

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

T-REX PROPERTY AB,	)	
	)	
Plaintiff,	)	Judge Joan H. Lefkow
	)	Magistrate Judge Maria Valdez
v.	)	
	)	
CONTEXTMEDIA, INC. AND	)	Civil Action No. 16-4826
CONTEXTMEDIA HEALTH, LLC,	)	
	)	<i>Document electronically filed.</i>
Defendants.	)	
	)	

**DEFENDANTS' ANSWER, DEFENSES, AND COUNTERCLAIMS TO  
PLAINTIFF'S AMENDED COMPLAINT FOR PATENT INFRINGEMENT**

Defendants ContextMedia, Inc. and ContextMedia Health, LLC (“ContextMedia”), through their counsel, hereby sets forth their Answer, Defenses and Counterclaims to the Amended Complaint filed by Plaintiff T-Rex Property AB (“Plaintiff” or “T-Rex”) as follows:

**NATURE OF THE ACTION**

1. This is an action for patent infringement arising under the patent laws of the United States, 35 U.S.C. § 1 *et seq.*, including 35 U.S.C. §§ 271, 281, 283, 284 and 285.

**ANSWER:**

ContextMedia admits that this is an action for patent infringement. ContextMedia denies the merits of this action, and therefore, except as expressly admitted, denies all other allegations set forth in paragraph 1 of the Amended Complaint.

**PARTIES**

2. Plaintiff T-Rex Property AB is a company organized and existing under the laws of Sweden with its principal place of business at Vårvägen 6, 18274 Stocksund, Sweden.

**ANSWER:**

ContextMedia is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 2 of the Amended Complaint, and, accordingly, denies the allegations set forth in paragraph 2 of the Amended Complaint.

3. On information and belief, Defendant ContextMedia, Inc., is an Illinois corporation with an office located at 330 N. Wabash Ave., Suite 2500, Chicago, Illinois.

**ANSWER:**

Admitted.

4. On information and belief, Defendant ContextMedia Health, LLC, is a Delaware limited liability corporation with a principal office located at 330 N. Wabash Ave., Suite 2500, Chicago, Illinois. On information and belief, Defendant's registered agent is Corporation Service Company, 2711 Centerville Rd, Suite 400, Wilmington, Delaware 19808.

**ANSWER:**

Admitted.

**JURISDICTION AND VENUE**

5. This Court has subject matter jurisdiction over this patent infringement action under 28 U.S.C. §§ 1331 and 1338(a).

**ANSWER:**

Admitted.

6. This Court has personal jurisdiction over Defendant ContextMedia, Inc., because, on information and belief, Defendant has systematic and continuous contacts with Illinois and this judicial district because Defendant has an office located in this judicial district, it regularly transacts business in the State of Illinois and this judicial district and it has thereby purposefully availed itself of the benefits and protections of the laws of the State of Illinois. Furthermore, this Court has personal jurisdiction over Defendant because, as described further below, Defendant has committed acts of patent infringement giving rise to this action within the State of Illinois and has thus established minimum contacts such that the exercise of personal jurisdiction over Defendant does not offend traditional notions of fair play and substantial justice.

**ANSWER:**

ContextMedia, Inc. admits that it is subject to personal jurisdiction in this District for this particular action. Except as expressly admitted, ContextMedia denies all other allegations set forth in paragraph 6 of the Amended Complaint.

7. This Court has personal jurisdiction over Defendant ContextMedia Health, LLC, because, on information and belief, Defendant has systematic and continuous contacts with Illinois and this judicial district because Defendant has an office located in this judicial district, it regularly transacts business in the State of Illinois and this judicial district and it has thereby purposefully availed itself of the benefits and protections of the laws of the State of Illinois. Furthermore, this Court has personal jurisdiction over Defendant because, as described further below, Defendant has committed acts of patent infringement giving rise to this action within the State of Illinois and has thus established minimum contacts such that the exercise of personal jurisdiction over Defendant does not offend traditional notions of fair play and substantial justice.

**ANSWER:**

ContextMedia Health, LLC admits that it is subject to personal jurisdiction in this District for this particular action. Except as expressly admitted, ContextMedia denies all other allegations set forth in paragraph 7 of the Amended Complaint.

8. Venue is proper in this Judicial District under 28 U.S.C. §§ 1391 and 1400(b).

**ANSWER:**

ContextMedia admits that venue is technically proper in this District under 28 U.S.C. §§ 1391 and 1400(b). ContextMedia denies the remaining allegations set forth in paragraph 8 of the Amended Complaint.

**THE PATENTS-IN-SUIT**

9. The allegations set forth in the foregoing paragraphs 1 through 8 are hereby realleged and incorporated herein by reference.

**ANSWER:**

ContextMedia incorporates by reference its responses to the preceding allegations of paragraphs 1 through 8 above as though stated herein.

**The '470 Patent**

10. On January 16, 2007, U.S. Patent Number RE39,470 (the "'470 Patent"), entitled "Digital Information System," was duly and legally issued by the United States Patent and Trademark Office. A true and correct copy of the '470 Patent is attached as Exhibit A to this Amended Complaint.

**ANSWER:**

ContextMedia admits that on January 16, 2007, U.S. Patent Number RE39,470, entitled "Digital Information System," was issued by the United States Patent and Trademark Office. ContextMedia admits that Exhibit A attached to the Amended Complaint purports to be a copy of the '470 Patent. ContextMedia denies the allegations in paragraph 10 insofar as they allege that the '470 Patent was duly and legally issued. ContextMedia is without sufficient information or knowledge to form a belief as to the truth of the remaining allegations set forth in paragraph 10 of the Amended Complaint, and, accordingly, denies the allegations.

11. The '470 Patent is a reissue of U.S. Patent Number 6,005,534, which was filed on July 2, 1996 and which claims priority under 35 U.S.C. § 119(e) to U.S. Provisional Patent Application Number 60/017,403, which was filed on May 14, 1996. The '534 Patent also claims priority under 35 U.S.C. § 119(a)-(d) to foreign patent application number 9601603-5, which was filed on April 26, 1996 in Sweden. As "[p]riority under section 119, 365(a), 365(b), 386(a), or 386(b) shall not be taken into account in determining the term of a patent," (35 U.S.C. § 154(a)(3)), the '470 Patent expires 20 years from July 2, 1996.

**ANSWER:**

ContextMedia admits that the face of the '470 Patent indicates that it is a reissue of U.S. Patent Number 6,005,534, and that the face of U.S. Patent Number 6,005,534 indicates that it was filed on July 2, 1996 and claims priority to U.S. Provisional Patent Application Number 60/017,403. ContextMedia admits that the face of the '534 Patent indicates that it also claims priority to foreign patent application number 9601603-5. ContextMedia admits that the '470 Patent expired 20 years from July 2, 1996. ContextMedia denies the allegations in paragraph 11 insofar as they allege that the '470 Patent, '534 Patent, or foreign patent application number

9601603-5 disclose or claim patentable inventions. ContextMedia is without sufficient information or knowledge to form a belief as to the truth of the remaining allegations set forth in paragraph 11 of the Amended Complaint, and, accordingly, denies the allegations.

12. The innovations disclosed in the '470 Patent "relate[] to a method and apparatus for controlling and coordinating" electronic displays "in a digital information system for displaying information on at least one display device . . . said information being displayed in places that are accessible to and frequented by a general public." ('470 Patent at 1:15-21.) "An object of the present invention is to provide a flexible system in which external information mediators are able to dynamically control in real time the transmission of display instructions to a larger public in different places" "and to enable similar or specific information to be displayed in places that are mutually far apart." (*Id.* at 2:39-42; 2:52-54.)

**ANSWER:**

ContextMedia denies the allegation that the '470 Patent discloses "innovations" or discloses or claims patentable inventions. ContextMedia admits that the '470 Patent purports to disclose an invention that "relates to a method and apparatus for controlling and coordinating projectors in a digital information system for displaying information on at least one display device through the medium of at least one projector for each said device, said information being displayed in places that are accessible to and frequented by a general public." '470 Patent col. 1 ll. 15-21. ContextMedia further admits that the '470 Patent states: "An object of the present invention is to provide a flexible system in which external information mediators are able to dynamically control in real time the transmission of display instructions to a larger public in different places situated at any chosen distance apart through projectors which project information onto displays intended therefor. Another object of the invention is to enable pictures, images, messages and announcements to be configured in accordance with modern digital technology, therewith providing rapid communication. A further object of the invention is to enable a picture, image or other information to be changed in practice as often as is desired, in real time, therewith providing direct and immediate communication, and to enable similar or

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