

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

ROBERT BOSCH LLC,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
ALBEREE PRODUCTS, INC., API KOREA	)	
CO., LTD., SAVER AUTOMOTIVE	)	
PRODUCTS, INC., and COSTCO	)	
WHOLESALE CORPORATION,	)	
	)	
Defendants.	)	C.A. No. 12-574 (LPS)(CJB)
	)	(CONSOLIDATED)
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COSTCO WHOLESALE CORPORATION,	)	
	)	
Counter-Plaintiff,	)	
	)	
v.	)	
	)	
ROBERT BOSCH LLC and ROBERT BOSCH	)	
GmbH,	)	
	)	
Counter-Defendants.	)	

**ANSWER AND COUNTERCLAIMS**

Defendant Costco Wholesale Corporation (“Costco”), for its answer to the Second Amended Complaint (“Complaint”):

1. Costco admits the allegations of paragraph 1 of the Complaint.
2. Costco admits the allegations of paragraph 2 of the Complaint.

**DEFENDANTS AND ACCUSED PRODUCTS**

3. Costco lacks sufficient knowledge or information to form a belief as to the truth of the allegations of paragraph 3 and accordingly denies the same.

4. Costco lacks sufficient knowledge or information to form a belief as to the truth of the allegations of paragraph 4 and accordingly denies the same.

5. Costco lacks sufficient knowledge or information to form a belief as to the truth of the allegations of paragraph 5 and accordingly denies the same.

6. Costco admits the allegations of paragraph 6 of the Complaint.

7. Costco lacks sufficient knowledge or information to form a belief as to the truth of the allegations of paragraph 7 and accordingly denies the same.

8. Costco lacks sufficient knowledge or information to form a belief as to the truth of the allegations of paragraph 8 and accordingly denies the same.

9. Costco lacks sufficient knowledge or information to form a belief as to the truth of the allegations of paragraph 9 and accordingly denies the same.

10. Costco lacks sufficient knowledge or information to form a belief as to the truth of the allegations of paragraph 10 and accordingly denies the same.

11. Costco lacks sufficient knowledge or information to form a belief as to the truth of the allegations of paragraph 11 and accordingly denies the same.

12. Costco lacks sufficient knowledge or information to form a belief as to the truth of the allegations of paragraph 12 and accordingly denies the same.

13. Costco lacks sufficient knowledge or information to form a belief as to the truth of the allegations of paragraph 13 and accordingly denies the same.

14. Costco lacks sufficient knowledge or information to form a belief as to the truth of the allegations of paragraph 14 and accordingly denies the same.

15. Costco admits that certain Goodyear Hybrid wiper products are currently sold in Costco stores in the United States and that certain Goodyear Assurance wiper products

were formerly sold in Costco stores in the United States, and except as so admitted denies the allegations of paragraph 15 of the Complaint.

16. Costco admits that Saver is the exclusive seller of Goodyear Hybrid wiper products to Costco, and except as so admitted denies the allegations of paragraph 16 of the Complaint.

17. Costco lacks sufficient knowledge or information to form a belief as to the truth of the allegations of paragraph 17 of the Complaint.

18. Costco lacks sufficient knowledge or information to form a belief as to the truth of the allegations of paragraph 18 and accordingly denies the same.

19. Costco lacks sufficient knowledge or information to form a belief as to the truth of the allegations of paragraph 19 and accordingly denies the same.

20. Costco lacks sufficient knowledge or information to form a belief as to the truth of the allegations of paragraph 20 and accordingly denies the same.

21. Costco lacks sufficient knowledge or information to form a belief as to the truth of the allegations of paragraph 21 and accordingly denies the same.

**COUNT ONE – U.S. PATENT NO. 6,523,218**

22. Costco incorporates its responses to the allegations in paragraphs 1 through 21 of the Complaint as if set forth fully herein.

23. Costco admits that United States Patent No. 6,523,218 has an issue date of February 25, 2003, and except as so admitted denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 23 of the Complaint.

24. Costco lacks sufficient knowledge or information to form a belief as to the truth of the allegations of paragraph 24 and accordingly denies the same.

25. Costco lacks sufficient knowledge or information to form a belief as to the truth of the allegations of paragraph 25 and accordingly denies the same.

26. Costco denies the allegations of paragraph 26 of the Complaint.

27. Costco lacks sufficient knowledge or information to form a belief as to the truth of the allegations of paragraph 27 and accordingly denies the same.

28. Costco lacks sufficient knowledge or information to form a belief as to the truth of the allegations of paragraph 28 and accordingly denies the same.

29. Costco lacks sufficient knowledge or information to form a belief as to the truth of the allegations of paragraph 29 and accordingly denies the same.

30. Costco denies the allegations of paragraph 30 of the Complaint.

31. Costco lacks sufficient knowledge or information to form a belief as to the truth of the allegations of paragraph 31 and accordingly denies the same.

32. Costco lacks sufficient knowledge or information to form a belief as to the truth of the allegations of paragraph 32 and accordingly denies the same.

33. Costco lacks sufficient knowledge or information to form a belief as to the truth of the allegations of paragraph 33 and accordingly denies the same.

34. Costco lacks sufficient knowledge or information to form a belief as to the truth of the allegations of paragraph 34 and accordingly denies the same.

35. Costco lacks sufficient knowledge or information to form a belief as to the truth of the allegations of paragraph 35 and accordingly denies the same.

36. Costco lacks sufficient knowledge or information to form a belief as to the truth of the allegations of paragraph 36 and accordingly denies the same.

37. Costco lacks sufficient knowledge or information to form a belief as to the truth of the allegations of paragraph 37 and accordingly denies the same.

38. Costco denies the allegations of paragraph 38 of the Complaint.

39. Costco lacks sufficient knowledge or information to form a belief as to the truth of the allegations of paragraph 39 and accordingly denies the same.

40. Costco lacks sufficient knowledge or information to form a belief as to the truth of the allegations of paragraph 40 and accordingly denies the same.

41. Costco lacks sufficient knowledge or information to form a belief as to the truth of the allegations of paragraph 41 and accordingly denies the same.

42. Costco denies the allegations of paragraph 42 of the Complaint.

43. Costco lacks sufficient knowledge or information to form a belief as to the truth of the allegations of paragraph 43 and accordingly denies the same.

44. Costco denies the allegations of paragraph 44 of the Complaint.

45. Costco denies the allegations of paragraph 45 of the Complaint.

46. Costco lacks sufficient knowledge or information to form a belief as to the truth of the allegations of paragraph 46 and accordingly denies the same.

47. Costco lacks sufficient knowledge or information to form a belief as to the truth of the allegations of paragraph 47 and accordingly denies the same.

48. Costco denies the allegations of paragraph 48 of the Complaint.

49. Costco denies the allegations of paragraph 49 of the Complaint.

50. Costco denies the allegations of paragraph 50 of the Complaint.

**COUNT TWO – U.S. PATENT NO. 6,530,111**

51. Costco incorporates its responses to the allegations in paragraphs 1 through 50 of the Complaint as if set forth fully herein.

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