

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

IN RE NEO WIRELESS, LLC
PATENT LITIG.

Case No. 2:22-md-03034-TGB

Hon. Terrence G. Berg

NEO WIRELESS, LLC

Plaintiff,

v.

Case No. 2:22-cv-11770-TGB

Hon. Terrence G. Berg

FCA US, LLC

Defendant.

JURY TRIAL DEMANDED

**DEFENDANT FCA US LLC'S FIRST AMENDED ANSWER
AND DEFENSES TO NEO WIRELESS, LLC'S COMPLAINT**

Defendant FCA US LLC ("FCA"), by and through the undersigned attorneys, hereby responds by way of its First Amended Answer and Defenses to the Complaint ("Complaint") of plaintiff Neo Wireless, LLC ("Neo" or "Plaintiff"), as follows:

THE PARTIES

1. FCA is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Complaint and therefore denies those allegations.

2-3. FCA admits the allegations in these paragraphs.

JURISDICTION AND VENUE

4. The allegations of this paragraph are legal conclusions that do not require a response from FCA. To the extent the allegations require a response, FCA admits that the Complaint purports to set forth an action under 35 U.S.C. § 1 *et seq.* FCA denies any remaining allegations in this paragraph of the Complaint.

5. The allegations of this paragraph are legal conclusions that do not require a response from FCA. To the extent the allegations require a response, FCA admits that the Northern District of Ohio Court has subject matter jurisdiction for civil actions for patent infringement pursuant to 28 U.S.C. §§ 1331 and 1338(a). FCA denies any remaining allegations in this paragraph of the Complaint.

6. This paragraph of the Complaint states a legal conclusion and does not require a response from FCA. To the extent a response is required, FCA admits that this Court has personal jurisdiction over FCA, and denies the remaining allegations set forth in this paragraph of the Complaint and specifically denies that venue is convenient in this jurisdiction.

7. The allegations of this paragraph are legal conclusions that do not require a response from FCA. To the extent a response is required, FCA admits that this Court has personal jurisdiction over FCA, and denies the remaining allegations set forth in this paragraph of the Complaint.

8. FCA denies the allegations in this paragraph.

9. FCA admits that it does business in Ohio and the Northern District of Ohio. FCA denies the remaining allegations in this paragraph.

10. FCA denies the allegations in this paragraph.

11. FCA denies the allegations in this paragraph.

12. FCA admits that the Toledo Assembly Complex has 3.64 million square feet of floor space over 312 acres of land. FCA denies the remaining allegations in this paragraph.

13. FCA admits that some of its vehicles are assembled in the Toledo Assembly Complex. FCA denies the remaining allegations in this paragraph.

14. FCA denies the allegations in this paragraph.

THE ASSERTED PATENTS

I. The '366 Patent

15. FCA admits that the title appearing on the face of U.S. Patent No. 8,467,366 (the '366 patent") is "Methods and Apparatus for Random Access in Multi-Carrier Communication Systems" and that a purported copy of the '366 patent is attached to the Complaint as Exhibit 1. FCA is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in this paragraph of the Complaint and therefore denies those allegations.

16. FCA is without knowledge or information sufficient to form a belief

as to the truth of the allegations in this paragraph of the Complaint and therefore denies those allegations.

17. FCA denies the allegations in this paragraph.

II. The '908 Patent

18. FCA admits that the title appearing on the face of U.S. Patent No. 10,833,908 (the '908 patent") is "Channel Probing Signal for a Broadband Communication System" and that a purported copy of the '908 patent is attached to the Complaint as Exhibit 2. FCA is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in this paragraph of the Complaint and therefore denies those allegations.

19. FCA is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Complaint and therefore denies those allegations.

20. FCA denies the allegations in this paragraph.

III. The '941 Patent

21. FCA admits that the title appearing on the face of U.S. Patent No. 10,075,941 (the '941 patent") is "Methods and Apparatus for Multi-Carrier Communications With Adaptive Transmission and Feedback" and that a purported copy of the '941 patent is attached to the Complaint as Exhibit 3. FCA is without knowledge or information sufficient to form a belief as to the truth of the

remaining allegations in this paragraph of the Complaint and therefore denies those allegations.

22. FCA is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Complaint and therefore denies those allegations.

23. FCA denies the allegations in this paragraph.

IV. The '450 Patent

24. FCA admits that the title appearing on the face of U.S. Patent No. 10,447,450 (the '450 patent") is "Method and System for Multi-Carrier Packet Communication with Reduced Overhead" and that a purported copy of the '450 patent is attached to the Complaint as Exhibit 4. FCA is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in this paragraph of the Complaint and therefore denies those allegations.

25. FCA is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Complaint and therefore denies those allegations.

26. FCA denies the allegations in this paragraph.

V. The '512 Patent

27. FCA admits that the title appearing on the face of U.S. Patent No. 10,965,512 (the '512 patent") is "Method and Apparatus Using Cell-Specific and

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