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11 Attorneys for Plaintiff  
A10 NETWORKS, INC.  
12

13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA  
15 **PSG**

16 A10 NETWORKS, INC.,  
a California Corporation,  
17  
18 Plaintiff, **CV**  
19 v.  
20 F5 NETWORKS, INC., a Washington  
Corporation,  
21 Defendant.

CASE NO.  
**11 5458**  
COMPLAINT FOR  
PATENT INFRINGEMENT  
DEMAND FOR JURY TRIAL

**FILED**  
NOV - 9 2011  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
14  
15  
E-filing

W

1 Plaintiff A10 Networks, Inc. ("A10"), for its Complaint against  
2 Defendant F5 Networks, Inc. ("F5") alleges as follows:

3  
4 **JURISDICTION AND VENUE**

5 1. This is an action for patent infringement, under the patent laws  
6 of the United States, 35 U.S.C. § 271 et seq. This Court has jurisdiction under  
7 28 U.S.C. §§ 1331 and 1338(a).

8 2. Venue is proper within this judicial district under 28 U.S.C.  
9 §§ 1391(b) and (c) because Defendant F5 sells and distributes infringing products  
10 within this district, and F5 is subject to personal jurisdiction here.

11  
12 **THE PARTIES**

13 3. Plaintiff A10 is a California corporation, with its principal place  
14 of business at 2309 Bering Drive, San Jose, California.

15 4. Defendant F5 is a Washington corporation, with its principal  
16 place of business at 401 Elliott Avenue West, Seattle, Washington. F5 sells and  
17 distributes infringing products within this district, and is believed to maintain an  
18 office in San Jose, California.

19 5. **Intradistrict Assignment.** This is an Intellectual Property case  
20 assigned on a district-wide basis pursuant to Local Rule 3-2(c).

21  
22 **A10'S PATENT RIGHTS**

23 6. Plaintiff A10 was founded in 2004 and provides innovative  
24 networking and security solutions that help organizations accelerate, optimize and  
25 secure their applications. A10's flagship product line, the AX Series, is a family of  
26 high performance server load balancers that are the recognized industry leader in  
27 high performance traffic management and application delivery controllers. The  
28

1 AX Series' Advanced Core Operating System (ACOS) architecture has garnered  
2 numerous awards and is revolutionary by market standards.

3 7. On November 21, 2006, the United States Patent and Trademark  
4 Office issued United States Patent No. 7,139,267 (the "'267 Patent"), entitled  
5 "System and Method of Stacking Network Switches," a copy of which is attached  
6 hereto as Exhibit A. The '267 Patent is generally directed at the use of refresh  
7 packets in the context of synchronizing the forwarding databases of network  
8 switches.

9 8. Plaintiff A10 is the owner by assignment of the '267 Patent, and  
10 has the right to sue for infringement of the '267 Patent.

11 9. On June 26, 2007, the United States Patent and Trademark  
12 Office issued United States Patent No. 7,236,491 (the "'491 Patent"), entitled  
13 "Method and Apparatus for Scheduling For Packet-Switched Networks," a copy of  
14 which is attached hereto as Exhibit B. The '491 Patent is generally directed at the  
15 use of priority queuing and scheduling in the context of packet transmission.

16 10. Plaintiff A10 is the owner by assignment of the '491 Patent, and  
17 has the right to sue for infringement of the '491 Patent.

18  
19 **COUNT I**

20 (PATENT INFRINGEMENT – '267 Patent, Against Defendant F5)

21 11. Plaintiff A10 repeats and realleges the allegations set forth in  
22 paragraphs 1-9, above, as though fully set forth hereat.

23 12. Plaintiff A10 is informed and believes that a reasonable  
24 opportunity for further investigation and discovery will confirm that Defendant F5  
25 has been and is infringing the '267 Patent directly and indirectly by making, using,  
26 selling and/or offering for sale products, including at least its BIG-IP products, that  
27 practice or enable the practice of inventions claimed in one or more of the claims of  
28 the '267 Patent.



1 infringement of the '491 Patent, from contributing to the infringement of that patent,  
2 or from inducing the infringement of that patent;

3 3. An award of damages adequate to compensate Plaintiff A10 for  
4 Defendant F5's unlawful infringement, in an amount to be shown according to proof  
5 at trial, but in no event less than a reasonable royalty;

6 4. An award of Plaintiff A10's costs of suit, including reasonable  
7 attorneys' fees, pursuant to U.S.C. § 285 or as otherwise permitted by law; and

8 5. Such other and further relief as the Court seems just and proper.

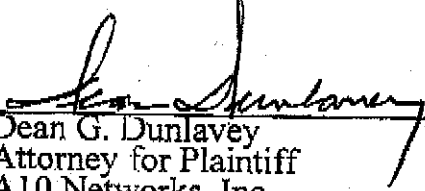
9 **JURY DEMAND**

10 Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure,  
11 Plaintiff A10 hereby demands trial by jury of all issues so triable that are raised  
12 herein or which hereafter may be raised in this action.

13  
14 DATED: November 9, 2011

Respectfully submitted,

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20 By   
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