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16 Attorneys for the Defendants

17 UNITED STATES DISTRICT COURT
18 CENTRAL DISTRICT OF CALIFORNIA
19 WESTERN DIVISION

20 Topalsson GmbH,

21 Plaintiff,

22 v.

23 O’Gara Coach Company, LLC;
24 Rusnak/Pasadena Corporation;
25 indiGO European Motorcars, LLC;
26 Orange County British Motorcars;
27 and
28 Westlake Coach Company, LLC,

Defendants.

Case No. 2:23-CV-01823-WLH-PVCx

**ANSWER TO FIRST AMENDED
COMPLAINT BY THE
DEFENDANTS, O’GARA COACH
COMPANY, LLC,
RUSNAK/PASADENA CORP.,
indiGO EUROPEAN MOTORCARS,
LLC, ORANGE COUNTY BRITISH
MOTORCARS, AND WESTLAKE
COACH COMPANY, LLC**

Judge: Hon. Wesley L. Hsu

1 The defendants, O’Gara Coach Company, LLC, Rusnak/Pasadena
2 Corporation, indiGO European Motorcars, LLC, Orange County British Motorcars,
3 LLC, and Westlake Coach Company, LLC (collectively “Defendants”), hereby
4 answer the First Amended Complaint of Topalsson GmbH.

5 1. Defendants admit that this is a civil action in which Plaintiff purports to
6 allege copyright infringement under 17 U.S.C. § 101 et seq. Defendants deny any
7 remaining allegations of paragraph 1.

8 2. Defendants lack sufficient knowledge or information to form a belief
9 about the truth of the allegations of paragraph 2, and therefore deny the same.

10 3. Defendants lack sufficient knowledge or information to form a belief
11 about the truth of the allegations of paragraph 3, and therefore deny the same.

12 4. Defendants lack sufficient knowledge or information to form a belief
13 about the truth of the allegations of paragraph 4, and therefore deny the same.

14 5. Defendants lack sufficient knowledge or information to form a belief
15 about the truth of the allegations of paragraph 5, and therefore deny the same.

16 6. Defendants lack sufficient knowledge or information to form a belief
17 about the truth of the allegations of paragraph 6, and therefore deny the same.

18 7. Defendants lack sufficient knowledge or information to form a belief
19 about the truth of the allegations of paragraph 7, and therefore deny the same.

20 8. Defendants lack sufficient knowledge or information to form a belief
21 about the truth of the allegations of paragraph 8, and therefore deny the same.

22 9. Defendants lack sufficient knowledge or information to form a belief
23 about the truth of the allegations of paragraph 9, and therefore deny the same.

24 10. Defendants lack sufficient knowledge or information to form a belief
25 about the truth of the allegations of paragraph 10, and therefore deny the same.

26 11. Defendants lack sufficient knowledge or information to form a belief
27 about the truth of the allegations of paragraph 11, and therefore deny the same.
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1 12. Defendants lack sufficient knowledge or information to form a belief
2 about the truth of the allegations of paragraph 12, and therefore deny the same.

3 13. Defendants lack sufficient knowledge or information to form a belief
4 about the truth of the allegations of paragraph 13, and therefore deny the same.

5 14. Defendants lack sufficient knowledge or information to form a belief
6 about the truth of the allegations of paragraph 14, and therefore deny the same.

7 15. Defendants lack sufficient knowledge or information to form a belief
8 about the truth of the allegations of paragraph 15, and therefore deny the same.

9 16. The allegations of paragraph 16 have been mooted by this Court's Order
10 dismissing the foreign defendants. Defendants deny any remaining allegations of
11 paragraph 26. Defendants admit that BMW AG is a German corporation with its
12 principal place of business at Petuelring 130, 80809 Munich, Germany, and that it
13 designs and manufactures motor vehicles, parts, and other accessories for sale in
14 Europe and for export and sale throughout the world. Defendants deny the remaining
15 allegations of paragraph 16.

16 17. The allegations of paragraph 17 have been mooted by this Court's Order
17 dismissing the foreign defendants. Defendants admit that Rolls-Royce Motor Cars
18 NA, LLC is a limited liability company organized under the laws of the State of
19 Delaware with its principal place of business at 300 Chestnut Ridge Road, Woodcliff
20 Lake, New Jersey 07677, and that Rolls-Royce Motor Cars NA, LLC is responsible
21 for sales and marketing of Rolls-Royce vehicles throughout the United States.
22 Defendants lack sufficient knowledge or information to form a belief about the truth
23 of the remaining allegations of paragraph 17, and therefore deny the same.

24 18. Defendant O'Gara Coach Company, LLC admits that allegations of
25 paragraph 18. The remaining defendants lack sufficient knowledge or information
26 to form a belief about the truth of the allegations of paragraph 18, and therefore deny
27 the same.

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1 19. Defendant Rusnak/Pasadena Corporation admits the allegations of
2 paragraph 19. The remaining defendants lack sufficient knowledge or information
3 to form a belief about the truth of the allegations of paragraph 19, and therefore deny
4 the same.

5 20. Defendant Orange County British Motorcars, LLC admits the
6 allegations of paragraph 20. The remaining defendants lack sufficient knowledge or
7 information to form a belief about the truth of the allegations of paragraph 20, and
8 therefore deny the same.

9 21. Defendant indiGO European Motorcars, LLC admits the allegations of
10 paragraph 21. The remaining defendants lack sufficient knowledge or information
11 to form a belief about the truth of the allegations of paragraph 21, and therefore deny
12 the same.

13 22. Defendant Westlake Coach Company, LLC admits the allegations of
14 paragraph 22. The remaining defendants lack sufficient knowledge or information
15 to form a belief about the truth of the allegations of paragraph 22, and therefore deny
16 the same.

17 23. Defendants admit that this is a civil action seeking damages and an
18 injunction under the copyright laws of the United States (17 U.S.C. § 101, et seq.).
19 Defendants deny any remaining allegations of paragraph 23.

20 24. Paragraph 24 contains conclusions of law to which no response is
21 required. To the extent a response is required, Defendants admit this court has subject
22 matter jurisdiction regarding Plaintiff's copyright infringement claim.

23 25. The allegations of paragraph 25 have been mooted by this Court's Order
24 dismissing the foreign defendants. Defendants deny any remaining allegations of
25 paragraph 25.

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1 26. The allegations of paragraph 26 have been mooted by this Court's Order
2 dismissing the foreign defendants. Defendants deny any remaining allegations of
3 paragraph 26.

4 27. The allegations of paragraph 27 have been mooted by this Court's Order
5 dismissing the foreign defendants. Defendants deny any remaining allegations of
6 paragraph 27.

7 28. Defendants admit the allegations of paragraph 28.

8 29. The allegations of paragraph 29 have been mooted by this Court's Order
9 dismissing the foreign defendants. Defendants deny any remaining allegations of
10 paragraph 29.

11 30. The allegations of paragraph 30 have been mooted by this Court's Order
12 dismissing the foreign defendants. Defendants deny any remaining allegations of
13 paragraph 30.

14 31. Defendants admit they are dealers and are subject to suit in this judicial
15 district because each has an established physical location in this Judicial District, and
16 that they sell Rolls-Royce vehicles. Defendants deny the remaining allegations of
17 paragraph 31.

18 32. Defendants lack sufficient knowledge or information to form a belief
19 about the truth of the allegations of paragraph 32, and therefore deny the same.

20 33. Defendants lack sufficient knowledge or information to form a belief
21 about the truth of the allegations of paragraph 33, and therefore deny the same.

22 34. Defendants admit that Topalsson has registered copyrights in two
23 versions of software, that DTE Release R05 is registered as Copyright Registration
24 No. TX 9-217-235 and is attached to the First Amended Complaint as Exhibit A, and
25 that DTE Release R06 is registered as Copyright Registration No. TX 9-217-240 and
26 is attached as Exhibit B to the First Amended Complaint. Defendants deny any
27 infringement, lack sufficient knowledge or information to form a belief about the
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