

# EXHIBIT 1

1 **JOE W. REDDEN, JR.,** *admitted pro hac vice*  
2 **BECK, REDDEN & SECREST**  
3 **One Houston Center**  
4 **1221 McKinney St., Suite 4500**  
5 **Houston, Texas 77010-2029**  
6 **Telephone: (713) 951-3700**  
7 **Facsimile: (713) 951-3720**  
8 **e-mail: [jredden@brsfirm.com](mailto:jredden@brsfirm.com)**

9 **CHARLES J. ROGERS,** *admitted pro hac vice*  
10 **CONLEY ROSE, P.C.**  
11 **1001 McKinney St., Suite 1800**  
12 **Houston, Texas 77002-6421**  
13 **Telephone: (713) 238-8049**  
14 **Facsimile: (713) 238-8008**  
15 **e-mail: [CRogers@conleyrose.com](mailto:CRogers@conleyrose.com)**

16 Attorneys for Defendant  
17 Cameron International Corporation

18 UNITED STATES DISTRICT COURT

19 EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION

20 SEABOARD INTERNATIONAL, INC.,

21 Plaintiff/Counterclaim-Defendant,

22 vs.

23 CAMERON INTERNATIONAL CORP.,

24 Defendant/Counterclaim-Plaintiff.

Case No. 1:13-cv-00281-MLH-SKO

**DEFENDANT CAMERON'S  
SECOND AMENDED ANSWER  
AND COUNTERCLAIMS TO  
SEABOARD'S COMPLAINT**

**Hon. Marilyn L. Huff**

25 Defendant Cameron International Corporation (“Cameron”) files this Second  
26 Amended Answer and Counterclaims to Plaintiff Seaboard International, Inc.  
27 (“Seaboard”)’s Complaint. Cameron amends its Answer and Counterclaims in response to  
28 the Court’s Order (Doc. No. 46) granting in part and denying in part Seaboard’s Rule 12  
motion to dismiss counterclaims and strike defenses (Doc. Nos. 37-38), which granted  
leave for Cameron to amend its Answer and Counterclaims.

In addition to amending its Answer to Plaintiff Seaboard’s Complaint for alleged  
patent infringement, Cameron amends its Counterclaims against Seaboard seeking a  
declaratory judgment as to the noninfringement, invalidity, and unenforceability of the

1 asserted patent, and amends its Counterclaims seeking a declaratory judgment as to the  
2 unenforceability of United States Patent Nos. 7,322,407 (“the ‘407 patent”), 7,416,020  
3 (“the ‘020 patent”), 7,493,944 (“the ‘944 patent”), 7,520,322 (“the ‘322 patent”), 7,726,393  
4 (“the ‘393 patent”), and 8,272,433 (“the ‘433 patent”).

### 5 **JURISDICTION AND VENUE**

6 1. Defendant Cameron admits that this is an action alleging patent infringement  
7 under the patent laws of the United States, admits that the Complaint purports to state a  
8 cause of action over which this court has subject matter jurisdiction under 28 U.S.C.  
9 §§ 1331 and 1338(a). Cameron denies that it has committed any patent infringement as  
10 alleged in the Complaint.

11 2. Defendant Cameron admits that venue is proper in this District pursuant to  
12 28 U.S.C. §§ 1391(b) and 1400. Defendant denies that venue in this District is the most  
13 convenient district for the parties, witnesses, and the interest of justice under 28 U.S.C.  
14 § 1404(a).

15 3. Defendant Cameron denies the averments contained in paragraph 3 of  
16 Plaintiff’s Complaint.

### 17 **PARTIES**

18 4. Defendant Cameron is without sufficient knowledge and information to form  
19 a belief as to the truth of the averments contained in paragraph 4 of Plaintiff’s Complaint.  
20 Defendant therefore denies those averments.

21 5. Defendant Cameron admits the averments contained in paragraph 5 of  
22 Plaintiff’s Complaint.

### 23 **GENERAL ALLEGATIONS**

24 6. Defendant Cameron is without sufficient knowledge and information to form  
25 a belief as to the truth of the averments contained in paragraph 6 of Plaintiff’s Complaint.  
26 Defendant therefore denies those averments.  
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**PRAYER FOR RELIEF**

16. Defendant Cameron denies that Plaintiff is entitled to any relief in connection with the averments contained in Plaintiff’s Complaint.

**DEMAND FOR JURY TRIAL**

17. Defendant Cameron admits that Plaintiff has demanded a jury trial for all issues triable of right before a jury.

**OBJECTIONS AND AFFIRMATIVE DEFENSES**

18. The following objections and affirmative defenses to Plaintiff’s Complaint are pled, in whole or in part, to provide notice to the Plaintiff pursuant to Rules 8(c) and 12(b) of the Federal Rules of Civil Procedure. Defendant Cameron reserves the right to make appropriate motions pursuant to Rule 12(c) of the Federal Rules of Civil Procedure. The following objections and affirmative defenses should not be construed as improperly shifting the burden of proof to Defendant Cameron.

**FAILURE TO STATE A CLAIM**

19. Plaintiff’s Complaint fails to state a claim upon which relief can be granted.

**NON-INFRINGEMENT**

20. Defendant Cameron does not infringe and has never infringed, either directly or indirectly, any valid claim of the ‘237 patent.

**INVALIDITY**

21. The claims of the ‘237 patent are invalid for failure to meet the conditions for patentability specified in 35 U.S.C. Sections 102 and 103, and for failure to comply with the requirements of 35 U.S.C. Section 112.

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