

1 John P. Schnurer, Bar No. 185725
JSchnurer@perkinscoie.com
2 Yun (Louise) Lu, Bar No. 253114
LLu@perkinscoie.com
3 Kyle R. Canavera Bar No. 314664
KCanavera@perkinscoie.com
4 PERKINS COIE LLP
11452 El Camino Real, Suite 300
5 San Diego, CA 92130-2080
Telephone: 858.720.5700
6 Facsimile: 858.720.5799

7 Attorneys for Defendants
TCT Mobile (US) Inc., Huizhou TCL Mobile
8 Communication Co., Ltd., and Shenzhen TCL
Creative Cloud Technology Co., Ltd.
9

10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA**
12

13 ANCORA TECHNOLOGIES, INC.,
14 Plaintiff,

15 v.

16 TCT MOBILE (US) INC., HUIZHOU
17 TCL MOBILE COMMUNICATION
CO. LTD., and SHENZHEN TCL
18 CREATIVE CLOUD TECHNOLOGY
CO., LTD.,

19 Defendants.
20

Case No. 8:19-CV-02192-GW-ASx
(LEAD CASE)

Case No. 2:20-cv-01252-GW-ASx
(CONSOLIDATED CASE)

Judge: Hon. George H. Wu
Mag. Judge: Hon. Alka Sagar

**TCL'S ANSWER, DEFENSES AND
COUNTERCLAIMS TO SECOND
AMENDED COMPLAINT**

21
22
23
24
25
26
27
28

1 Defendants TCT Mobile (US) Inc., Huizhou TCL Mobile Communication
2 Co. Ltd., and Shenzhen TCL Creative Cloud Technology Co., Ltd. (collectively
3 “TCL”), by and through their attorneys, hereby answer the Second Amended
4 Complaint for Patent Infringement filed by Plaintiff Ancora Technologies, Inc.
5 (“Ancora”) (Dkt. No. 44). TCL denies the allegations of the Second Amended
6 Complaint to the extent such allegations are not expressly admitted in the following
7 paragraphs.

8 1. TCL admits that Ancora filed the Second Amended Complaint naming
9 TCT Mobile (US) Inc., Huizhou TCL Mobile Communication Co. Ltd., and
10 Shenzhen TCL Creative Cloud Technology Co., Ltd. as defendants. TCL denies
11 the remaining allegations in this paragraph.

12 2. TCL admits that Case Nos. 8:19-cv-02192-GW-ASx and 2:20-cv-
13 01252-GW-ASx were co-pending and have now been consolidated. TCL denies
14 the remaining allegations in this paragraph.

15 I. THE PARTIES

16 3. TCL lacks knowledge or information sufficient to form a belief as to
17 the truth of the allegations contained in this paragraph and thus denies those
18 allegations.

19 4. TCL admits that Shenzhen TCL Creative Cloud Technology Co., Ltd.
20 is a company existing under the laws of the People’s Republic of China with a
21 place of business at 7F, Block F4, TCL Communication Technology Building, TCL
22 International E-city, Zhong Shan Yuan Road, Nanshan District, Shenzhen,
23 Guangdong, P.R. China. TCL denies the remaining allegations in this paragraph.

24 5. TCL admits that Huizhou TCL Mobile Communication Co. Ltd. is a
25 company organized and existing under the laws of the People’s Republic of China
26 and maintains its principal place of business at No. 86 Hechang Qi Lu Xi, Zhongkai
27 Gaoxin District, Huizhou City, Guandong Province, P.R. China. TCL denies the
28 remaining allegations in this paragraph.

1 China. TCL denies that it has committed any acts of patent infringement in the
2 State of California or this District. TCL denies the remaining allegations in this
3 paragraph.

4 13. TCL does not contest, for purposes of this action only, that venue is
5 proper in this District. TCL admits that Huizhou TCL Mobile Communication Co.
6 Ltd. it is a company organized and existing under the laws of the People’s Republic
7 of China. TCL admits that Shenzhen TCL Creative Cloud Technology Co., Ltd. is
8 a company organized and existing under the laws of the People’s Republic of
9 China. TCL denies the remaining allegations in this paragraph.

10 **III. BACKGROUND**

11 14. TCL admits that Exhibit A to the Second Amended Complaint appears
12 on its face to be U.S. Patent No. 6,411,941 (“the ’941 patent”). TCL admits that the
13 ’941 patent states on its face that it has a title of “Method of Restricting Software
14 Operation within a License Limitation.” TCL admits that the ’941 patent states on
15 its face that it was issued on June 25, 2002. TCL admits that Exhibit B to the
16 Second Amended Complaint appears on its face to be a reexamination certificate
17 relating to the ’941 patent. TCL admits that Exhibit B states on its face that it was
18 issued on June 1, 2010. TCL admits that Exhibit B states on its face that the
19 patentability of claim 1-19 was confirmed. TCL denies the remaining allegations in
20 this paragraph.

21 15. TCL lacks knowledge or information sufficient to form a belief as to
22 the truth of the allegations contained in this paragraph and thus denies those
23 allegations.

24 16. TCL admits that the ’941 patent has been involved in litigation against
25 other defendants. TCL lacks knowledge or information sufficient to form a belief
26 as to the truth of the remaining allegations contained in this paragraph and thus
27 denies those allegations.
28

1 17. TCL admits that the '941 patent has been involved in litigation against
2 other defendants. TCL lacks knowledge or information sufficient to form a belief
3 as to the truth of the remaining allegations contained in this paragraph and thus
4 denies those allegations.

5 18. TCL admits that the '941 patent has been involved in litigation against
6 other defendants. TCL lacks knowledge or information sufficient to form a belief
7 as to the truth of the remaining allegations contained in this paragraph and thus
8 denies those allegations.

9 19. TCL admits that the '941 patent has been involved in litigation against
10 other defendants. TCL lacks knowledge or information sufficient to form a belief
11 as to the truth of the remaining allegations contained in this paragraph and thus
12 denies those allegations.

13 20. TCL admits that the '941 patent was involved in a Covered Business
14 Method proceeding before the United States Patent and Trademark Office. TCL
15 lacks knowledge or information sufficient to form a belief as to the truth of the
16 remaining allegations contained in this paragraph and thus denies those allegations.

17 21. TCL admits that the '941 patent was involved in an appeal to the
18 United States Court of Appeals for the Federal Circuit. TCL lacks knowledge or
19 information sufficient to form a belief as to the truth of the remaining allegations
20 contained in this paragraph and thus denies those allegations.

21 22. TCL admits that the '941 patent was involved in an appeal to the
22 United States Court of Appeals for the Federal Circuit. TCL lacks knowledge or
23 information sufficient to form a belief as to the truth of the remaining allegations
24 contained in this paragraph and thus denies those allegations.

25 23. TCL lacks knowledge or information sufficient to form a belief as to
26 the truth of the allegations contained in this paragraph and thus denies those
27 allegations.

28

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.