

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

MOBILE TELECOMMUNICATIONS  
TECHNOLOGIES, LLC,

Plaintiff,

v.

ARUBA NETWORKS, INC.; HEWLETT  
PACKARD ENTERPRISE COMPANY;  
and HP INC.

Defendants.

§  
§  
§  
§  
§  
§  
§  
§  
§  
§

C.A. No. 2:16-cv-0012

JURY TRIAL REQUESTED

**PLAINTIFF'S COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff Mobile Telecommunications Technologies, LLC (“MTel”), by and through its undersigned counsel, files this complaint against Defendants Aruba Networks, Inc. Hewlett-Packard Enterprise Company, and HP Inc. (collectively, “Aruba,” “HP” or “Defendants”) for infringement of U.S. Patent Nos. 5,590,403 (the “’403 Patent”), 5,659,891 (the “’891 Patent”), and 5,915,210 (the “’210 Patent”), (collectively, the “Asserted Patents” or the “Patents-in-Suit”) in accordance with 35 U.S.C. § 271 and alleges as follows:

**PARTIES**

1. Plaintiff MTel is a Delaware limited liability company having a principal place of business at 1720 Lakepointe Drive, Suite 100, Lewisville, Texas 75057.

2. MTel is a wholly owned subsidiary of United Wireless Holdings Inc. (“United Wireless”). In 2008, United Wireless, through another of its wholly owned subsidiaries, Velocita Wireless LLC, purchased the SkyTel wireless network, including assets related to SkyTel’s more than twenty-year history as a wireless data company. Velocita Wireless LLC, continued to operate the SkyTel wireless data network after the acquisition. As a result of that

transaction, United Wireless gained ownership and control over the intellectual property portfolio, including patents, that several SkyTel-related entities, including Mobile Telecommunication Technologies Corp. (“MTel Corp.”), Destineer Corp., and SkyTel Communications, developed over the years. United Wireless subsequently assigned certain patent assets, including the Patents-in-Suit, together with all rights of recovery related to those patent assets, to its wholly owned subsidiary, MTel, which is the plaintiff here.

3. In a widely publicized November, 2014 jury trial in this District, MTel was awarded favorable infringement and validity verdicts against Apple, Inc. on the ’403, ’210, and ’891 Patents.

4. MTel alleges, upon information and belief, that HP, Inc. is a corporation organized under the laws of Delaware, with a place of business in Texas at 5400 Legacy Drive, Plano, Texas 75024. HP, Inc. may be served with process through its registered agent, CT Corporation System, 1999 Bryan Street, Suite 900, Dallas, Texas 75201-3136.

5. MTel alleges, upon information and belief, that Hewlett Packard Enterprise Company is a corporation organized under the laws of Delaware, with a place of business in Texas at 5400 Legacy Drive, Plano, Texas 75024. Hewlett Packard Enterprise Company may be served with process through its registered agent, CT Corporation System, 1999 Bryan Street, Suite 900, Dallas, Texas 75201-3136.

6. MTel alleges, upon information and belief, that Aruba Networks, Inc. is a corporation organized under the laws of Delaware. Aruba was acquired by HP in 2015, in a transaction completed on May 19, 2015. Aruba is now a wholly-owned subsidiary of HP, but remains separately incorporated. Aruba may be served with process through its registered agent, CT Corporation System, 1999 Bryan Street, Suite 900, Dallas, Texas 75201-3136.

7. Upon information and belief, MTel alleges that Defendants made, used, sold, and offered to sell, infringing wireless equipment and services, during the terms of the '403 Patent, the '210 Patent, and the '891 Patent (the "Relevant Period,") within the United States, including within this District.

8. Aruba is a leader in high-performance networking technology, including wireless local networks (LANs).

9. MTel alleges that Aruba used wireless access points, WLAN controllers, gateways, and associated software that supports IEEE 802.11 a, g, n or ac standards ("Wi-Fi Equipment") to deploy and manage enterprise and service provider Wi-Fi networks during the Relevant Period.

10. Aruba's Wi-Fi Equipment includes Access Points, such as the Aruba 220 Series and Instant Access RAP-100 Series, Wireless Mesh Routers, Mobility Controllers, such as the Aruba 7200 Series Mobility Controllers, and associated software, such as ArubaOS and modules, including Aruba's Policy Enforcement Firewall, RFProtect, Aruba Adaptive Radio Management, and ClientMatch.

11. MTel alleges that, in addition to its Aruba line of products and service, HP made, used, sold, and offered to sell, wireless access points, WLAN controllers, gateways, and associated software that supports IEEE 802.11 g, n or ac standards ("Wi-Fi Equipment") to deploy and manage Wi-Fi networks during the Relevant Period.

12. HP's Wi-Fi Equipment includes its HP Jetdirect 2700w Wireless Print Server with HP Color LaserJet Enterprise M885 and its HP E-MSM460 Dual Radio 802.11n Access Point.

13. Defendants' Wi-Fi Equipment supported Space Time Blocking Coding (STBC). See Exhibit E for a list of Defendants' Wi-Fi Equipment that supports STBC. This list is non-limiting and will be supplemented after appropriate discovery.

#### Aruba 130 Series Access Points

---

##### WIRELESS RADIO SPECIFICATIONS

- AP type: Dual-radio, dual-band 802.11n indoor
- Software-configurable dual radio supports 2.4 GHz and 5 GHz
- 3x3 MIMO 802.11n with three spatial streams and up to 450 Mbps per radio
- Supported frequency bands (country-specific restrictions apply):
  - 2.400 to 2.4835 GHz
  - 5.150 to 5.250 GHz
  - 5.250 to 5.350 GHz
  - 5.470 to 5.725 GHz
  - 5.725 to 5.850 GHz
- Available channels: Dependent upon configured regulatory domain
- Dynamic frequency selection (DFS) optimizes the use of available RF spectrum
- Supported radio technologies:
  - 802.11b: Direct-sequence spread-spectrum (DSSS)
  - 802.11a/g/n: Orthogonal frequency division multiplexing (OFDM)
  - 802.11n: 3x3 MIMO with three spatial streams
- Supported modulation types:
  - 802.11b: BPSK, QPSK, CCK
  - 802.11a/g/n: BPSK, QPSK, 16-QAM, 64-QAM
- Transmit power: Configurable in increments of 0.5 dBm
- Maximum transmit power (aggregated for three active transmit chains):
  - 2.4 GHz: 23 dBm (limited by local regulatory requirements)
  - 5 GHz: 23 dBm (limited by local regulatory requirements)
- Maximum ratio combining (MRC) for improved receiver performance
- Cyclic delay diversity for improved downlink RF performance
- Short guard interval for 20-MHz and 40-MHz channels
- Space-Time Block Coding (STBC) for increased range and improved reception
- Low-density parity check (LDPC) for high-efficiency error correction and increased throughput
- Transmit beam-forming (TxBF) for increased reliability in signal delivery (Supported in hardware; currently not enabled in software)
- Association rates (Mbps):
  - 802.11b: 1, 2, 5.5, 11
  - 802.11a/g: 6, 9, 12, 18, 24, 36, 48, 54
  - 802.11n: MCS0 to MCS23 (6.5 Mbps to 450 Mbps)
- 802.11n high-throughput (HT) support: HT 20/40
- 802.11n packet aggregation: A-MPDU, A-MSDU

[http://community.arubanetworks.com/aruba/attachments/aruba/unified-wired-wireless-access/19417/1/DS\\_AP130Series.pdf](http://community.arubanetworks.com/aruba/attachments/aruba/unified-wired-wireless-access/19417/1/DS_AP130Series.pdf)

14. During the Relevant Period, Defendants' professional services teams designed, engineered, deployed, supported, and operated Wi-Fi networks in apartment buildings, hotels, sports venues, and public areas.

15. Defendants' deployment services teams, including Aruba's service delivery engineers, installed, configured, tested, or commissioned deployments that include Wi-Fi Equipment.

16. Defendants' engineers developed and executed test cases to thoroughly validate Wi-Fi Equipment.

17. Defendants controlled the features and functionality of Wi-Fi Equipment by, for instance, causing software (*e.g.* updates or firmware) to be downloaded to such equipment and otherwise making configuration changes thereto.

18. MTel alleges that, during the Relevant Period, Defendants made, used, sold, and offered to sell, wireless equipment and services, including Wi-Fi Equipment, which directly infringed the claims of the '403 Patent, the '210 Patent, and the '891 Patent, within the United States, including within this District.

19. MTel alleges that Defendants made, used, sold, and offered to sell, systems and products that embodied the claimed methods of the Patents-in-Suit because, for instance, such systems and products employed certain subcarrier frequency structures in the IEEE 802.11 orthogonal frequency-division multiplexing ("OFDM") scheme or techniques consistent with the MIMO aspects of IEEE 802.11 n or ac standards (*e.g.*, as described in "Wi-Fi CERTIFIED n: Longer-Range, Faster-Throughput, Multimedia-Grade Wi-Fi Networks" at 5-6, available at <http://www.wi-fi.org/file/wi-fi-certified-n-longer-range-faster-throughput-multimedia-grade-wi-fi-networks-2009>):

# 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.