IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

LITL LLC,
 	
      Plaintiff,
 	
v.
 	
ASUSTEK COMPUTER INC. and ASUS TECHNOLOGY PTE. LIMITED,
 	
      Defendants.
	Civil Action No. 23-122-RGA
	
	JURY TRIAL DEMANDED

MICROSOFT CORPORATION,
 	
      Intervenor-Plaintiff,
 	
v.
 	
LITL LLC,
 	
      Intervenor-Defendant.	

LITL LLC,
 	
      Intervenor-Defendant /
      Counterclaim Plaintiff in
      Intervention,
 	
v.
 	
MICROSOFT CORPORATION,
 	
      Intervenor-Plaintiff /
      Counterclaim Defendant in
      Intervention.	

**LITL LLC'S ANSWER, AFFIRMATIVE DEFENSES, AND
COUNTERCLAIMS TO MICROSOFT CORPORATION'S
COMPLAINT IN INTERVENTION**

Plaintiff and Intervenor-Defendant LiTL LLC ("Plaintiff" or "LiTL") hereby responds to the Complaint in Intervention ("Complaint") filed by Intervenor-Plaintiff Microsoft Corporation ("Microsoft") in LiTL's action against ASUSTeK Computer Inc. and Asus Technology Pte. Limited ("ASUS"), with the following Answer, Affirmative Defenses, and Counterclaims.

GENERAL DENIAL

Unless specifically admitted below, LiTL denies each and every allegation in the Complaint in Intervention. To the extent the headings of the Complaint are construed as allegations, they are each denied.

LiTL hereby answers the numbered paragraphs of the Complaint in Intervention with the following correspondingly numbered responses:

1.   LiTL admits that Microsoft is seeking a declaratory judgment of non-infringement but denies that such action is meritorious.

PARTIES

2.   LiTL admits the allegations of Paragraph 2, based on information and belief that Microsoft has described itself accurately.

3.   LiTL admits the allegations of Paragraph 3.

JURISDICTION AND VENUE

4.   LiTL admits the allegations of Paragraph 4.

5.   LiTL admits the allegations of Paragraph 5.

6.   LiTL admits the allegations of Paragraph 6.

FACTUAL BACKGROUND AND MICROSOFT'S INTEREST IN THIS ACTION

7.   LiTL admits the allegations of Paragraph 7.

8.   LiTL admits the allegation in Paragraph 8 that ASUS is a customer of Microsoft's and that ASUS sells computer products that incorporate Microsoft's Windows

Operating System. LiTL lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 8, and therefore denies them.

9.   LiTL admits the allegations of Paragraph 9.

10.   LiTL admits the allegation in Paragraph 10 that the First Amended Complaint specifically identified numerous ASUS devices as infringing the '154, '315, '715, '818, and '888 patents. LiTL denies the remaining allegations of Paragraph 10.

11.   LiTL denies the allegations of Paragraph 11.

12.   LiTL admits the allegation in Paragraph 12 that the '154 patent is entitled "Portable computer with multiple display configurations," and that the First Amended Complaint alleges that ASUS infringes at least claim 11 of the '154 patent. LiTL denies the remaining allegations of Paragraph 12.

13.   LiTL admits the allegation in Paragraph 13 that the '315 patent is entitled "System and method for streamlining user interaction with electronic content," and that the First Amended Complaint alleges that ASUS infringes at least claim 1 of the '315 patent. LiTL denies the remaining allegations of Paragraph 13.

14.   LiTL admits the allegation in Paragraph 14 that the '715 patent is entitled "System and method for streamlining user interaction with electronic content," and that the First Amended Complaint alleges that ASUS infringes at least claim 1 of the '715 patent. LiTL denies the remaining allegations of Paragraph 14.

15.   LiTL admits the allegation in Paragraph 15 that the '818 patent is entitled "System and method for streamlining user interaction with electronic content," and that the First Amended Complaint alleges that ASUS infringes at least claim 1 of the '818 patent. LiTL denies the remaining allegations of Paragraph 15.

16.   LiTL admits the allegation in Paragraph 16 that the '888 patent is entitled "Method and apparatus for managing digital media content," and that the First Amended Complaint alleges that ASUS infringes at least claim 27 of the '888 patent. LiTL denies the remaining allegations of Paragraph 16.

17.   LiTL denies the allegations in the first sentence of Paragraph 17. LiTL lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 17, and therefore denies them.

18.   LiTL admits the allegations of Paragraph 18.

19.   LiTL admits the allegations of Paragraph 19.

20.   LiTL admits the allegation in Paragraph 20 that Microsoft has an objectively reasonable apprehension that LiTL will claim that Microsoft's products, including at least the Windows Operating System, directly or indirectly infringe one or more claims of the '154 patent, the '315 patent, the '715 patent, the '818 patent, and the '888 patent. LiTL admits the allegation in Paragraph 20 that an actual controversy exists between Microsoft and LiTL. The remainder of Paragraph 20 contains statements to which no response is required.

COUNT 1

(Declaratory Judgment of Noninfringement of U.S. Patent No. 10,289,154)

21.   LiTL incorporates by reference each of its answers set forth in the foregoing paragraphs as if fully set forth herein.

22.   LiTL admits the allegations of Paragraph 22.

23.   LiTL denies the allegations of Paragraph 23.

24.   LiTL admits the allegation in Paragraph 24 that a judicial declaration concerning these matters is necessary and appropriate, but denies any allegation that Microsoft is entitled to

a declaratory judgment of noninfringement. LiTL denies the remaining allegations of Paragraph

24.

COUNT 2

(Declaratory Judgment of Noninfringement of U.S. Patent No. 9,003,315)

25.   LiTL incorporates by reference each of its answers set forth in the foregoing

paragraphs as if fully set forth herein.

26.   LiTL admits the allegations of Paragraph 26.

27.   LiTL denies the allegations of Paragraph 27.

28.   LiTL admits the allegation in Paragraph 28 that a judicial declaration concerning

these matters is necessary and appropriate, but denies any allegation that Microsoft is entitled to

a declaratory judgment of noninfringement. LiTL denies the remaining allegations of Paragraph

28.

COUNT 3

(Declaratory Judgment of Noninfringement of U.S. Patent No. 9,880,715)

29.   LiTL incorporates by reference each of its answers set forth in the foregoing

paragraphs as if fully set forth herein.

30.   LiTL admits the allegations of Paragraph 30.

31.   LiTL denies the allegations of Paragraph 31.

32.   LiTL admits the allegation in Paragraph 32 that a judicial declaration concerning

these matters is necessary and appropriate, but denies any allegation that Microsoft is entitled to

a declaratory judgment of noninfringement. LiTL denies the remaining allegations of Paragraph

32.

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