level database having Projects and Tasks tables, a user can add a Connect Boards column (for Tasks) to the Projects table, such that each Project can be assigned one or more Tasks, as shown in the example "retrieve" display in paragraph 18 under step (a). The Monday.com applications automatically render updated displays after this new column is added, reflecting that the applications re-scan the user database prior to re-rendering the user display screens, thus evidencing performance of this claim step.

(b) creating machine representations of the tables, constraints, and relationships; and

Monday.com's systems create machine representations of the tables, constraints, and

relationships that are scanned in step a, above. While this step is internal to Monday.com's

operations, Plaintiff alleges on information and belief that it is reasonable to assert that this step

takes place because the various Monday.com systems all allow the users to alter the table

structures, constraints and relationships and the Monday.com UI is observed to dynamically

adapt to such changes.

(c) constructing from the representations a corresponding client application that provides:

Monday.com's systems use the representations from step (b) to construct a client application

corresponding to the database structure. This may be seen, for example, where screens of a user-

modified database are rendered.

(i)   a connection to the database;

The client application from step (c) provides a connection to the database. This may be seen, for

example, where changes to data through user interaction persist across repeated accesses.

(ii)   displays for creating, retrieving, updating, and deleting data within one or more of the tables; and

The client application from step (c) provides displays for creating, retrieving, updating, and

deleting data within one or more tables. Examples are shown in paragraph 18 under step (c).

(iii)   mechanisms for representing, managing, and navigating the relationships between data records across related tables, wherein constructing the corresponding client application does not require any incremental human intervention on a per table basis.

The client application from step (c) provides mechanisms for representing, managing, and

navigating the relationships between data records across related tables. Example mechanisms are

shown in paragraph 18 under step (c). Further, nothing in the construction of the corresponding

client application requires human intervention on a per-table basis. The construction is done by the Monday.com system regardless of the number of tables.

26. In performing as described in paragraph 22, Monday.com also directly infringed claim 10 of the '220 patent, under 35 U.S.C. § 271(a), literally, and/or under the doctrine of equivalents, in that Monday.com's databases preserve and enforce the database feature known as "referential integrity," as recited in claim 10.

27. Claim 11 of the '220 patent is an independent "computer-implemented system" claim corresponding to claim 1, claiming a computer system that Monday.com runs to perform the process recited in claim 1. Monday.com directly infringed claim 11, under 35 U.S.C. § 271(a), literally, and/or under the doctrine of equivalents, by making and using its servers, which constitute the claimed system, in the U.S., during the term of the '220 patent, without authority from Plaintiff.

28. Claim 14 of the '220 patent is an independent "non-transitory computer-readable storage medium" claim corresponding to claim 1, claiming a machine-readable medium containing software that Monday.com runs to perform the process recited in claim 1. Monday.com directly infringed claim 14, under 35 U.S.C. § 271(a), literally, and/or under the doctrine of equivalents, by making and using the claimed computer- readable medium, for example, the computer-readable media on Monday.com's servers that contains a recorded copy of the computer programs that run Monday.com's servers, in the U.S., during the term of the '220 patent, without authority from Plaintiff, as well as any other copies of these computer programs stored on computer-readable media.

29. Pursuant to 35 U.S.C. § 284, Plaintiff is entitled to compensation for said infringements, in no event less than a reasonable royalty, for the use made of the invention by

Monday.com as herein alleged, together with pre- and post-judgment interest and costs as fixed

by the Court.

COUNT III

(DIRECT INFRINGEMENT OF U.S. PATENT NO. 10,025,801)

30.   Plaintiff realleges and incorporates paragraphs 1-29 above by reference.

31.   On information and belief, when a first user-level table is related to a second user-

level table through a foreign key, Monday.com's servers, in rendering the first user-level table

within the UI, automatically supplant the foreign key in the representation of the first user-level

table with a description derived from the data in the second table, thereby enhancing the

representation of the data in the first table by replacing what would have been an internal

numeric "pointer" value (without intrinsic meaning) with a more human-friendly description

derived from the second table. This functionality, separately claimed in the '801 patent, may be

seen in the following example:

The above example shows a Projects board, displaying rows of a primary table (Projects) that

reference rows from a foreign table (Tasks). Monday.com's application constructs this

representation of data for a row (or multiple rows, as shown) of the Projects table automatically,

via machine-generation. The actual value stored within the Tasks (FK) column for each record in

the Projects table is a numerical record ID representing a primary key (PK) in the Tasks table. A

processor selects a value from the foreign table row other than the PK value. This is the actual

value displayed above in the "Tasks" field, where "Testing" is shown for the first displayed row

and "Brainstorming" is shown for the second displayed row. These string values, "Testing" and

"Brainstorming," are the selected values from the corresponding rows of the Tasks table.

32.   Monday.com derives the data and description for use in the display of foreign

references within primary user-level tables within the Monday.com UI, in the manner specified

in at least claim 1 of the '801 patent, literally and/or under the doctrine of equivalents. By using

its servers in the U.S. in such manner and otherwise as alleged in paragraph 31, during the term

of the '801 patent, without authorization by Plaintiff, Monday.com has directly infringed and

continues to directly infringe claim 1 of the '801 patent, under 35 U.S.C. § 271(a).

33.   Claim 5 of the '801 patent is an independent "computer-readable media" claim

corresponding to claim 1, claiming a machine-readable medium containing software that

Monday.com runs to perform the process recited in claim 1. Monday.com directly infringed

claim 5, under 35 U.S.C. § 271(a), literally, and/or under the doctrine of equivalents, by making

and using the claimed computer-recorded medium, for example, the computer-readable media on

Monday.com's servers that a contains recorded copy of the computer programs that run

Monday.com's servers, in the U.S., during the term of the '801 patent, without authority from

Plaintiff, as well as any other copies of these computer programs stored on computer-readable

media.

34.   The manner in which Monday.com derives and describes foreign key fields in the representation of its databases further directly infringes at least claims 9, 11, 16, and 18 of the '801 patent, under 35 U.S.C. § 271(a) literally, and/or under the doctrine of equivalents.

35.   Pursuant to 35 U.S.C. § 284, Plaintiff is entitled to compensation for said infringements, in no event less than a reasonable royalty, for the use made of the invention by Monday.com as herein alleged, together with pre- and post-judgment interest and costs as fixed by the court.

PRAYER FOR RELIEF

Plaintiff requests that the Court enter judgment against Monday.com as follows:

(A) that Monday.com has infringed the Asserted Patents;

(B) awarding Plaintiff its damages suffered as a result of Monday.com's infringement of the Asserted Patents pursuant to 35 U.S.C. § 284;

(C) awarding Plaintiff its costs, attorneys' fees, expenses, and interest (including without limitation pre-judgment interest); and

(D) granting Plaintiff such other and further relief as the Court may deem just and proper.

DEMAND FOR JURY TRIAL

Plaintiff hereby demands trial by jury on all issues so triable pursuant to Federal Rule of

Civil Procedure 38.

Dated: July 10, 2023

/s Ronald Abramson

Ronald Abramson
David G. Liston
Ari J. Jaffess
Alex G. Patchen
M. Michael Lewis
Gina K. Kim
LISTON ABRAMSON LLP
Attorneys for Plaintiff
The Chrysler Building
405 Lexington Avenue, 46th Floor
New York, NY 10174
(212) 257-1630
docket@listonabramson.com