

Exhibit A

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16 *Garmin International*

17 **UNITED STATES DISTRICT COURT**

18 **CENTRAL DISTRICT OF CALIFORNIA**

19 Philips North America, LLC,)	Case No. 2:19-cv-06301-AB (KSx)
)	
20 Plaintiff,)	[PROPOSED] DEFENDANT
)	GARMIN INTERNATIONAL,
21 v.)	INC'S FIRST AMENDED
)	ANSWER TO PHILIPS' FAC,
22 Garmin International, Inc. and Garmin)	AFFIRMATIVE DEFENSE, AND
23 Ltd.)	COUNTERCLAIMS
)	
24 Defendants.)	
)	

25 Pursuant to Federal Rule of Civil Procedure ("Rule") 8(b), Defendant Garmin
26 International, Inc. ("Garmin International") answers Plaintiff's ("Philips") First
27 Amended Complaint ("FAC"), Dkt. No. 45.

28 Garmin International objects that the great bulk of Philips' FAC violates Rules

1 8(a) and 10(b). Garmin International has made a good faith attempt to answer the
2 factual allegations in Philips’ FAC but herein objects that a great number of
3 paragraphs are not “limited as far as practicable to a single set of circumstances”.
4 Fed.R.Civ.P 10(b).

5
NATURE OF THE ACTION

6 1. Garmin International admits that Plaintiff Philips North America, LLC
7 (“Philips”) brings this action. Garmin International denies the remainder of the
8 allegations in this paragraph.

9 2. Garmin International admits that Philips is a subsidiary of Koninklijke
10 Philips N.V. Gamin International lacks knowledge or information sufficient to form
11 a belief about the truth of the remaining allegations in this paragraph and therefore
12 denies same.

13 3. Garmin International lacks knowledge or information sufficient to form
14 a belief about the truth of the allegations in this paragraph and therefore denies
15 same.

16 4. Garmin International lacks knowledge or information sufficient to form
17 a belief about the truth of the allegations in this paragraph and therefore denies
18 same.

19 5. Garmin International lacks knowledge or information sufficient to form
20 a belief about the truth of the allegations in this paragraph and therefore denies
21 same.

22 6. Garmin International lacks knowledge or information sufficient to form
23 a belief about the truth of the allegations in this paragraph and therefore denies
24 same.

25 7. Garmin International lacks knowledge or information sufficient to form
26 a belief about the truth of the allegations in this paragraph and therefore denies
27 same.
28

1 8. Garmin International lacks knowledge or information sufficient to form
2 a belief about the truth of the allegations in this paragraph and therefore denies
3 same.

4 9. Garmin International admits that a predecessor Garmin entity was
5 founded in 1989 as ProNav, Inc. and that it offered devices for navigation, including
6 GPS-based products. Garmin International denies the remaining allegations in this
7 paragraph.

8 10. Admit that Philips has tried to persuade Garmin International to take a
9 license to some of its patents since 2016. Denied as to the remaining allegations in
10 this paragraph.

11 **PARTIES**

12 11. Garmin International admits that the Patents-in-Suit relate, in the most
13 general sense, to GPS/audio athletic training, security mechanisms for transmission
14 of personal data, connected wearable/online products, and [the] handling of
15 interrupted connections, and that Philips is a Delaware LLC. Garmin International
16 denies that the Patents-in-Suit contain “innovations”. As to the remaining
17 allegations in this paragraph, Garmin International lacks knowledge or information
18 sufficient to form a belief about the truth of the allegations in this paragraph and
19 therefore denies same.

20 12. Admitted.

21 13. Admitted.

22 14. Admitted except as to “infringements,” which is denied.

23 15. Admitted.

24 16. Garmin International admits that it sells connected devices for athletic
25 training that employs GPS. Garmin International admits that it has not taken a
26 license to the Patents-in-Suit. As to the remainder of the allegations in this
27 paragraph, denied.
28

JURISDICTION AND VENUE

1
2 17. Garmin International admits that this is an action under the patent laws.
3 Garmin International admits that subject matter jurisdiction is proper in this District.
4 Garmin International denies the remaining allegations in this paragraph.

5 18. Garmin International admits that jurisdiction is proper. As to the
6 remaining allegations, denied.¹

7 19. Admit that Garmin International maintains an engineering facility at
8 said address. Remaining facts are denied.

9 20. Admit that Garmin International maintains an engineering facility at
10 said address. Remaining facts are denied.

11 21. Denied.

12 22. Denied.

13 23. Admit that jurisdiction over Garmin International is proper. The
14 remaining allegations are denied.

15 24. Denied.

16 25. Admit that Garmin International ships products into California. As to
17 the remainder of the allegations, denied.

18 26. Admitted.

19 27. Denied.

20 28. Denied.

21 29. Denied.

22 30. Admitted.

23 31. Denied.

24 32. Denied.

25 33. Admit that Garmin International has a engineering facilities in this
26

27 ¹ Philips uses “Garmin” without designating the entity addressed. Throughout, Garmin
28 International will answer only as to itself, and as if “Garmin” means Garmin International.

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