

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

Civil Action No. 1:17-cv-02097

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.

**DEFENDANT ARRIS GROUP, INC.'S ANSWER AND AFFIRMATIVE
DEFENSES TO PLAINTIFF REALTIME ADAPTIVE STREAMING, L.L.C.'S
SECOND AMENDED COMPLAINT**

Defendant ARRIS Group, Inc. ("ARRIS"), by and through its undersigned counsel, hereby answers the Second Amended Complaint for Patent Infringement (the "Second Amended Complaint," Dkt. No. 13) of Plaintiff, Realtime Adaptive Streaming, LLC ("Realtime"), on personal knowledge as to its own activities and on information and belief as to the activities of others. ARRIS denies each and every allegation in the Second Amended Complaint, unless expressly admitted herein.

PARTIES

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

2. Sling TV LLC is an entity unrelated to ARRIS. As such, ARRIS lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 2 of the Second Amended Complaint, and therefore denies all such allegations.

3. Sling Media Inc. is an entity unrelated to ARRIS. As such, ARRIS lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 3 of the Second Amended Complaint, and therefore denies all such allegations.

4. EchoStar Technologies, LLC is an entity unrelated to ARRIS. As such, ARRIS lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 4 of the Second Amended Complaint, and therefore denies all such allegations.

5. DISH Network LLC is an entity unrelated to ARRIS. As such, ARRIS lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 5 of the Second Amended Complaint, and therefore denies all such allegations.

6. ARRIS admits that it is a Delaware corporation with its principal office at 3871 Lakefield Drive, Suwanee, GA, 30024. ARRIS admits that it can be served

through its registered agent, Corporation Service Company, 40 Technology Pkwy South, #300, Norcross, GA 30092. ARRIS denies the remaining allegations of paragraph 4 of the Second Amended Complaint.

7. ARRIS denies that DISH and Sling-branded products and services infringe certain asserted patents. Moreover, Paragraph 7 of the Second 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 Technologies and DISH are entities unrelated to ARRIS. As such, ARRIS lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 7 of the Second Amended Complaint and, therefore, denies all such allegations.

8. ARRIS admits that it has purchased some or all aspects of the accused ARRIS MS4000 from Sling Media Inc. In addition, Paragraph 8 of the Second 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 denies the allegations of Paragraph 8 of the Second Amended Complaint.

JURISDICTION AND VENUE

9. ARRIS admits that the Second 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. ARRIS further admits that the Second Amended Complaint purports to assert that subject matter jurisdiction exists over such claims under 28 U.S.C. § 1331 and § 1338(a). ARRIS denies any remaining allegations in Paragraph 9 of the Second Amended Complaint.

10. Paragraph 10 of the Second Amended Complaint sets forth conclusions of law to which no response is required. To the extent a response is required, however, Sling TV is an entity unrelated to ARRIS. As such, ARRIS lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 10 of the Second Amended Complaint, and therefore denies all such allegations.

11. Paragraph 11 of the Second Amended Complaint sets forth conclusions of law to which no response is required. To the extent a response is required, however, Sling Media is an entity unrelated to ARRIS. As such, ARRIS lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 11 of the Second Amended Complaint, and therefore denies all such allegations.

12. Paragraph 12 of the Second Amended Complaint sets forth conclusions of law to which no response is required. To the extent a response is required, however, EchoStar Technologies is an entity unrelated to ARRIS. As such, ARRIS lacks knowledge or information sufficient to form a belief as to the truth of the allegations in

Paragraph 12 of the Second Amended Complaint, and therefore denies all such allegations.

13. Paragraph 13 of the Second Amended Complaint sets forth conclusions of law to which no response is required. To the extent a response is required, however, DISH is an entity unrelated to ARRIS. As such, ARRIS lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 13 of the Second Amended Complaint, and therefore denies all such allegations.

14. Paragraph 14 of the Second 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 admits that it has conducted business in the District of Colorado. ARRIS does not dispute for purposes of this case that it is subject to personal jurisdiction in this Court and that venue lies in this Court as to the present case. ARRIS denies the remaining allegations of paragraph 4 of the Second Amended Complaint.

15. Paragraph 15 of the Second 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 does not dispute for purposes of this case that it is subject to personal jurisdiction in this Court. Echostar Technologies, Sling TV, Sling Media, and DISH are entities unrelated to ARRIS. As such, ARRIS lacks knowledge information sufficient to form a belief as to the truth of the allegations regarding said entities in Paragraph 15 of the Second Amended Complaint, and therefore denies all such allegations.

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