

FENWICK & WEST LLP
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SAN FRANCISCO

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"BlueCat") avers the following:

### NATURE OF THE ACTION

This is a civil action for infringement of United States Patent 1. Nos. 7,814,180 ("the '180 patent"), 6,374, 295 ("the '295 patent"), 7,865,617 ("the '617 patent"), and 7,889,676 ("the '676 patent") (collectively, "the patents-in-

suit").

#### **PARTIES**

- 2. Plaintiff Infoblox is a Delaware corporation with its principal place of business at 4750 Patrick Henry Drive, Santa Clara, California. Infoblox is a leading developer of network infrastructure solutions for businesses and other organizations, including technology that automates the delivery and management of domain name services ("DNS"), dynamic host configuration protocol services ("DHCP"), and Internet Protocol address management services ("IPAM"). Infoblox owns, by valid assignment, all rights, title and interest in the patents-insuit.
- 3. Defendant BlueCat Networks (USA) Inc. is a Delaware corporation with its principal place of business at 4101 Yonge Street, Suite 502, Toronto, Ontario, Canada. BlueCat Networks (USA) Inc. also provides DNS, DHCP and IPAM appliances, management software and tools. On information and belief, BlueCat Networks (USA) Inc. transacts business related to its IPAM products and services at 1401 Dove St., Suite 250, Newport Beach, California, and at other sites throughout the United States, including within the boundaries of this district.
- 4. Defendant BlueCat Networks Inc. is a Canadian corporation registered in Ontario, Canada, with its principal place of business at 4101 Yonge Street, Suite 502, Toronto, Ontario, Canada. BlueCat Networks Inc. also provides DNS, DHCP and IPAM appliances, management software and tools. On information and belief, BlueCat Networks Inc. transacts business related to its IPAM products and services at 1401 Dove St. Suite 250, Newport Beach, California, and at other sites throughout the United States, including within the boundaries of this district.
- 5. Infoblox is BlueCat's main competitor for IPAM products and services.

#### **JURISDICTION**

6. This action arises under the patent laws of the United States, Title 35

of the United States Code, and under the Declaratory Judgment Act, 28 U.S.C. § 2201. The court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331, 1338(a), 2201(a), and 2202.

#### VENUE

7. Venue is proper in this district under 28 U.S.C. §§ 1391(b) and (c) and 1400(b) because a substantial part of the events which give rise to the claims herein occurred in this district, and because BlueCat has a regular and established place of business and is subject to personal jurisdiction in this district. In particular, BlueCat Networks (USA) Inc. and BlueCat Networks Inc. transact business related to their IPAM products and services, including the sale of said products and services, within this district.

# FIRST CLAIM FOR RELIEF

# (Infringement of U.S. Patent No. 7,814,180)

- 8. Plaintiff Infoblox incorporates by reference paragraphs 1 through 6 above as if fully set forth herein.
- 9. On October 12, 2010, United States Patent No. 7,814,180, titled "Domain Name Service Server Apparatus and Method," was duly and legally issued to plaintiff Infoblox. A copy of the '180 patent is attached to this complaint as Exhibit A. Infoblox has owned the '180 patent throughout the period of BlueCat's infringing acts and still owns the patent.
- 10. Infoblox has provided notice of the '180 patent to BlueCat through filing and service of this action and by marking the products that practice the claimed invention with the patent number.
- 11. BlueCat has been, is currently, and will continue to make, use, offer to sell, and sell within the United States, and/or import into the United States, and/or supply or cause to be supplied from the United States all or a substantial portion of the components of, IP address management systems, including but not limited to the Proteus IPAM appliance and the Adonis appliance and/or the "virtual"

appliance" versions of these products, that embody-and/or practice one or more claims of the '180 patent.

- 12. BlueCat has been, and is currently, and will continue to actively induce and encourage infringement of the '180 patent. On information and belief, the '180 patent has been, is currently, and will continue to be directly infringed within the United States, including within this district, by BlueCat's customers using the Proteus IPAM appliance and the Adonis appliance and/or the "virtual appliance" versions of those products. On information and belief, with actual and/or constructive knowledge of the '180 patent, BlueCat actively induces and encourages that infringement by advertising, promoting and instructing said customers in the use of these products in a manner that directly infringes the '180 patent, or the combination and use of components of the products outside of the United States in a manner that would infringe the patent if such combination occurred within the United States, with specific intent to induce and encourage such infringement, or at a minimum with willful blindness to such infringement.
- 13. BlueCat has been, and is currently contributing to the infringement of the '180 patent by selling and/or offering to sell the Proteus IPAM appliance and the Adonis appliance and/or the "virtual appliance" versions of those products, which are material components of the IP address management systems that embody the patented invention. These appliances when installed in a customer's enterprise network and/or when installed on a customer's virtualization platform running on a general purpose computer directly infringe the '180 patent. On information and belief, the '180 patent has been, is currently, and will continue to be directly infringed within the United States, including within this district, by BlueCat's customers installing these appliances on an enterprise network and/or virtualization platform running on a general purpose computer. On information and belief, with actual and/or constructive knowledge of the '180 patent, BlueCat sells and offers to sell these products to its customers knowing that these products are especially made

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or adapted for use with a customer's enterprise network and/or with a customer's virtualization platform running on a general purpose computer in a manner that infringes the '180 patent, and knowing that such products are not staple articles or commodities of commerce suitable for substantial noninfringing use. BlueCat also actively contributes to infringement of the '180 patent by supplying or causing to be supplied in or from the United States all or a substantial portion of the components of the patented invention, including uncombined components of the Proteus IPAM appliance and the Adonis appliance and/or the "virtual appliance" versions of these products, intending to induce and inducing the combination of such components outside the United States in a manner that would infringe the patent if such combination occurred within the United States. On information and belief. BlueCat has contributed, and will continue to contribute, to infringement of the '180 patent with the knowledge that the combination for which its products were especially made infringes the '180 patent.

- The aforementioned acts violate 35 U.S.C. § 271 (a), (b), (c) and/or (f). 14.
- BlueCat's acts of direct and indirect infringement are willful because 15. BlueCat knew or should have known of the '180 patent and that its acts described above would directly and/or indirectly infringe the '180 patent, but acted despite an objectively high likelihood that such acts would infringe the patent.
- As a direct and proximate consequence of BlueCat's infringement and willful infringement of the '180 patent, Infoblox has suffered and will continue to suffer irreparable injury and damages, in an amount not yet determined, for which Infoblox is entitled to relief. Infoblox seeks damages and treble damages, as well as preliminary and permanent injunctive relief against further infringement.

# SECOND CLAIM FOR RELIEF

## (Infringement of U.S. Patent No. 6,374,295)

Plaintiff Infoblox incorporates by reference paragraphs 1 through 6 17. above as if fully set forth herein.

- 18. On April 16, 2002, United States Patent No. 6,374,295, titled "Active Server Management," was duly and legally issued. A copy of the '295 patent is attached to this complaint as Exhibit B. On or about January 18, 2011, all rights, title and interest in the '295 patent, including the right to sue for past damages, were assigned to plaintiff Infoblox. Infoblox has owned the '295 patent from on or about January 18, 2011 and still owns the patent.
- 19. Infoblox has provided notice of the '295 patent to BlueCat through filing and service of this action. Additionally, BlueCat had knowledge of the '295 patent as of the summer of 2010 by virtue of a proposed transaction between BlueCat and Avaya, Inc.
- 20. BlueCat has been, is currently, and will continue to make, use, offer to sell, and sell within the United States, and/or import into the United States, and/or supply or cause to be supplied from the United States all or a substantial portion of the components of, IP address management systems, including but not limited to the Proteus IPAM appliance and the Adonis appliance and/or the "virtual appliance" versions of these products, that embody-and/or practice one or more claims of the '295 patent.
- 21. BlueCat has been, and is currently, and will continue to actively induce and encourage infringement of the '295 patent. On information and belief, the '295 patent has been, is currently, and will continue to be directly infringed within the United States, including within this district, by BlueCat's customers using the Proteus IPAM appliance and the Adonis appliance and/or the "virtual appliance" versions of those products. On information and belief, with actual and/or constructive knowledge of the '295 patent, BlueCat actively induces and encourages that infringement by advertising, promoting and instructing said customers in the use of these products in a manner that directly infringes the '295 patent, or the combination and use of components of the products outside of the United States in a manner that would infringe the patent if such combination

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occurred within the United States, with specific intent to induce and encourage such infringement, or at a minimum with willful blindness to such infringement.

BlueCat has been, and is currently contributing to the infringement of 22. the '295 patent by selling and/or offering to sell the Proteus IPAM appliance and the Adonis appliance and/or the "virtual appliance" versions of those products, which are material components of the IP address management systems that embody the patented invention. These appliances when installed in a customer's enterprise network and/or when installed on a customer's virtualization platform running on a general purpose computer directly infringe the '295 patent. On information and belief, the '295 patent has been, is currently, and will continue to be directly infringed within the United States, including within this district, by BlueCat's customers installing these appliances on an enterprise network and/or virtualization platform running on a general purpose computer. On information and belief, with actual and/or constructive knowledge of the '295 patent, BlueCat sells and offers to sell these products to its customers knowing that these products are especially made or adapted for use with a customer's enterprise network and/or with a customer's virtualization platform running on a general purpose computer in a manner that infringes the '295 patent, and knowing that such products are not staple articles or commodities of commerce suitable for substantial noninfringing use. BlueCat also actively contributes to infringement of the '295 patent by supplying or causing to be supplied in or from the United States all or a substantial portion of the components of the patented invention, including uncombined components of the Proteus IPAM appliance and the Adonis appliance and/or the "virtual appliance" versions of these products, intending to induce and inducing the combination of such components outside the United States in a manner that would infringe the patent if such combination occurred within the United States. On information and belief, BlueCat has contributed, and will continue to contribute, to infringement of the '295 patent with the knowledge that the combination for which its products

were especially made infringes the '295 patent.

- 23. The aforementioned acts violate 35 U.S.C. § 271 (a), (b), (c) and/or (f).
- 24. BlueCat's acts of direct and indirect infringement are willful because BlueCat knew or should have known of the '295 patent and that its acts described above would directly and/or indirectly infringe the '295 patent, but acted despite an objectively high likelihood that such acts would infringe the patent.
- 25. As a direct and proximate consequence of BlueCat's infringement and willful infringement of the '295 patent, Infoblox has suffered and will continue to suffer irreparable injury and damages, in an amount not yet determined, for which Infoblox is entitled to relief. Infoblox seeks damages and treble damages, as well as preliminary and permanent injunctive relief against further infringement.

#### THIRD CLAIM FOR RELIEF

# (Infringement of U.S. Patent No. 7,865,617)

- 26. Plaintiff Infoblox incorporates by reference paragraphs 1 through 6 above as if fully set forth herein.
- 27. On January 4, 2011, United States Patent No. 7,865,617, titled "Maintaining Consistency in a Database," was duly and legally issued to plaintiff Infoblox. A copy of the '617 patent is attached to this complaint as Exhibit C. Infoblox has owned the '617 patent throughout the period of BlueCat's infringing acts and still owns the patent.
- 28. Infoblox has provided notice of the '617 patent to BlueCat through filing and service of this action.
- 29. BlueCat has been, is currently, and will continue to make, use, offer to sell, and sell within the United States, and/or import into the United States, and/or supply or cause to be supplied from the United States all or a substantial portion of the components of, IP address management systems, including but not limited to the Proteus IPAM appliance and the Adonis appliance and/or the "virtual appliance" versions of these products, that embody-and/or practice one or more

claims of the '617 patent.

- 30. BlueCat has been, and is currently, and will continue to actively induce and encourage infringement of the '617 patent. On information and belief, the '617 patent has been, is currently, and will continue to be directly infringed within the United States, including within this district, by BlueCat's customers using the Proteus IPAM appliance and the Adonis appliance and/or the "virtual appliance" versions of those products. On information and belief, with actual and/or constructive knowledge of the '617 patent, BlueCat actively induces and encourages that infringement by advertising, promoting and instructing said customers in the use of these products in a manner that directly infringes the '617 patent, or the combination and use of components of the products outside of the United States in a manner that would infringe the patent if such combination occurred within the United States, with specific intent to induce and encourage such infringement, or at a minimum with willful blindness to such infringement.
- 31. BlueCat has been, and is currently contributing to the infringement of the '617 patent by selling and/or offering to sell the Proteus IPAM appliance and the Adonis appliance and/or the "virtual appliance" versions of those products, which are material components of the IP address management systems that embody the patented invention. These appliances when installed in a customer's enterprise network and/or when installed on a customer's virtualization platform running on a general purpose computer directly infringe the '617 patent. On information and belief, the '617 patent has been, is currently, and will continue to be directly infringed within the United States, including within this district, by BlueCat's customers installing these appliances on an enterprise network and/or virtualization platform running on a general purpose computer. On information and belief, with actual and/or constructive knowledge of the '617 patent, BlueCat sells and offers to sell these products to its customers knowing that these products are especially made or adapted for use with a customer's enterprise network and/or with a customer's

virtualization platform running on a general purpose computer in a manner that infringes the '617 patent, and knowing that such products are not staple articles or commodities of commerce suitable for substantial noninfringing use. BlueCat also actively contributes to infringement of the '617 patent by supplying or causing to be supplied in or from the United States all or a substantial portion of the components of the patented invention, including uncombined components of the Proteus IPAM appliance and the Adonis appliance and/or the "virtual appliance" versions of these products, intending to induce and inducing the combination of such components outside the United States in a manner that would infringe the patent if such combination occurred within the United States. On information and belief, BlueCat has contributed, and will continue to contribute, to infringement of the '617 patent with the knowledge that the combination for which its products were especially made infringes the '617 patent.

- 32. The aforementioned acts violate 35 U.S.C. § 271 (a), (b), (c) and/or (f).
- 33. BlueCat's acts of direct and indirect infringement are willful because BlueCat knew or should have known of the '617 patent and that its acts described above would directly and/or indirectly infringe the '617 patent, but acted despite an objectively high likelihood that such acts would infringe the patent.
- 34. As a direct and proximate consequence of BlueCat's infringement and willful infringement of the '617 patent, Infoblox has suffered and will continue to suffer irreparable injury and damages, in an amount not yet determined, for which Infoblox is entitled to relief. Infoblox seeks damages and treble damages, as well as preliminary and permanent injunctive relief against further infringement.

# FOURTH CLAIM FOR RELIEF

# (Infringement of U.S. Patent No. 7,889,676)

- 35. Plaintiff Infoblox incorporates by reference paragraphs 1 through 6 above as if fully set forth herein.
  - 36. On February 15, 2011, United States Patent No. 7,889,676, titled

"Systems and Methods for Storing and Retrieving Data," was duly and legally issued to plaintiff Infoblox. A copy of the '676 patent is attached to this complaint as Exhibit D. Infoblox has owned the '676 patent throughout the period of BlueCat's infringing acts and still owns the patent.

- 37. Infoblox has provided notice of the '676 patent to BlueCat through filing and service of this action.
- 38. BlueCat has been, is currently, and will continue to make, use, offer to sell, and sell within the United States, and/or import into the United States, and/or supply or cause to be supplied from the United States all or a substantial portion of the components of, IP address management systems, including but not limited to the Proteus IPAM appliance and the Adonis appliance and/or the "virtual appliance" versions of these products, that embody-and/or practice one or more claims of the '676 patent.
- 39. BlueCat has been, and is currently, and will continue to actively induce and encourage infringement of the '676 patent. On information and belief, the '676 patent has been, is currently, and will continue to be directly infringed within the United States, including within this district, by BlueCat's customers using the Proteus IPAM appliance and the Adonis appliance and/or the "virtual appliance" versions of those products. On information and belief, with actual and/or constructive knowledge of the '676 patent, BlueCat actively induces and encourages that infringement by advertising, promoting and instructing said customers in the use of these products in a manner that directly infringes the '676 patent, or the combination and use of components of the products outside of the United States in a manner that would infringe the patent if such combination occurred within the United States, with specific intent to induce and encourage such infringement, or at a minimum with willful blindness to such infringement.
- 40. BlueCat has been, and is currently contributing to the infringement of the '676 patent by selling and/or offering to sell the Proteus IPAM appliance and

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the Adonis appliance and/or the "virtual appliance" versions of those products, which are material components of the IP address management systems that embody the patented invention. These appliances when installed in a customer's enterprise network and/or when installed on a customer's virtualization platform running on a general purpose computer directly infringe the '676 patent. On information and belief, the '676 patent has been, is currently, and will continue to be directly infringed within the United States, including within this district, by BlueCat's customers installing these appliances on an enterprise network and/or virtualization platform running on a general purpose computer. On information and belief, with actual and/or constructive knowledge of the '676 patent, BlueCat sells and offers to sell these products to its customers knowing that these products are especially made or adapted for use with a customer's enterprise network and/or with a customer's virtualization platform running on a general purpose computer in a manner that infringes the '676 patent, and knowing that such products are not staple articles or commodities of commerce suitable for substantial noninfringing use. BlueCat also actively contributes to infringement of the '676 patent by supplying or causing to be supplied in or from the United States all or a substantial portion of the components of the patented invention, including uncombined components of the Proteus IPAM appliance and the Adonis appliance and/or the "virtual appliance" versions of these products, intending to induce and inducing the combination of such components outside the United States in a manner that would infringe the patent if such combination occurred within the United States. On information and belief, BlueCat has contributed, and will continue to contribute, to infringement of the '676 patent with the knowledge that the combination for which its products were especially made infringes the '676 patent.

- 41. The aforementioned acts violate 35 U.S.C. § 271 (a), (b), (c) and/or ( $\underline{f}$ ).
- 42. BlueCat's acts of direct and indirect infringement are willful because BlueCat knew or should have known of the '676 patent and that its acts described

above would directly and/or indirectly infringe the '676 patent, but acted despite an objectively high likelihood that such acts would infringe the patent.

43. As a direct and proximate consequence of BlueCat's infringement and willful infringement of the '676 patent, Infoblox has suffered and will continue to suffer irreparable injury and damages, in an amount not yet determined, for which Infoblox is entitled to relief. Infoblox seeks damages and treble damages, as well as preliminary and permanent injunctive relief against further infringement.

# PRAYER FOR RELIEF

WHEREFORE, plaintiff Infoblox demands the following relief against defendants BlueCat Networks (USA), Inc. and BlueCat Networks, Inc.:

- (1) For the First Claim for Relief:
- a) entry of a judgment declaring that BlueCat has infringed, directly and indirectly, one or more claims of the '180 patent;
- b) a preliminary and permanent injunction against the continuing infringement of the '180 patent;
- c) damages to compensate Infoblox for BlueCat's infringement, pursuant to 35 U.S.C. § 284, said damages to be trebled because of BlueCat's willful infringement;
- d) an award of pre-judgment and post-judgment interest and costs to Infoblox;
- e) an award of reasonable attorneys' fees pursuant to 35 U.S.C. § 285; and
  - f) such other and further relief as the Court may deem just and fair.
  - (2) For the Second Claim for Relief:
- a) entry of a judgment declaring that BlueCat has infringed, directly and indirectly, one or more claims of the '295 patent;
- b) a preliminary and permanent injunction against the continuing infringement of the '295 patent;

willful infringement; an award of pre-judgment and post-judgment interest and costs d) to Infoblox; e) an award of reasonable attorneys' fees pursuant to 35 U.S.C. § 285; and f) such other and further relief as the Court may deem just and fair. Dated: July 14, 2011 FENWICK & WEST LLP By: Todd R. Gregorian Attorneys for Plaintiff INFOBLOX INC. FENWICK & WEST LLP ATTORNEYS AT LAW SAN FRANCISCO 

**DEMAND FOR JURY TRIAL** Pursuant to Fed. R. Civ. P. 38, plaintiff Infoblox Inc. demands a jury trial as to all matters triable of right by a jury. Dated: July 14, 2011 FENWICK & WEST LLP Todd R. Gregorian Attorneys for Plaintiff INFOBLOX INC. 

# **EXHIBIT A**

# (12) United States Patent

#### Pulleyn et al.

#### (10) **Patent No.:**

# US 7,814,180 B2

#### (45) Date of Patent:

## Oct. 12, 2010

#### (54) DOMAIN NAME SERVICE SERVER

- (75) Inventors: Ivan W. Pulleyn, Chicago, IL (US); Stuart M. Bailey, Evanston, IL (US)
- (73) Assignee: Infoblox, Inc., Santa Clara, CA (US)
- (\*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.
- (21) Appl. No.: 10/799,033
- (22) Filed: Mar. 12, 2004

# (65) Prior Publication Data

US 2004/0210672 A1 Oct. 21, 2004

#### Related U.S. Application Data

- (63) Continuation of application No. 09/615,271, filed on Jul. 13, 2000, now abandoned.
- (51) **Int. Cl. G06F 15/177** (2006.01)

See application file for complete search history.

#### (56) References Cited

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6,131,095	Α	*	10/2000	Low et al 707/10	
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6,832,120	B1 *	12/2004	Frank et al 700/65
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Gail R. James and Paul Anderson, The name game, Mar. 15,1999,http://www.nwfusion.com/archive/1999/59940\_ 03-15-1999.html.

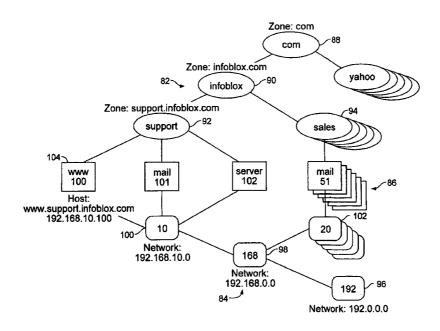
\* cited by examiner

Primary Examiner—Kenny S Lin (74) Attorney, Agent, or Firm—Van Pelt, Yi & James LLP

#### (57) ABSTRACT

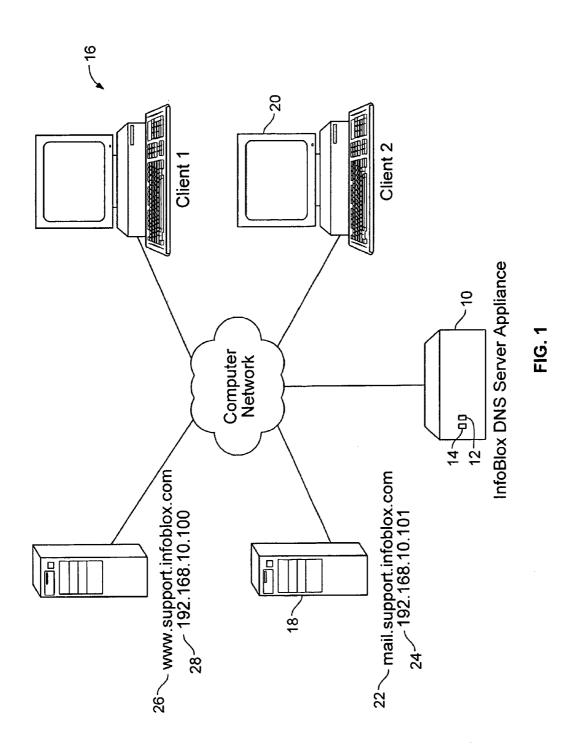
A DNS server system provides IP addresses for a host in a computer network. Upon receiving a request from a client for an IP address associated with a domain name, the requested IP address is retrieved from an object oriented database and transmitted to the client. The DNS server system provides configuration access from a client in a computer network. Communicative coupling is established between a client web browser and a DNS server system web server. A user interface adapted to provide configuration access to a DNS server system is requested. The user interface is downloaded from the DNS server system over the computer network.

#### 69 Claims, 8 Drawing Sheets



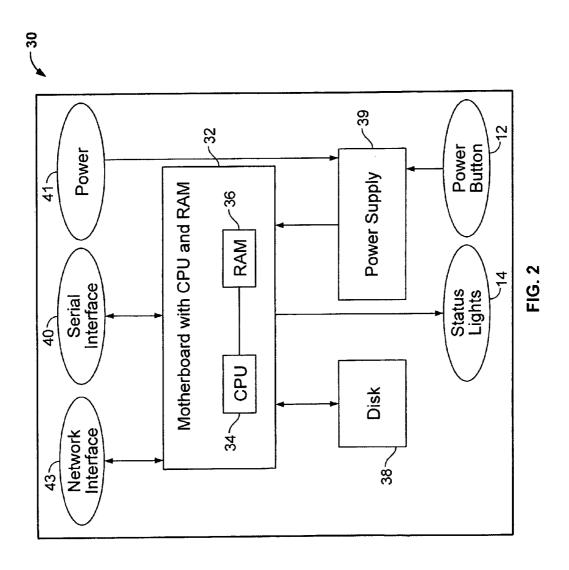
Oct. 12, 2010

Sheet 1 of 8



Oct. 12, 2010

Sheet 2 of 8



Oct. 12, 2010

Sheet 3 of 8

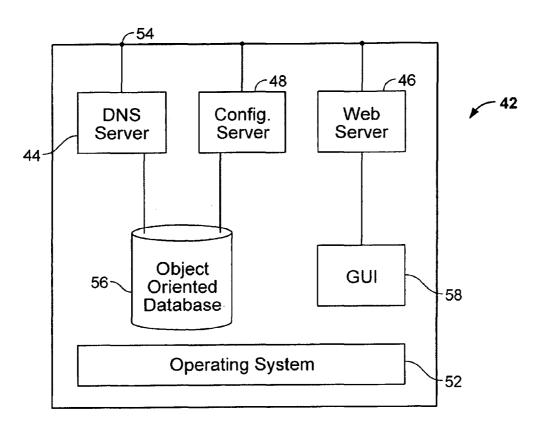
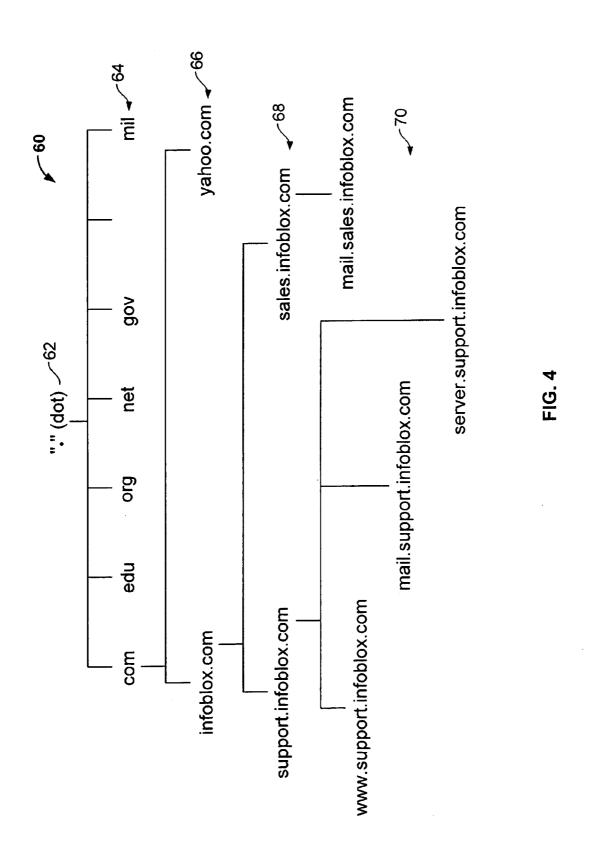


FIG. 3

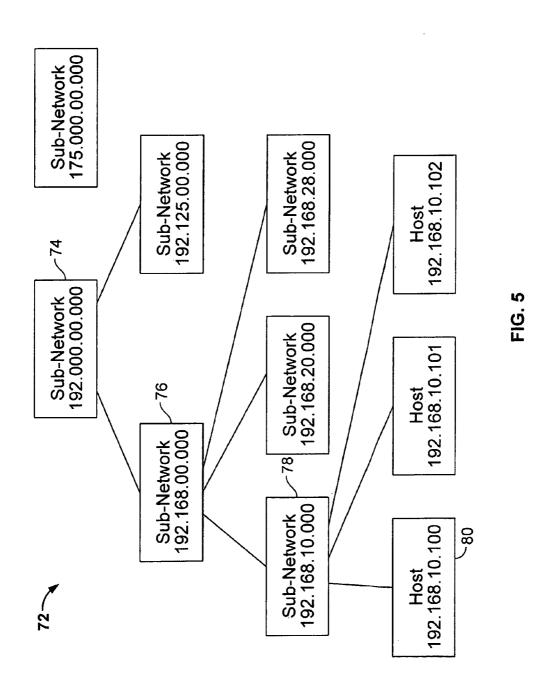
Oct. 12, 2010

Sheet 4 of 8



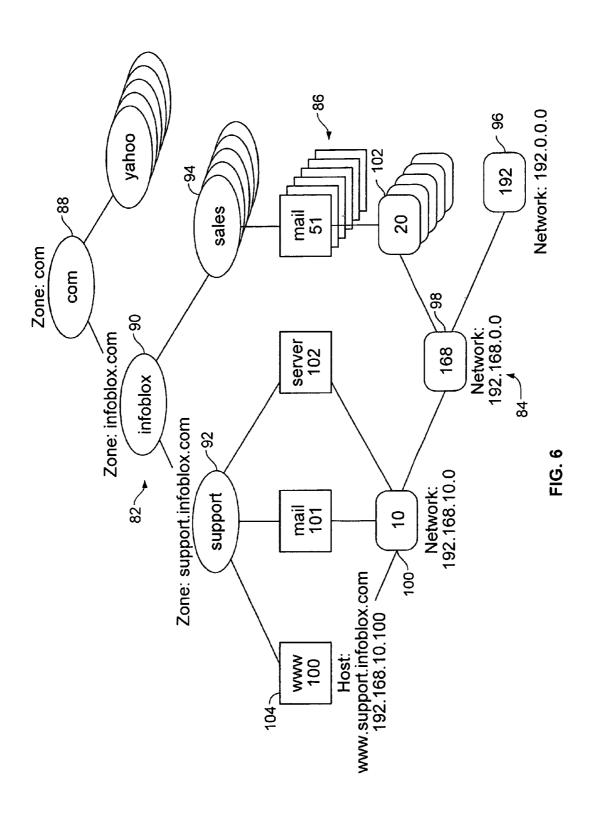
Oct. 12, 2010

Sheet 5 of 8



Oct. 12, 2010

Sheet 6 of 8



Oct. 12, 2010

Sheet 7 of 8

