

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

RELAY IP, INC.,

Plaintiff,

v.

HEWLETT-PACKARD COMPANY,

Defendant.

C.A. No. \_\_\_\_\_

**JURY TRIAL DEMANDED**

**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff Relay IP, Inc. (“Relay IP”) alleges the following for its complaint against Defendant Hewlett-Packard Company.

**THE PARTIES**

1. Plaintiff Relay IP, Inc. is a corporation formed under the laws of the State of Delaware having its principal place of business at 2331 Mill Road, Suite 100, Alexandria, VA 22314.

2. Defendant Hewlett-Packard Company is a corporation organized under the laws of Delaware with a principal office 3000 Hanover Street, Palo Alto, CA 94304-1185. Defendant Hewlett-Packard Company may be served with process via its registered agent, The Corporation Trust Company, 1209 Orange Street, Wilmington, DE 19801.

**JURISDICTION AND VENUE**

3. This is a patent infringement action. The Court has subject matter jurisdiction pursuant to 28 U.S.C. §§1331 and 1338.

4. The Court has personal jurisdiction over Defendant, as it is incorporated in this State. Defendant has also availed itself, under the Delaware long arm statute, of the rights and

benefits of this District by conducting business in this jurisdiction, including by promoting products for sale via the internet, which are accessible to and accessed by residents of this District.

5. Venue is proper in this District pursuant to 28 U.S.C. §§1391(b)-(c) and §1400(b), because Defendant resides in this District and substantial acts of infringement have occurred in this District.

**COUNT ONE**  
**INFRINGEMENT OF U.S. PATENT NO. 5,331,637**

6. On July 19, 1994, U.S. Patent No. 5,331,637 (the “’637 Patent”) entitled “Multicast Routing Using Core Based Trees” was duly and legally issued by the United States Patent and Trademark Office. A true and correct copy of the ’637 Patent is attached as Exhibit A hereto.

7. Plaintiff Relay IP is the sole and exclusive owner of all right, title, and interest in the ’637 Patent and holds the exclusive right to take all actions, including the filing of this patent infringement lawsuit, necessary to enforce its rights to the ’637 Patent. Relay IP also has the right to recover all damages for past, present, and future infringement of the ’637 Patent and to seek injunctive relief as appropriate under the law.

8. Defendant has infringed and continues to directly infringe one or more claims of the ’637 Patent, including at least Claim 1, by using the method claimed in testing equipment that it sells and has sold for use by its customers to also practice the method of at least Claim 1 of the ’637 Patent. Such equipment includes, for example and without limitation, equipment from the following product lines and all other HP routing platforms that support/enable the practice of the PIM-SM standard:

HP A7000dl Series Router (HP A7102 Rack Shippable dl Router)  
HP A7000dl Series Router (HP A7203 Rack Shippable dl Router)

HP A8800 Router Series (HP A8805 Router Chassis (JC148B))  
HP A8800 Router Series (HP A8802 Router Chassis (JC147B))  
HP A8800 Router Series (HP A8808 Router Chassis (JC149B))  
HP A8800 Router Series (HP A8812 Router Chassis (JC150B))  
HP A6600 Router Series (HP A6602 Router (JC176A))  
HP A6600 Router Series (HP A-RPS800 Redundant Power System (JD183A))  
HP A6600 Router Series (HP X290 1m RPS Cable (JD637A))  
HP A6600 Router Series (HP A6604 Router Chassis (JC178A))  
HP A6600 Router Series (HP A7500 650W DC Power Supply (JD209A))  
HP A6600 Router Series (HP A7500 650W AC Power Supply (JD217A))  
HP A6600 Router Series (HP A6600 Router Software License (JC180A))  
HP A6600 Router Series (HP A6600 RPE-X1 Main Processing Unit (JC165A))  
HP A6600 Router Series (HP FIP-100 A6600 Module (JC166A))  
HP A6600 Router Series (HP FIP-200 A6600 Module (JC167A))  
HP A6600 Router Series (HP A6608 Router Chassis (JC177A))  
HP A6600 Router Series (HP A7500 650W DC Power Supply (JD209A))  
HP A6600 Router Series (HP A7500 650W AC Power Supply (JD217A))  
HP A6600 Router Series (HP A6616 Router Chassis (JC496A))  
HP A6600 Router Series (HP A6600 650W AC Power Supply (JC492A))  
HP A6600 Router Series (HP A6600 650W DC Power Supply (JC493A))  
HP A6600 Router Series (HP A6600 RPE-X1 Carrier Card (JC497A))  
HP A6600 Router Series (HP A6600 Router Software License (JC180A))  
HP A6600 Router Series (HP A6600 RPE-X1 Main Processing Unit (JC165A))  
HP A6600 Router Series (HP FIP-100 A6600 Module (JC166A))  
HP A6600 Router Series (HP FIP-200 A6600 Module (JC167A))  
HP A-MSR50 Series (HP A-MSR50-40 DC Router Chassis (JF285A))  
HP A-MSR50 Series (HP A-MSR50-60 DC Router Chassis (JF640A))  
HP A-MSR50 Series (HP MSR50-40 Router Chassis (JD433A))  
HP A-MSR50 Series (HP MSR50-60 Router Chassis (JF231A))  
HP A-MSR20-lx Series (HP A-MSR20-15 Multi-Service Router (JF817A))  
HP A-MSR20-lx Series (HP A-MSR20-15 IW Multi-Service Router (JF809A))  
HP A-MSR20-lx Series (HP A-MSR20-15 I Multi-Service Router (JF236A))  
HP A-MSR20-lx Series (HP MSR20-10 Router (JD431A))  
HP A-MSR20-lx Series (HP MSR20-13-W Router (JF808A))  
HP A-MSR20-lx Series (HP MSR20-13 Router (JF240A))  
HP A-MSR20-lx Series (HP MSR20-12-W Router (JF807A))  
HP A-MSR20-lx Series (HP MSR20-12-T Router (JF806A))  
HP A-MSR20-lx Series (HP MSR20-12 Router (JF241A))  
HP A-MSR20-lx Series (HP MSR20-11 Router (JF239A))  
HP A-MSR20-lx Series (HP MSR20-15-A Router (JF237A))  
HP A-MSR20-lx Series (HP MSR20-15-I-W Router (JF238A))  
HP A-MSR20 Series (HP A-MSR20-20 Router)  
HP A-MSR20 Series (HP A-MSR20-21 Router)  
HP A-MSR20 Series (HP A-MSR20-40 Router)  
HP A-MSR30 Series (HP A-MSR30-16 PoE Router (JF234A))  
HP A-MSR30 Series (HP A-MSR30-16 Router (JF233A))

HP A-MSR30 Series (HP A-MSR30-10 Router (JF816A))  
 HP A-MSR30 Series (HP MSR30-10 Multi-Service Router (JF816A))  
 HP A-MSR30 Series (HP MSR30-16 Multi-Service Router (JF233A))  
 HP A-MSR30 Series (HP MSR30-16 PoE Multi-Service Router (JF234A))  
 HP A-MSR30 Series (HP MSR30-20 Multi-Service Router (JF284A))  
 HP A-MSR30 Series (HP MSR30-20 PoE Multi-Service Router (JF802A))  
 HP A-MSR30 Series (HP MSR30-20 DC Multi-Service Router (JF235A))  
 HP A-MSR30 Series (HP MSR30-40 Multi-Service Router (JF229A))  
 HP A-MSR30 Series (HP MSR30-40 PoE Multi-Service Router (JF803A))  
 HP A-MSR30 Series (HP MSR30-40 DC Multi-Service Router (JF287A))  
 HP A-MSR30 Series (HP MSR30-60 Multi-Service Router (JF230A))  
 HP A-MSR30 Series (HP MSR30-60 PoE Multi-Service Router (JF804A))  
 HP A-MSR30 Series (HP MSR30-60 DC Multi-Service Router (JF801A))  
 HP A-MSR30 Series (HP MSR30-11 Multi-Service Router (JF800A))  
 HP A-MSR900 Series (HP A-MSR920-W Router (JF815A))  
 HP A-MSR900 Series (HP A-MSR900-W Router (JF814A))  
 HP A-MSR900 Series (HP MSR900 Router (JF812A))  
 HP A-MSR900 Series (HP MSR920 Router (JF813A))  
 HP A-MSR900 Series (HP MSR900-W Router (JF814A))  
 HP A-MSR900 Series (HP MSR920-W Router (JF815A))  
 HP A-MSR900 Series (HP MSR900-W Router (NA) (JG207A))  
 HP A-MSR900 Series (HP MSR920-W Router (NA) (JF208A))  
 HP A12500 Switch Series (HP A12508 Switch Chassis (JF431B))  
 HP A12500 Switch Series (HP A12518 Switch Chassis (FJ430B))  
 HP A9500 Switch Series (HP A9505 Switch Chassis (JC124B))  
 HP A9500 Switch Series (HP A9508-V Switch Chassis (JC474B))  
 HP A9500 Switch Series (HP A9512 Switch Chassis (JC125B))  
 HP A7500 Switch Series (HP A7502 Switch Chassis (JD242B))  
 HP A7500 Switch Series (HP A7503-S Switch Chassis (JD243B))  
 HP A7500 Switch Series (HP A7503 Switch Chassis (JD240B))  
 HP A7500 Switch Series (HP 7510 Switch Chassis (JD238B))  
 HP A7500 Switch Series (HP 7506-V Switch Chassis (JD241B))  
 HP A7500 Switch Series (HP 7506 Switch Chassis (JD239B))  
 HP A7500 Switch Series (HP 7503 Switch Chassis (JD240B))  
 HP A7500 Switch Series (HP A7503-S Switch Chassis with 1 Fabric Slot (JD243B))  
 HP A7500 Switch Series (HP A7502 Switch Chassis (JD242B))  
 HP E8200 Switch Series (HP E8206 zl Switch with Premium Software)  
 HP E8200 Switch Series (HP E8212 zl Switch with Premium Software)  
 HP E8200 Switch Series (HP E8206-44G-PoE+/2XG-SFP+v2 zl Switch with Premium Software)  
 HP E8200 Switch Series (HP E8212-92G-PoE+/2XG-SFP+v2 zl Switch with Premium Software)  
 HP E5400 zl Switch Series (HP E5406 zl Switch with Premium Software (J9642A))  
 HP E5400 zl Switch Series (HP E5412 zl Switch with Premium Software (J9643A))  
 HP E5400 zl Switch Series (HP E5406-44G-PoE+/2XG-SFP+ v2 zl Switch with Premium Software (J9533A))

HP E5400 zl Switch Series (HP 5406 zl Switch with Premium Software (J9642A))  
 HP E5400 zl Switch Series (HP 5412 zl Switch with Premium Software (J9643A))  
 HP E5400 zl Switch Series (HP 5406-44G-PoE+/2XG-SFP+ v2 zl Switch with Premium Software (J9533A))  
 HP E5400 zl Switch Series (HP 5412-92G-PoE+/2XG-SFP+ v2 zl Switch with Premium Software (J9532A))  
 HP E5400 zl Switch Series (HP 5406-44G-PoE+/4G-SFP v2 zl Switch with Premium Software (J9539A))  
 HP E5400 zl Switch Series (HP 5412-92G-PoE+/4G-SFP v2 zl Switch with Premium Software (J9540A))  
 HP E5400 zl Switch Series (HP 5406-44G-PoE+/4SFP zl Switch (J9447A))  
 HP E5400 zl Switch Series (HP 5412-92G-PoE+/4SFP zl Switch (J9448A))  
 HP E5400 zl Switch Series witch Series (HP 5406-48G zl Switch (J8699A))  
 HP E5400 zl Switch Series witch Series (HP 5412-96G zl Switch (J8700A))  
 HP A5820 Switch Series (HP A5820X-24XG-SFP+ Switch (JC102A))  
 HP A5820 Switch Series (HP A5820X-14XG-SFP+ Switch with 2 Interface Slots and 1 OAA Slot (JC106A))  
 HP A5820 Switch Series (HP 5820AF-24XG Switch JG219A)  
 HP A5800 Switch Series (HP A5800-48G-PoE+ Switch with 1 Interface Slot (JC104A))  
 HP A5800 Switch Series (HP A5800-48G Switch with 1 Interface Slot (JC105A))  
 HP A5800 Switch Series (HP A5800-48G-PoE+ Switch with 2 Interface SlotS (JC101A))  
 HP A5800 Switch Series (HP 5800-24G-PoE+ Switch (JC099A))  
 HP A5800 Switch Series (HP 5800-24G Switch (JC100A))  
 HP A5800 Switch Series (HP 5800-24G-SFP Switch (JC103A))  
 HP A5800 Switch Series (HP 5800-48G-PoE Switch (JC104A))  
 HP A5800 Switch Series (HP 5800-48G Switch (JC105A))  
 HP A5800 Switch Series (HP 5800-48G Switch with 2 Slots (JC101A))  
 HP A5800 Switch Series (HP 5800AF-48G Switch (JG225A))  
 HP A5500 EI Switch Series (HP A5500-24G EI Switch with 2 Interface Slots (JD377A))  
 HP A5500 EI Switch Series (HP A5500-24G DC EI Switch (JD373A))  
 HP A5500 EI Switch Series (HP A5500-24G-PoE EI Switch (JD378A))  
 HP A5500 EI Switch Series (HP 5500-24G EI Switch with 2 Interface Slots (JD377A))  
 HP A5500 EI Switch Series (HP 5500-24G DC EI Switch (JD373A))  
 HP A5500 EI Switch Series (HP A5500-24G-PoE EI Switch (JD378A))  
 HP A5500 EI Switch Series (HP A5500-48G EI Switch with 2 Interface Slots (JD375A))  
 HP A5500 EI Switch Series (HP A5500-48G-PoE EI Switch (JD376A))  
 HP A5500 EI Switch Series (HP A5500-24G-SFP EI Switch with 2 Interface Slots (JD374A))  
 HP A5500 EI Switch Series (HP A5500-24G-SFP DC EI Switch (JD379A))  
 HP A5500 EI Switch Series (HP A5500-48G-PoE+ EI Switch with 2 Interface Slots (JD240A))  
 HP A5500 EI Switch Series (HP A5500-24G-PoE+ EI Switch with 2 Interface Slots (JD24IA))  
 HP A3610 Switch Series (HP A3610-48 Switch (JD335A))  
 HP A3610 Switch Series (HP A3610-24 Switch (JD336A))  
 HP A3610 Switch Series (HP A3610-24-TP Switch (JD337A))

HP A3610 Switch Series (HP A3610-24-SFP Switch (JD338A))  
HP A3600 EI Switch Series (HP A3600-48-PoE EI Switch (JD328A))  
HP A3600 EI Switch Series (HP A3600-24-PoE EI Switch (JD326A))  
HP A3600 EI Switch Series (HP A3600-24 EI Switch (JD331A))  
HP A3600 EI Switch Series (HP A3600-48 EI Switch (JD333A))  
HP A3600 EI Switch Series (HP A3600-24-SFP EI Switch (JD334A))  
HP E6600 Switch Series (E6600-24G Switch (J9263A))  
HP E6600 Switch Series (E6600-24G-4XG Switch (J9264A))  
HP E6600 Switch Series (E6600-24XG Switch (J9265A))  
HP E6600 Switch Series (E6600-48G Switch (J9451A))  
HP E6600 Switch Series (E6600-48G-4XG Switch (J9452A))  
HP E6200-24G-mGBIC yl Switch  
HP E5500G Switch Series (HP E5500-24G Switch (JE088A))  
HP E5500G Switch Series (HP E5500-48G Switch (JE090A))  
HP E5500G Switch Series (HP E5500-24G-PoE Switch (JE092A))  
HP E5500 Switch Series (HP E5500-24 Switch (JE101A))  
HP E5500 Switch Series (HP E5500-48 Switch (JE103A))  
HP E5500 Switch Series (HP E5500-24-PoE Switch (JE105A))  
HP E4800G Switch Series (HP E4800-24G Switch (JD007A))  
HP E4800G Switch Series (HP E4800-24G-PoE Switch (JD008A))  
HP E4800G Switch Series (HP E4800-24G-SFP Switch (JD009A))  
HP E3500 Switch Series (HP E3500-48G-PoE+ yl Switch (J9311A))  
HP E3500 Switch Series (HP E3500-24G-PoE+ yl Switch (J9310A))  
HP E3500 Switch Series (HP E3500-48G-PoE yl Switch (J8693A))  
HP 5830 Switch Series (HP 5830AF-48G Switch with 1 Interface Slot (JC691A))  
HP 5830 Switch Series (HP 5830AF-96G Switch (JC694A))  
HP 10500 Switch Series (HP 10508-V Switch Chassis (JC611A))  
HP 10500 Switch Series (HP 10508 Switch Chassis (JC612A))  
HP 10500 Switch Series (HP 10504 Switch Chassis (JC613A))  
HP 3800 Switch Series (HP 3800-24G-PoE+-2SFP+ Switch (J9573A))  
HP 3800 Switch Series (HP 3800-48G-PoE+-4SFP+ Switch (J9574A))  
HP 3800 Switch Series (HP 3800-24G-2SFP+ Switch (J9575A))  
HP 3800 Switch Series (HP 3800-48G-4SFP+ Switch (J9576A))  
HP 3800 Switch Series (HP 3800-24G-2XG Switch (J9585A))  
HP 3800 Switch Series (HP 3800-48G-4XG Switch (J9586A))  
HP 3800 Switch Series (HP 3800-24G-PoE+-2XG Switch (J9587 A))  
HP 3800 Switch Series (HP 3800-48G-PoE+-4XG Switch (J9588A))  
HP 3800 Switch Series (JP 3800-24SFP-2SFP+ Switch (J9584A))

Such equipment can be and, upon information and belief, is used by Defendant in testing and is also used by its customers in their operations to practice the Protocol Independent

Multicast-Sparse Mode standard (PIM-SM) for multicast routing.<sup>1</sup> In practicing the PIM-SM standard, Defendant and its customers directly infringe one or more claims of the '637 Patent, including at least Claim 1. Defendant's act of using its equipment to practice the PIM-SM standard constitutes infringement under 35 U.S.C. §271 for which it is directly liable.

9. Defendant has also induced its customers to directly infringe one or more claims of the '637 Patent, including at least Claim 1. Defendant has known about the '637 Patent and its applicability to the equipment manufactured and/or sold by Defendant since at least as early as December 2, 2011 via a notice letter from Relay IP's predecessor-in-interest. Defendant knows that its equipment is designed to and is capable of enabling practice of the PIM-SM standard and that at least some of its customers purchase that equipment in order to practice the standard. Defendant therefore also knows that its customers are infringing one or more claims of the '637 Patent, including at least Claim 1, when the customers implement the PIM-SM standard using Defendant's equipment.

10. Defendant specifically intends to induce infringement by its customers by providing equipment designed to enable customers to practice the PIM-SM standard and infringe at least Claim 1 of the '637 Patent. Defendant also encourages that infringement by providing product support and/or help forums for its customers who are using equipment provided by Defendant to establish systems and networks that practice the PIM-SM standard and infringe at least Claim 1 of the '637 Patent. For instance, Defendant provides a configuration guide, a command reference and other documentation intending to assist its customers in practicing Claim 1 of the '637 Patent by operating in accordance with the PIM-SM standard.<sup>2</sup>

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<sup>1</sup> See, e.g., RFC 4601 at <http://tools.ietf.org/html/rfc4601>.

<sup>2</sup> See, e.g., HP A6600 Routers – IP Multicast Configuration Guide – pp. 91 – 161 at <http://bizsupport2.austin.hp.com/bc/docs/support/SupportManual/c02976402/c02976402.pdf>, HP

11. Defendant's acts of direct and indirect infringement have been willful with full knowledge of the claims of the '637 Patent. Defendant has continued the use, sales, manufacture and/or support of its equipment since receiving notice of the '637 Patent despite an objectively high likelihood that its acts or its customers' acts with that equipment infringe at least Claim 1 of the '637 Patent. Defendant knew or should have known of the risk of infringement at least as of December 2, 2011.

12. As a result of Defendant's direct and indirect infringement, Plaintiff Relay IP has been damaged monetarily and is entitled to adequate compensation of no less than a reasonable royalty pursuant to 35 U.S.C. § 284. As a result of Defendant's willful infringement, Relay IP is further entitled to enhanced damages pursuant to 35 U.S.C. § 284.

### **JURY DEMAND**

Plaintiff requests a jury on all issues so triable.

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A6600 Routers – IP Multicast Command Reference – pp. 99 – 153 at  
<http://bizsupport2.austin.hp.com/bc/docs/support/SupportManual/c02979842/c02979842.pdf>,  
and  
[http://www8.hp.com/us/en/hp-search/search-  
results.html?ajaxpage=1#/page=1&/cc=us&/lang=en&/qt=sparse mode](http://www8.hp.com/us/en/hp-search/search-results.html?ajaxpage=1#/page=1&/cc=us&/lang=en&/qt=sparse mode)



**PRAYER**

WHEREFORE, Plaintiff respectfully requests that the Court:

- A. Enter judgment that Defendant has directly infringed, either literally or by equivalents, the '637 Patent;
- B. Enter judgment that Defendant has induced infringement of the '637 Patent;
- C. Enter judgment that Defendant has willfully infringed the '637 Patent;
- D. Award Plaintiff damages for Defendant's infringement in an amount to be determined at trial, including enhanced damages, costs, and pre and post-judgment interest; and
- E. Award any other relief deemed just and proper.

May 3, 2013

BAYARD, P.A.

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