

**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.,
SLING MEDIA L.L.C.,
ECHOSTAR TECHNOLOGIES L.L.C.,
DISH NETWORK L.L.C., and ARRIS
GROUP, INC.,

Defendants.

**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 SECOND AMENDED
COMPLAINT**

Defendants Sling TV L.L.C. and Sling Media L.L.C. (collectively, "Sling")¹ by and through their undersigned counsel, hereby answer the Second Amended Complaint for Patent Infringement (the "Amended Complaint," Dkt. No. 32) of Plaintiff Realtime Adaptive Streaming L.L.C. ("Realtime"), on personal knowledge as to their own activities

¹ 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.

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.

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. EchoStar Technologies, L.L.C. (“EchoStar”) is distinct from Sling. Sling lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 4 of the Amended Complaint, and therefore denies all such allegations.

5. Defendant DISH Network L.L.C. (“DISH”) is distinct from Sling. Sling lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 5 of the Amended Complaint, and therefore denies all such allegations.

6. ARRIS Group, Inc. (“ARRIS”) is distinct from Sling. Sling lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 6 of the Amended Complaint, and therefore denies all such allegations.

7. Paragraph 7 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 7 of the Amended Complaint.

8. Sling Media L.L.C. understands that the accused ARRIS MS4000 incorporated Sling Media L.L.C. technology. In addition, Paragraph 8 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 Media L.L.C denies the remaining allegations of paragraph 8 of the Amended Complaint.

JURISDICTION AND VENUE

9. 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 9 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 9 of the Amended Complaint.

10. Paragraph 10 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 10 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.

11. Paragraph 11 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 Media L.L.C. denies any remaining allegations in Paragraph 11 of the Amended Complaint.

12. Paragraph 12 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, EchoStar is distinct from Sling, and Sling lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 12 of the Amended Complaint and therefore denies all such allegations.

13. Paragraph 13 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, DISH is distinct from Sling, and Sling lacks knowledge or information sufficient to form a

belief as to the truth of the allegations in Paragraph 13 of the Amended Complaint and therefore denies all such allegations.

14. Paragraph 14 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, ARRIS is distinct from Sling, and Sling lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 14 of the Amended Complaint and therefore denies all such allegations.

15. Paragraph 15 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. Sling lacks knowledge or information sufficient to form a belief as to the remaining allegations of Paragraph 15 of the Amended Complaint, and therefore denies all such allegations.

16. Paragraph 16 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 and that it has a regular and established place of business in this District. Sling Media L.L.C. admits that its officers are located in Colorado. Sling lacks knowledge or information sufficient to form a belief as to the remaining allegations of Paragraph 16 of the Amended Complaint, and therefore denies all such allegations.

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