

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

**GUADA TECHNOLOGIES LLC,**

Plaintiff,

v.

**UNCOMMONGOODS, LLC,**

Defendant.

CASE NO. 19-cv-187-RGA

**JURY TRIAL DEMANDED**

**PATENT CASE**

**ANSWER TO COUNTERCLAIMS OF UNCOMMONGOODS, LLC**

Plaintiff Guada Technologies LLC hereby answers the counterclaims (Dkt. No. 10) of Uncommongoods, LLC (“Defendant”), by corresponding paragraph number as follows:

1. Guada Technologies admits that Defendant filed an action for declaratory judgment of non-infringement, invalidity and unenforceability, as related to U.S. Patent Nos. 7,231,379 (“the ’379 patent”) pursuant to the Declaratory Judgment Act, 28 U.S.C. §§ 2201-2202, and the United States Patent Law, 35 U.S.C. § 100 et seq.; however, Guada Technologies denies that Defendant is entitled to any declaratory judgment or any other relief.

**I. THE PARTIES**

2. Guada Technologies admits that Uncommongoods, LLC is a Delaware limited liability company. Guada Technologies is without knowledge or information sufficient to form a belief as to the remaining allegations and therefore denies all other allegations.

3. Admitted.

**II. JURISDICTION AND VENUE**

4. Admitted.

5. Guada Technologies admits that venue and personal jurisdiction is proper in this District for Defendant's counterclaims because Guada Technologies filed its complaint in this District. Guada Technologies denies all other allegations in the paragraph.

**DEFENDANT'S III. COUNT 1: DECLARATORY OF NON-INFRINGEMENT OF U.S. PATENT NO. 7,231,379**

6. Guada Technologies incorporates by reference its responses to paragraphs 1 through 5 above, as if fully set forth herein.

7. Guada Technologies admits that Defendant seeks a declaratory judgment declaring the rights and interest of Defendant and Plaintiff in connection with non-infringement of the '379 patent; however, Guada Technologies denies that Defendant is entitled to such a declaration or any other relief. Guada Technologies denies all other allegations in the paragraph.

**DEFENDANT'S IV. COUNT 2: DECLARATORY OF INVALIDITY OF U.S. PATENT NO. 7,231,379**

8. Guada Technologies incorporates by reference paragraphs 1 through 7 above, as if fully set forth herein.

9. Guada Technologies admits that Defendant seeks a declaratory judgment declaring the rights and interest of Defendant and Plaintiff in connection with the invalidity and unenforceability of the '379 patent; however, Guada Technologies denies that Defendant is entitled to such a declaration or any other relief. Guada Technologies denies all other allegations in the paragraph.

10. Guada Technologies admits that Defendant seeks a declaratory judgment declaring the claims of the '379 patent are invalid because they purport to patent an abstract idea and are ineligible for patentability under 35 U.S.C. §101; however, Guada Technologies denies that Defendant is entitled to such a declaration or any other relief. Guada Technologies denies all other allegations in the paragraph.

11. Guada Technologies admits that Defendant seeks a declaratory judgment declaring that the '379 patent invalid under 35 U.S.C. §§ 102 and/or 103 in light of the teachings of at least the following prior references: U.S. Patent No. 6,731,724 to Wesemann et al.; U.S. Patent No. 6,366,910 to Rajarman et al.; and U.S. Patent No. 7,539,656 to Fratkina et al.; however, Guada Technologies denies that Defendant is entitled to such a declaration or any other relief. Guada Technologies denies all other allegations in the paragraph.

**DEFENDANT'S V. DEMAND FOR A JURY TRIAL**

12. Defendant's jury demand is an averment to which no response is required.

**DEFENDANT'S VI. PRAYER FOR RELIEF AS TO COUNTERCLAIMS**

Guada Technologies denies that Defendant is entitled to any relief, including the relief requested in its Prayer for Relief.

May 10, 2019

Respectfully Submitted,

DEVLIN LAW FIRM LLC

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*ATTORNEYS FOR PLAINTIFF  
GUADA TECHNOLOGIES LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that on May 10, 2019, I electronically filed the above documents with the Clerk of Court using CM/ECF which will send electronic notification of such filings to all registered counsel.

/s/ Timothy Devlin  
Timothy Devlin (#4241)