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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

<p>DREAM BIG MEDIA, INC., GETIFY SOLUTIONS, INC., and SPRINTER SUPPLIER LLC, Individually and on Behalf of all Others Similarly Situated,</p> <p style="text-align: right;">Plaintiffs,</p> <p style="text-align: center;">vs.</p> <p>ALPHABET INC. and GOOGLE LLC,</p> <p style="text-align: right;">Defendants.</p>	<p>Case No.: 3:22-cv-2314</p> <p><u>CLASS ACTION</u></p> <p>COMPLAINT FOR VIOLATIONS OF THE SHERMAN ANTITRUST ACT, CLAYTON ACT, AND UNFAIR COMPETITION LAW</p> <p><u>DEMAND FOR JURY TRIAL</u></p> <p>4/13/2022</p>
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1 Plaintiffs Dream Big Media Inc., Getify Solutions, Inc., and Sprinter Supplier LLC
2 (“Plaintiffs”), individually and on behalf of all others similarly situated, by Plaintiffs’ undersigned
3 attorneys, for Plaintiffs’ Class Action Complaint for Violations the U.S. Sherman Antitrust Act
4 (“Sherman Act”) and the Unfair Competition Law, against Defendants Alphabet Inc. and Google
5 LLC (“Defendants”), allege the following:

7 **I. NATURE OF THE ACTION**

8 1. Alphabet Inc. and its subsidiaries and affiliated entities, including, without
9 limitation, Google LLC (together, “Defendants” or “Google”), have for years engaged in
10 anticompetitive conduct and other actions in violation of Sections 1 and 2 of the Sherman Act
11 15 U.S.C. §§ 1, 2, *et seq.* (“Section 1” and “Section 2,” respectively), and the Unfair Competition
12 Law. Leveraging its enormous market power, and at times monopoly power, across a range of
13 internet products, Google has forced users of its digital-mapping products—services that have
14 become ubiquitous through rapid and competitively close acquisitions—into a bundle of
15 services. Then, once locked in, Google ratchets up the cost on its maps products.

17 2. Plaintiffs and Class Members are those who have been harmed by Google
18 improperly tying its mapping products together to restrain competition. Plaintiffs and Class
19 Members also seek injunctive and declaratory relief to stop the alleged anticompetitive conduct.

21 3. Central to Google’s anticompetitive scheme alleged here are Google Maps’
22 application programming interfaces, known as “APIs.” An API is a method for one computer
23 program to make use of, or “call,” the resources of another program or service.

24 4. For instance, a programmer developing a food-delivery application or website that
25 needs to guide drivers to customers through its application (“app”) or website may call on a
26 Google Maps Embed API (“Maps APIs”) for creating a digital dynamic map, call on a Google
27 Routes Directions API (“Routes APIs”) for adding directions on that dynamic map and provide
28

1 navigation information to the driver, and then call on a Google Places Place Details API (“Places
2 APIs”) for adding information about the restaurant. These are different products in different
3 markets that can be used to create a digital map on an application or website. Indeed, Google
4 itself recognizes that these are different products, as its pricing menu lists out APIs in different
5 product offering groups, including, without limitation, Maps APIs, Routes APIs, and Places
6 APIs.
7

8 5. Google’s impermissible use of its market power harms not only computer
9 programmers. Websites also use digital-mapping API calls in order to display location
10 information on their websites, something especially important to small businesses looking to
11 attract customers. Embedding digital-mapping APIs into a website allows customers to both
12 locate the business without opening a separate app or web page, and to be sure that they are
13 seeing the correct business. These are all crucial details when a customer is considering whether
14 to patronize a small business, where even small friction can mean loss of a sale.
15

16 6. Not anyone can call a Google digital-mapping API. Access to a Google mapping
17 API requires an API “key”, which is a unique identifier that Google provides. API keys are
18 tracked to a user’s account, and Google charges for the account holder for API calls made using
19 their key.
20

21 7. Google’s pricing varies, but, for example, it currently charges \$2 for 1,000 calls
22 to its Maps Static API (used to display a single map image on a web page); \$2 for 1,000 calls to
23 its Maps JavaScript API (used to display an interactive map that a user can move around and
24 manipulate); \$5 for 1,000 calls on its Routes Directions API (used to receive directions for
25 different transportation modes); and \$17 for 1,000 calls for Places Place Details API (used to
26 request details about an establishment or point of interest).
27

28 8. While these costs are small on their own, they add up quickly and are often beyond

1 the control of the purchaser of the API keys. The costs depend on how often a user access or
2 reloads a website. As such, an anxious user who compulsively checks map information may
3 quickly rack up many calls over a short period of time.

4 9. Google has monopoly power—or at the least overwhelming market power—in
5 the relevant product markets for digital-mapping APIs. According to a recent report by the U.S.
6 House Committee on the Judiciary, Subcommittee on Antitrust, Commercial and Administrative
7 Law (“House Antitrust Subcommittee”) that was released around October 6, 2020, entitled
8 “Investigation of Competition in Digital Markets-Majority Staff Report and Recommendations”
9 (“House Antitrust Proposals”), Google’s market share exceeds 80% in these markets.

10 10. Moreover, Google exercises direct market power over the relevant product
11 markets through the anticompetitive practices alleged herein. In essence, Google uses its market
12 dominance to improperly tie together its products and lock users into what is sometimes called
13 the Google ecosystem. There are competitors, but they have nowhere near the direct market
14 power that Google exerts, nor nowhere near the monopoly power that Google has. Those
15 competitors offer Maps APIs, Routes APIs, or Places APIs, mostly at significantly reduced
16 prices to Google—and some even for free—and with comparable data and quality, if not better.
17 But over the past several years, these competitors have been strangled out of competing
18 effectively in the relevant product markets because of Google’s anticompetitive conduct alleged
19 herein.
20

21 11. Direct victims of these alleged anticompetitive schemes are the class members
22 identified herein: those who have purchased Maps APIs, Routes APIs, or Places APIs, or had
23 their free credits provided by Google (the “free-tier credits”) used up more rapidly because of
24 Maps APIs, Routes APIs, or Places APIs.
25

26 12. Google’s terms of service prohibit users from using *any* Google Maps API or
27
28

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