

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

BILLJCO, LLC,

Plaintiff,

v.

CISCO SYSTEMS, INC.,

Defendant.

Case No. 2:21-cv-00181-JRG
(Lead Case)

BILLJCO, LLC,

Plaintiff,

v.

HEWLETT PACKARD ENTERPRISE
COMPANY, ARUBA NETWORKS, INC.

Defendants.

Case No. 2:21-cv-00183-JRG
(Member Case)

**HEWLETT PACKARD ENTERPRISE COMPANY'S AND ARUBA NETWORKS, LLC'S
OPPOSED MOTION TO TRANSFER VENUE TO THE NORTHERN DISTRICT OF
CALIFORNIA UNDER 28 U.S.C. § 1404**

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I. INTRODUCTION

This is a lawsuit against Hewlett Packard Enterprise Company (“HPE”), a company birthed in Northern California, and its Northern California-based subsidiary, Aruba Networks, LLC (“Aruba”)¹, where only Aruba products are accused of infringement and the allegations are based on compliance with the iBeacon standard of a third party headquartered in Northern California—Apple Inc. The Northern District of California is at the heart of this case, and the bulk of the discovery will center there. It is the location of Aruba’s headquarters, where the accused products were designed and developed, where Aruba’s witnesses are located, and where third party, Apple, its documents, and its witnesses are located. Therefore, this case should be transferred to the Northern District of California under 35 U.S.C. § 1404 for the convenience of the parties and witnesses.

II. BACKGROUND FACTS

Plaintiff filed its complaint for patent infringement against HPE and its Northern California-based subsidiary, Aruba, on May 25, 2021. Case No. 2:21-cv-00183, Dkt. 1. In the Complaint, Plaintiff alleges that Defendants infringe U.S. Patent Nos. 8,671,804 (“the ’804 Patent”), 10,292,011 (“the ’011 Patent”), and 10,477,994 (“the ’994 Patent”) (collectively “Asserted Patents”). *Id.*, ¶ 2. Plaintiff alleges infringement based on access points and beacon devices made by Aruba that use Bluetooth Low Energy (“BLE”) protocols and Apple’s iBeacon standard. *Id.*, ¶¶ 20, 27-29 (accusing “Instrumentalities implement[ing] certain features of different beacon specifications and protocols including Apple, Inc.’s iBeacon standard”).

A. HPE and Aruba

The Hewlett-Packard Company originated in a garage during the 1930s in Palo Alto,

¹ Plaintiff incorrectly identified Aruba Networks, Inc. as a named defendant. Aruba Networks, Inc. no longer exists as it was converted from a corporation to a limited liability company in October of 2020, before the Complaint was filed.

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