

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Civil Action No. 1:17-cv-02097-CBS

REALTIME ADAPTIVE STREAMING, LLC

Plaintiff,

v.

SLING TV L.L.C.,  
SLING MEDIA INC., and  
SLING MEDIA L.L.C.,

Defendants.

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**DEFENDANTS SLING TV L.L.C., AND SLING MEDIA L.L.C.'S ANSWER,  
AFFIRMATIVE DEFENSES, COUNTERCLAIMS, AND JURY DEMAND TO  
PLAINTIFF REALTIME ADAPTIVE STREAMING L.L.C.'S AMENDED COMPLAINT**

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Defendants Sling TV L.L.C. and Sling Media L.L.C. (collectively, "Sling")<sup>1</sup> by and through their undersigned counsel, hereby answer the Amended Complaint for Patent Infringement (the "Amended Complaint," Dkt. No. 12) of Plaintiff Realtime Adaptive Streaming L.L.C. ("Realtime"), on personal knowledge as to their own activities and on information and belief as to the activities of others. Sling denies each and every allegation in the Amended Complaint, unless expressly admitted herein.

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<sup>1</sup> Sling TV L.L.C. and Sling Media L.L.C. answer collectively as "Sling," and further represent that in February of 2017 the entity formerly known as "Sling Media Inc." was converted to Sling Media L.L.C., such that at no point in time upon and since the filing of the Original Complaint has "Sling Media Inc." existed.

## **PARTIES**

1. Sling lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 1 of the Amended Complaint, and therefore denies all such allegations.

2. Sling TV L.L.C. admits that it is a limited liability company organized under the laws of the State of Colorado. Sling TV L.L.C. admits that it has a principal office at 9601 S. Meridian Blvd., Englewood, Colorado 80112. Sling TV L.L.C. admits that it can be served through its registered agent, R. Stanton Dodge, 9601 S. Meridian Blvd., Englewood, Colorado 80112. Sling TV L.L.C. denies any remaining allegations set forth in Paragraph 2 of the Amended Complaint.

3. Sling Media L.L.C. admits that Sling Media L.L.C. is a Delaware limited liability company with a principal office at 1051 E. Hillsdale Blvd., Suite 500, Foster City, California 94404. Sling Media L.L.C. admits it can be served through its registered agent, The Corporation Trust Company, Corporation Trust Center, 1209 Orange St. Wilmington, Delaware 19801. As explained by Sling in the above footnote, at no point upon and since the filing of the Original Complaint has “Sling Media Inc.” existed.

4. Paragraph 4 of the Amended Complaint sets forth conclusions of law to which no response is required. To the extent any response is deemed to be required however, Sling denies the allegations of paragraph 4 of the Amended Complaint.

## **JURISDICTION AND VENUE**

5. Sling admits that the Amended Complaint is styled as an action for patent infringement arising under the Patent Laws of the United States, Title 35 of the United

States Code. Paragraph 5 of Amended Complaint sets forth conclusions of law to which no response is required. To the extent any response is deemed to be required however, Sling further admits that the Amended Complaint purports to assert that subject matter jurisdiction exists over such claims under 28 U.S.C. § 1331 and § 1338(a). Sling denies any remaining allegations in Paragraph 5 of the Amended Complaint.

6. Paragraph 6 of the Amended Complaint sets forth conclusions of law to which no response is required. To the extent a response is required, however, Sling TV L.L.C. admits that it directly and/or through intermediaries offers to sell and/or sells products in the District of Colorado, and to the extent paragraph 6 of the Amended Complaint alleges that Sling TV L.L.C. has a regular and established place of business in the District of Colorado, Sling TV L.L.C. admits that it has a regular and established place of business in this District.

7. Paragraph 7 of the Amended Complaint sets forth conclusions of law to which no response is required. To the extent a response is required, however, Sling Media L.L.C. admits that it directly and/or through intermediaries offers to sell and/or sells products in the District of Colorado. Sling denies any remaining allegations in Paragraph 7 of the Amended Complaint.

8. Paragraph 8 of the Amended Complaint sets forth conclusions of law to which no response is required. To the extent a response is deemed to be required, however, Sling admits that it directly and/or through intermediaries offers to sell and/or sells products in the District of Colorado.

9. Paragraph 9 of the Amended Complaint sets forth conclusions of law to which no response is required. Sling TV L.L.C. admits that it is a limited liability corporation organized under the laws of Colorado. Sling Media L.L.C. admits that its officers are located in Colorado.

### **ASSERTED PATENTS**

10. Sling admits that the Amended Complaint purports to assert U.S. Patent Nos. 8,867,610 (“the ’610 Patent”) and 8,934,535 (“the ’535 Patent”), (collectively, “the Asserted Patents”).

11. Sling lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 11 of the Amended Complaint, and therefore denies all such allegations.

### **RESPONSE TO COUNT I**

#### **[ALLEGED] INFRINGEMENT OF U.S. PATENT NO. 8,867,610**

12. Sling repeats and incorporates by reference the foregoing paragraphs, as if fully set forth herein.

13. Sling admits that a purported copy of United States Patent No. 8,867,610 is attached to the Amended Complaint as Exhibit A, which lists the patent title as “System and Methods for Video and Audio Data Distribution,” and lists the patent as being issued on October 21, 2014. Sling lacks knowledge or information sufficient to form a belief as to the remaining allegations of Paragraph 13 of the Amended Complaint, and therefore denies all such allegations.

14. Denied.

15. Denied.
16. Denied.
17. Denied.
18. Denied.
19. Denied.
20. Denied.
21. Denied.
22. Denied.
23. Denied.
24. Denied.
25. Denied.
26. Denied.
27. Denied.
28. Denied.

**RESPONSE TO COUNT II**

**[ALLEGED] INFRINGEMENT OF U.S. PATENT NO. 8,934,535**

29. Sling repeats and incorporates by reference the foregoing paragraphs, as if fully set forth herein.

30. Sling admits that a purported copy of United States Patent No. 8,934,535 is attached to the Amended Complaint as Exhibit B, which lists the patent title as “Systems and Methods for Video and Audio Data Storage and Distribution,” and lists the patent as being issued on January 13, 2015. Sling lacks sufficient information to form a belief as

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