

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION

OZMO LICENSING LLC,

Plaintiff,

v.

DELL TECHNOLOGIES INC. and
DELL INC.,

Defendants.

Civil Action No. 6:22-cv-642

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff, Ozmo Licensing LLC (“Ozmo Licensing”), as and for its Complaint against defendants, Dell Technologies Inc. and Dell Inc. (together, “Dell” or “Defendants”), hereby alleges as follows:

THE PARTIES

1. Ozmo Licensing is a Texas limited liability company having its principal place of business located at 1000 Heritage Center Circle, Suite 508, Round Rock, Texas 78664.
2. Defendant Dell Technologies Inc. is a Delaware corporation with its principal place of business at One Dell Way, Round Rock, Texas 78682.
3. Defendant Dell Inc. is a Delaware corporation with its principal place of business at One Dell Way, Round Rock, Texas 78682. Dell Inc. is a wholly-owned subsidiary of Dell Technologies Inc.

JURISDICTION AND VENUE

4. This is an action for patent infringement brought under the Patent Laws of the United States, 35 U.S.C. §§ 271, *et seq.* This Court has jurisdiction over the subject matter of this action under 28 U.S.C. §§ 1331 and 1338(a).

5. This Court has general personal jurisdiction over Dell because Dell has a principal place of business in Round Rock, Texas. This Court has specific personal jurisdiction over Dell because: (1) Dell has purposely availed itself of the privileges of conducting business activities in this judicial district; (2) Dell has committed acts of infringement in this judicial district; and (3) exercising general personal jurisdiction over Dell would be fair and reasonable given Dell's contacts with, and business activities within, this judicial district and elsewhere in Texas. Accordingly, this Court's exercise of jurisdiction over Dell would not offend traditional notions of fair play and substantial justice.

6. Dell has committed acts of infringement in this District, directly and/or through intermediaries, by, among other things, making, using, offering to sell, selling, and/or importing products and/or services that infringe the Asserted Patents, as alleged herein.

7. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391 and 1400(b) because Dell has a regular and established place of business in Round Rock, Texas and has committed acts of infringement within this judicial district and elsewhere in Texas. Dell is also registered to do business in Texas.

FACTUAL BACKGROUND

The Patents-in-Suit

8. On February 16, 2016, the United States Patent and Trademark Office ("PTO") issued United States Patent No. 9,264,991 ("the '991 patent"), titled APPARATUS AND METHOD FOR INTEGRATING SHORT-RANGE WIRELESS PERSONAL AREA NETWORKS FOR A WIRELESS LOCAL AREA NETWORK INFRASTRUCTURE. The '991 patent is valid and enforceable. A copy of the '991 patent is attached as Exhibit A.

9. Ozmo Licensing is the owner and assignee of all rights, title and interest in and to the '991 patent and holds all substantial rights therein, including the right to grant licenses, to exclude others, and to enforce and recover past damages for infringement of the '991 patent.

10. On December 22, 2020, the PTO issued United States Patent No. 10,873,906 ("the '906 patent"), titled APPARATUS AND METHOD FOR INTEGRATING SHORT-RANGE WIRELESS PERSONAL AREA NETWORKS FOR A WIRELESS LOCAL AREA NETWORK INFRASTRUCTURE. The '906 patent is valid and enforceable. A copy of the '906 patent is attached as Exhibit B.

11. Ozmo Licensing is the owner and assignee of all rights, title and interest in and to the '906 patent and holds all substantial rights therein, including the right to grant licenses, to exclude others, and to enforce and recover past damages for infringement of the '906 patent.

12. On December 3, 2013, the PTO issued United States Patent No. 8,599,814 ("the '814 patent"), titled APPARATUS AND METHOD FOR INTEGRATING SHORT-RANGE WIRELESS PERSONAL AREA NETWORKS FOR A WIRELESS LOCAL AREA NETWORK INFRASTRUCTURE. The '814 patent is valid and enforceable. A copy of the '814 patent is attached as Exhibit C.

13. Ozmo Licensing is the owner and assignee of all rights, title and interest in and to the '814 patent and holds all substantial rights therein, including the right to grant licenses, to exclude others, and to enforce and recover past damages for infringement of the '814 patent.

14. On May 18, 2021, the PTO issued United States Patent No. 11,012,934 ("the '934 patent"), titled APPARATUS AND METHOD FOR INTEGRATING SHORT-RANGE WIRELESS PERSONAL AREA NETWORKS FOR A WIRELESS LOCAL AREA NETWORK

INFRASTRUCTURE. The '934 patent is valid and enforceable. A copy of the '934 patent is attached as Exhibit D.

15. Ozmo Licensing is the owner and assignee of all rights, title and interest in and to the '934 patent and holds all substantial rights therein, including the right to grant licenses, to exclude others, and to enforce and recover past damages for infringement of the '934 patent.

16. On September 14, 2021, the PTO issued United States Patent No. 11,122,504 (“the '504 patent”), titled APPARATUS AND METHOD FOR INTEGRATING SHORT-RANGE WIRELESS PERSONAL AREA NETWORKS FOR A WIRELESS LOCAL AREA NETWORK INFRASTRUCTURE. The '504 patent is valid and enforceable. A copy of the '504 patent is attached as Exhibit E.

17. Ozmo Licensing is the owner and assignee of all rights, title and interest in and to the '504 patent and holds all substantial rights therein, including the right to grant licenses, to exclude others, and to enforce and recover past damages for infringement of the '504 patent.

18. On February 15, 2022 the PTO issued United States Patent No. 11,252,659 (“the '659 patent”), titled APPARATUS AND METHOD FOR INTEGRATING SHORT-RANGE WIRELESS PERSONAL AREA NETWORKS FOR A WIRELESS LOCAL AREA NETWORK INFRASTRUCTURE. The '659 patent is valid and enforceable. A copy of the '659 patent is attached as Exhibit F.

19. Ozmo Licensing is the owner and assignee of all rights, title and interest in and to the '659 patent and holds all substantial rights therein, including the right to grant licenses, to exclude others, and to enforce and recover past damages for infringement of the '659 patent.

The Inventors, Ozmo Devices, and Ozmo Licensing

20. The inventions of the '991 patent, the '906 patent, the '814 patent, the '934 patent, the '504 patent, and the '659 patent (collectively, “the Ozmo Devices patents” or “the patents-in-suit”) were conceived at Ozmo Devices. Founded in 2004 by spouses Katelijn Vleugels and Roel Peeters, Ozmo Devices was a leading provider of low-power Wi-Fi Personal Area Network (“WPAN”) products that may be deployed in proximity to Wi-Fi Local Area Networks (“WLAN”) products without severe interference arising between the two.

21. Named co-inventors of the patents-in-suit, Vleugels, with a Ph.D. in electrical engineering from Stanford University, and Peeters, with an MBA from The Wharton School, are responsible for inventing a solution to integrate WPAN and WLAN functionalities in a way that delivers cost savings to manufacturers, unprecedented performance to users, and solves the interoperability problems that plagued existing methods of attempted WPAN-WLAN integrations. These patented inventions gave rise to what has since been promulgated by the Wi-Fi Alliance as the Wi-Fi Peer-to-Peer Technical Specification (“Wi-Fi Direct Standard”), which specification Vleugels and Peeters helped draft. The Wi-Fi Alliance is headquartered in Austin, Texas. Vleugels and Peeters live in the greater Austin area of Texas.

22. The Ozmo Devices patents relate to an apparatus for a WPAN that is seamlessly integrated with a WLAN, and methods for using such, to enable a WPAN device that can connect with other WPAN devices without losing connectivity to a WLAN, thereby enabling extended communication with WPAN devices from anywhere within the range of a WLAN infrastructure.

23. Ozmo Licensing was founded in 2019. A significant aspect of Ozmo Licensing’s business is widely and reasonably licensing its current patent portfolio, including the Ozmo

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