



NEWS RELEASE

# WEX INC. FILES FEDERAL LAWSUIT AGAINST HP TO PROTECT TRADEMARK AND BRAND

4/11/2024

PORTLAND, Maine, April 11, 2024 /PRNewswire/ -- WEX (NYSE: WEX), the global commerce platform that simplifies the business of running a business, has filed a federal lawsuit against HP Inc. and Hewlett-Packard Development Company, L.P. for infringing its trademarks.

According to the lawsuit, WEX has created a powerful ecosystem that offers seamlessly embedded, personalized solutions for its customers around the world. Through its rich data and specialized expertise in simplifying benefits, reimagining mobility, and facilitating paying and getting paid, WEX aims to make it easy for companies to overcome complexity and reach their full potential. These services are offered under WEX's well-known and distinctive WEX family of trademarks.

On March 7, 2024, HP announced the launch of its own "WEX," a misappropriation of WEX's trademarks. Like WEX's platform offerings, HP's "WEX" is a platform that aims to supply businesses with innovative solutions to their everyday workforce problems. HP's "WEX" is marketing to a similar customer base as WEX, which is inevitably causing confusion in the marketplace. Both WEX and HP's "WEX" are promoting their respective software as being customer-driven, providing data, assisting in fleet management, increasing productivity, utilizing AI, and reducing friction.

"WEX is a globally recognized company that has developed a platform to manage complex logistical challenges for businesses worldwide. HP's use of the "WEX" name will inevitably sow confusion in the marketplace," said Jessica Roy, Vice President of Financial Communications at WEX. "Given the similarities between the software, fleet and data management, and employee solutions offered by WEX on the one hand, and the "WEX"-branded software,



fleet and data management, and employee solutions offered by HP on the other, combined with the overlapping worldwide footprint of both companies, confusion between the two WEX offerings is inevitable—and is already beginning to materialize. We have filed this action to prevent harm to our brand."

WEX has been using the name WEX since 1989 and formally rebranded to WEX in 2012. It holds several federally registered trademarks for WEX, covering software-as-a-service (SaaS). WEX holds five incontestable trademark registrations protecting use of the WEX name for services that HP's "WEX" is attempting to mirror, claiming services in the same classes as the registered WEX trademarks.

WEX tried to resolve this dispute amicably, but HP refused to stop its use of the WEX name. WEX was therefore forced to file this lawsuit. WEX intends to seek a preliminary injunction to force HP to immediately discontinue all further infringement of the WEX trademark.

"This case is about protecting WEX's global brand and its longstanding trademark rights," said Megan K. Bannigan, Partner at Debevoise & Plimpton and counsel to WEX. "HP's use of the "WEX" name is already beginning to create confusion in the marketplace and will lead customers to believe that HP is either partnering with or has acquired WEX's widely respected platform and software know-how to market HP's new services. WEX and its customers deserve protection from the confusion HP's actions will cause."

The complaint can be viewed [here](#).

WEX Inc. is represented by Megan Bannigan, David Bernstein, Christopher Ford, Nicole Flores, and Kendra Berry of Debevoise & Plimpton LLP and Gavin McCarthy and Nolan Reichl of Pierce Atwood LLP.

## About WEX

WEX (NYSE: WEX) is the global commerce platform that simplifies the business of running a business. WEX has created a powerful ecosystem that offers seamlessly embedded, personalized solutions for its customers around the world. Through its rich data and specialized expertise in simplifying benefits, reimagining mobility, and paying and getting paid, WEX aims to make it easy for companies to overcome complexity and reach their full potential. For more information, please visit [www.wexinc.com](http://www.wexinc.com).

## Forward-Looking Statements

This press release contains forward-looking statements including, but not limited to, statements concerning our expectations, anticipations, intentions, beliefs, or strategies regarding the future. Any statements in this press release that are not statements of historical facts are forward-looking statements. When used in this press release, the words "anticipate," "believe," "continue," "could," "estimate," "expect," "intend," "may," "plan," "project," "will," "positions," "confidence," and similar expressions are intended to identify forward-looking statements, although not

all forward-looking statements contain such words. These forward-looking statements are based on assumptions that we have made as of the date hereof and are subject to known and unknown risks and uncertainties that could cause actual results, conditions, and events to differ materially from those anticipated. For example, there can be no assurance as to the outcome of the litigation, or remedies that could be awarded in connection with the litigation; our ability to establish or maintain our intellectual property and other proprietary rights; our business, IP, or legal strategies. Therefore, you should not place undue reliance on forward-looking statements. Other risks and uncertainties identified in Item 1A of WEX's Annual Report on Form 10-K for the year ended December 31, 2023, filed with the Securities and Exchange Commission on February 23, 2024, and subsequent filings with the Securities and Exchange Commission may also affect our forward-looking statements. WEX disclaims any obligation to update any forward-looking statements as a result of new information, future events, or otherwise.

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