

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

BILLJCO, LLC

Plaintiff,

V.

**HEWLETT PACKARD ENTERPRISE
COMPANY, ARUBA NETWORKS, INC.**

Defendants.

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) Civil Action No. 2:21-cv-183
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) JURY TRIAL DEMANDED
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COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff BillJCo, LLC (“BillJCo” or “Plaintiff”), by its undersigned counsel, for its Complaint against defendants Hewlett Packard Enterprise Company (“HPE”), Aruba Networks, Inc. (“Aruba”) (collectively, “Defendants”), states as follows:

I. NATURE OF THE ACTION

1. This is a civil action arising under the patent laws of the United States, 35 U.S.C. §1 et seq., including 35 U.S.C. §271, based on Defendants' unauthorized and willful infringing manufacture, use, sale, offering for sale, and/or importation of methods and products incorporating BillJCo's patented inventions.

2. BillJCo is owner of all right, title, and interest in and to multiple United States patents and patent applications including United States Patent Nos. 8,761,804 (the '804 Patent),

10,292,011 (the ‘011 Patent), and 10,477,994 (the ‘994 Patent) (collectively, “the Patents-in-Suit”).

3. Defendants manufacture, provide, sell, offer for sale, import, and/or distribute products and services which directly infringe the Patents-in-Suit. The Patents-in-Suit represent BillJCo.’s significant investment into the Bluetooth low energy beacon technology space.

II. THE PARTIES

4. Plaintiff BillJCo, LLC is a Texas limited liability corporation with its principal place of business located at 1704 Katherine Court, Flower Mound, TX 75022. Bill Johnson is a member of BillJCo and is the inventor of the Patents-in-Suit and related patents in the patent portfolio.

5. Hewlett Packard Enterprise Company is a Delaware corporation with its principal place of business at 11445 Compaq Center West Drive, Houston, Texas 77070. Hewlett Packard Enterprise Company may be served through its registered agent CT Corporation System, 1999 Bryan St., Ste. 900, Dallas, Texas 75201. Hewlett Packard Enterprise Company is registered to do business in the State of Texas and has been since at least March 13, 2015.

6. Aruba Networks, Inc. is a Delaware corporation with its principal place of business at 3333 Scott Blvd., Santa Clara, California 95054. Aruba Networks, Inc. may be served through its registered agent CT Corporation System, 1999 Bryan St., Ste. 900, Dallas, Texas 75201. Aruba Networks, Inc. is registered to do business in the State of Texas and has been since at least April 4, 2007.

7. Aruba Networks, Inc. is a wholly owned subsidiary of Defendant Hewlett Packard Enterprise Company. Defendants conduct business operations within the Eastern District of

Texas where they sell, develop, and/or market their products, including facilities at 6080 Tennyson Parkway, Suite 400, Plano, Texas 75024.

III. JURISDICTION AND VENUE

8. This is an action for patent infringement, which arises under the Patent Laws of the United States, in particular, 35 U.S.C. §§ 271, 281, 282, 284, and 285. This Court has jurisdiction over the subject matter of this action under 28 U.S.C. §§ 1331 and 1338(a).

9. The Court has personal jurisdiction over Defendants because they have committed acts giving rise to this action within Texas and within this judicial district. Defendants also regularly do business or solicit business in this District and in Texas, engage in other persistent course of conduct, derive substantial revenue from products and/or services provided in this District and in Texas, have purposefully established substantial, systematic and continuous contacts with this District, and should reasonably expect to be sued in a court in this District.

10. For example, Defendants have a regular and established place of business in the State of Texas and in this District, including office space located at 6080 Tennyson Parkway, Suite 400, Plano, Texas 75024. Defendants also conduct business with customers residing in this District, and offer support service to customers in this District and Texas.

11. Defendants have committed acts of patent infringement in this District and elsewhere in Texas.

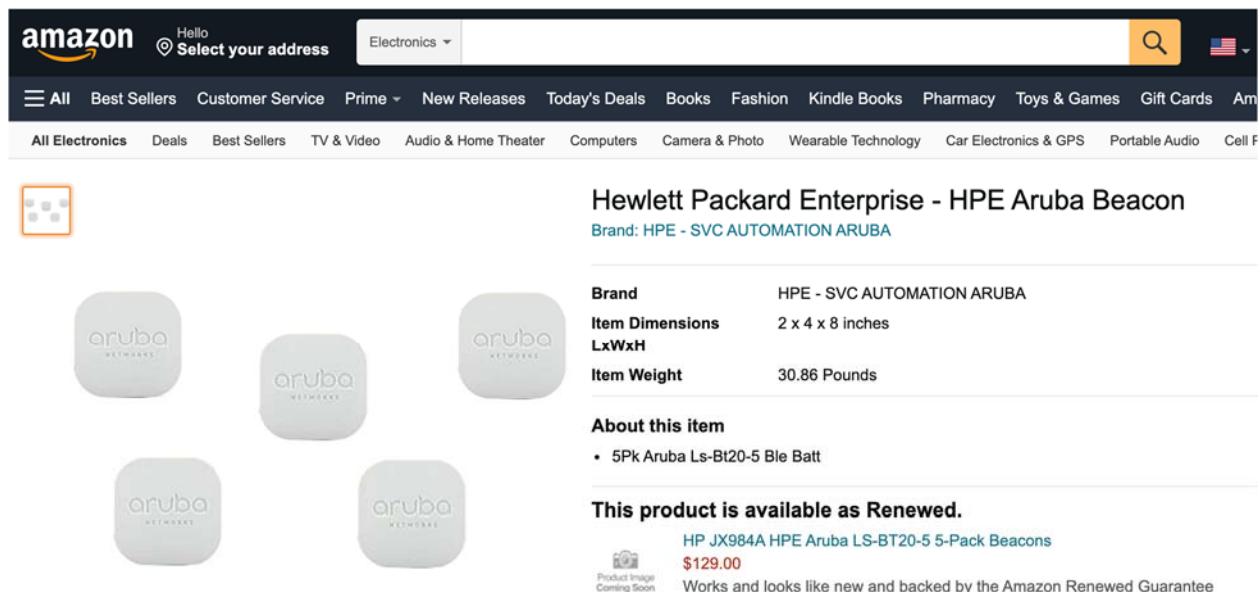
12. Defendants continue to grow their presence in this District, further cementing their ties to this District. Defendants operate a website and various advertising campaigns that solicit sales of the infringing products by consumers in the District and in Texas. Defendants have entered into partnerships with numerous resellers and distributors to sell and offer for sale

the Accused Products to consumers in this District, both online and in stores, and offers support services to customers in this District.

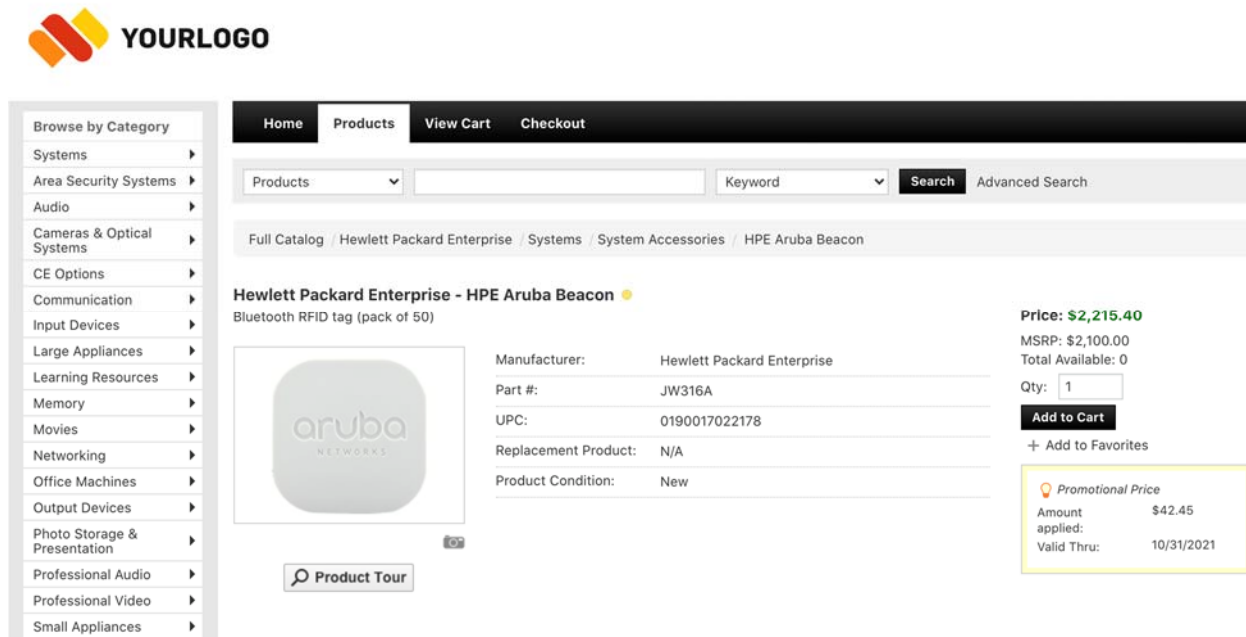
13. Moreover, HPE does not simply act as a wholly separate parent of Aruba. In fact, HPE offers for sale infringing Aruba products on its website, soliciting sales of the infringing products by consumers in the District and in Texas. For example, HPE offers for sale Aruba 303 Series Campus Access Point products, which infringe the Patents-in-Suit, on its website:

<https://buy.hpe.com/us/en/networking/wireless-devices/wlan-access-points/aruba-campus-access-point-products/aruba-303-series-campus-access-points/aruba-ap-303-us-dual-2x2:2-mu-mimo-radio-internal-antennas-unified-campus-ap/p/JZ321A>.

14. Moreover, HPE and Aruba regularly identify their products using both Defendants' branding. For example, Defendants offer for sale an infringing product referred to as "HPE Aruba Beacon" on multiple websites:



See <https://www.amazon.com/Aruba-Ls-Bt20-5-Ble-Batt-Beacons/dp/B01N1TDUB3>.



See <https://usm.channelonline.com/acme/ccs/Products/overview/M015926885>.

15. Defendants are registered to do business in Texas and maintain an agent authorized to receive service of process within Texas. Given these contacts, the Court's exercise of jurisdiction over Apple will not offend traditional notions of fair play and substantial justice.

16. Venue is proper in the Eastern District of Texas under 28 U.S.C. §§ 1391 and 1400(b) because Defendants have an established place of business in this District, including at 6080 Tennyson Parkway, Suite 400, Plano, Texas 75024, have committed acts within this District giving rise to this action and resulting in the derivation of substantial revenue from goods and services provided to customers in Texas, and continue to conduct business in this District, including one or more acts of selling, using, importing, and/or offering for sale infringing goods and/or performing support service to Defendants' customers in this District.

17. Venue is also convenient as BillJCo is a registered Texas Limited Liability Company located in Denton County and resides within this District. Similarly, BillJCo member and inventor of the Patents-in-Suit, Mr. Johnson, lives and resides in Denton County within this

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