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11 UNITED STATES DISTRICT COURT  
12 CENTRAL DISTRICT OF CALIFORNIA  
13 WESTERN DIVISION

15 Topalsson GmbH,

16 Plaintiff,

17 v.

18 O’Gara Coach Company, LLC;  
19 Rusnak/Pasadena Corporation;  
20 indiGO European Motorcars, LLC;  
21 Orange County British Motorcars;  
22 and  
23 Westlake Coach Company, LLC,

24 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

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

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.  
28

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

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.

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  
28

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