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15 Attorneys for Plaintiff  
SPLUNK INC.

17 UNITED STATES DISTRICT COURT  
18 NORTHERN DISTRICT OF CALIFORNIA

20 SPLUNK INC.,

21 Plaintiff,

23 v.

24 CRIBL, INC., and CLINT SHARP, an  
25 individual,

26 Defendants.

Case No. \_\_\_\_\_

**COMPLAINT**

JURY TRIAL DEMANDED

1 This is an intellectual property case involving two competing software companies:  
2 Splunk, a pioneer and leader in the data analytics software industry, and Cribl, a business built  
3 on the back of Splunk’s labor and intellectual property, without license and without regard for  
4 ethics, the rights of others, or the law.

5 Cribl was founded fourteen years after Splunk by a former Splunk employee, Clint Sharp.  
6 Mr. Sharp founded Cribl using code he intentionally and unlawfully took from Splunk when he  
7 was a Splunk employee without a license or permission to do so. Since that time, Cribl and Mr.  
8 Sharp have recruited numerous Splunk employees to Cribl, and have systematically encouraged  
9 employees to take Splunk’s confidential technical and business documents with them. In turn,  
10 Cribl has used the information it misappropriated to compete unfairly against Splunk. At the  
11 same time, Cribl has developed and marketed its software by making unlicensed copies of  
12 Splunk’s copyrighted software, and by willfully infringing the patents that the United States  
13 Patent and Trademark Office awarded to Splunk for its foundational innovations. Cribl has  
14 attempted to mislead the market into believing that Cribl is an innovator, when in fact Cribl’s  
15 “innovation” is derivative of Splunk’s intellectual property.

16 Splunk encourages fair competition, and it embraces the ability of third parties to build  
17 software on top of its software platform. Splunk recognizes that innovation by third parties  
18 working with Splunk’s software makes the Splunk ecosystem better for everyone—for Splunk’s  
19 customers, for Splunk itself, and for other Splunk partners. But Cribl’s unlawful actions are not  
20 innovation, and they have no place on the Splunk platform or in our economy. Cribl’s unethical  
21 actions, its willful disregard of intellectual property rights, and its coordinated campaign of  
22 misappropriation have left Splunk no choice but to file this lawsuit to stop Cribl’s unlawful  
23 actions and to seek redress for the damage that Cribl has caused.

24 Plaintiff Splunk Inc. (“Splunk”) files this Complaint against Defendants Cribl, Inc.  
25 (“Cribl”) and Clint Sharp and alleges as follows:

26 1. Splunk develops and operates an industry-leading data platform for analyzing  
27 large volumes of machine data. Splunk was founded in 2003, pioneered the machine data  
28 analytics industry, and still leads it in both innovation and customer affinity to this day.

1           2.       Cribl is a software company whose products leverage Splunk’s data platform. It  
2 was founded in 2017 by three former Splunk employees. These employees built critical  
3 functionality into Cribl’s first software product by improperly using Splunk source code  
4 intentionally misappropriated from Splunk. As set forth below, since this initial misuse, Cribl  
5 has taken an immense volume of additional confidential material from Splunk and used that  
6 material to compete unfairly against Splunk. Cribl has also developed its products with willful  
7 disregard for Splunk’s patent rights and used Splunk software in a manner that willfully infringes  
8 Splunk’s copyrights.

9           3.       Cribl’s first product was released in late 2018. At that time, Cribl did not reveal  
10 to Splunk that its product was based on misuse of misappropriated Splunk code. Instead, Cribl  
11 held itself out as a partner of Splunk. In fact, Cribl joined Splunk’s official Technology Alliance  
12 Partner Program under this pretense, branding itself as the partner of a company it actually  
13 sought to undermine.

14           4.       Not content with unlawfully taking and misusing Splunk’s code, Cribl also took  
15 other confidential material from Splunk, including by soliciting important technical and business  
16 documents from departing Splunk employees, and then using those documents to further develop  
17 its software and interfere with Splunk’s customer relationships. On information and belief,  
18 Cribl’s CEO and co-founder, Clint Sharp, actively participated in this effort, recruiting Splunk  
19 employees to join Cribl and encouraging them to bring Splunk confidential material with them.

20           5.       Cribl’s actions led to Splunk terminating Cribl’s status as a Splunk partner. But  
21 Cribl has continued to misuse Splunk’s proprietary information and has operated with wanton  
22 disregard of Splunk’s patents and copyrights. For example, on information and belief, Cribl has  
23 used Splunk’s copyrighted software in conjunction with its software development work and  
24 marketing, despite having no license to do so. And the software that Cribl has developed  
25 infringes numerous Splunk patents, despite, on information and belief, Cribl’s awareness of the  
26 patents and knowledge of its infringement or willful blindness thereof.

27           6.       Cribl’s course of conduct has left Splunk no choice but to file this lawsuit.  
28





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