

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

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IN RE NEO WIRELESS, LLC,  
PATENT LITIG.

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NO. 2:22-MD-03034-TGB

HON. TERRENCE G. BERG

NEO WIRELESS, LLC,

*Plaintiff,*

NO. 2:22-CV-11406-TGB

HON. TERRENCE G. BERG

v.

TOYOTA MOTOR CORPORATION,  
TOYOTA MOTOR NORTH AMERICA,  
INC., TOYOTA MOTOR SALES, U.S.A.,  
INC., & TOYOTA MOTOR ENGINEERING  
& MANUFACTURING NORTH  
AMERICA, INC., & TOYOTA MOTOR  
CREDIT CORPORATION

JURY TRIAL DEMANDED

*Defendants.*

**DEFENDANTS' FIRST AMENDED ANSWER AND AFFIRMATIVE DEFENSES TO  
PLAINTIFF'S FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT**

Defendants Toyota Motor Corporation (“TMC”), Toyota Motor North America, Inc. (“TMNA”), Toyota Motor Sales, U.S.A., Inc. (“TMS”), Toyota Motor Engineering & Manufacturing North America, Inc. (“TEMA”), and Toyota Motor Credit Corporation (“TMCC”) (collectively, “Toyota”) hereby submit this First Amended Answer and assert defenses to the First Amended Complaint for Patent Infringement (“First Amended Complaint”) filed by Plaintiff Neo Wireless, LLC on June 24, 2022.

**THE PARTIES**

1. Toyota lacks sufficient knowledge and information to admit or deny the allegations in Paragraph 1 of the First Amended Complaint and therefore denies them.

2. Toyota Motor Corporation admits that it is a corporation organized and existing under the laws of Japan, with a place of business at 1 Toyota-Cho, Toyota City, Aichi Prefecture, 471-8571, Japan. Toyota denies the remaining allegations of Paragraph 2 of the First Amended Complaint.

3. Toyota Motor North America, Inc. admits that it is a corporation organized and existing under the laws of California with its principal place of business at 6565 Headquarters Drive, Plano, Texas, 75024. TMNA admits that its registered agent is CT Corporation System, at 1999 Bryan Street, Suite 900, Dallas, Texas, 75201. Toyota denies the remaining allegations of Paragraph 3 of the First Amended Complaint.

4. Toyota Motor Sales, U.S.A., Inc. admits that it is a corporation organized under the laws of California with its principal place of business at 6565 Headquarters Drive, Plano, Texas 75024. TMS admits that its registered agent is CT Corporation System, at 1999 Bryan Street, Suite 900, Dallas, Texas, 75201. Toyota denies the remaining allegations of Paragraph 4 of the First Amended Complaint.

5. Toyota Motor Engineering & Manufacturing North America, Inc. admits that it is a corporation organized and existing under the laws of the State of Kentucky with its principal place of business at 6565 Headquarters Drive, Plano, Texas 75024. TEMA admits that its registered agent is CT Corporation System, at 1999 Bryan Street, Suite 900, Dallas, Texas, 75201. Toyota denies the remaining allegations of Paragraph 5 of the First Amended Complaint.

6. Toyota Motor Credit Corporation admits that it is a corporation organized and existing under the laws of the State of California with its principal place of business at 6565 Headquarters Drive, Plano, Texas 75024. TMCC admits that its registered agent is CT Corporation System, at 1999 Bryan Street, Suite 900, Dallas, Texas, 75201. Toyota denies the remaining allegations of Paragraph 6 of the First Amended Complaint.

**JURISDICTION AND VENUE**

7. Admitted.

8. Admitted.

9. Paragraph 9 contains legal conclusions to which no response is required. To the extent a response is required, for the purposes of this action only, Toyota does not dispute that venue is proper in this District. Toyota denies all remaining allegations in Paragraph 9.

10. Paragraph 10 contains legal conclusions to which no response is required. To the extent a response is required, for the purposes of this action only, Toyota does not dispute that venue is proper in this District. Toyota denies all remaining allegations in Paragraph 10.

11. Paragraph 11 contains legal conclusions to which no response is required. To the extent a response is required, for the purposes of this action only, Toyota does not contest personal jurisdiction. Toyota denies all remaining allegations in Paragraph 11.

12. Paragraph 12 contains legal conclusions to which no response is required. To the extent a response is required, for the purposes of this action only, Toyota does not contest personal jurisdiction. Toyota denies all remaining allegations in Paragraph 12.

13. Paragraph 13 contains legal conclusions to which no response is required. To the extent a response is required, for the purposes of this action only, Toyota does not contest personal jurisdiction. Toyota denies all remaining allegations in Paragraph 13.

14. Paragraph 14 contains legal conclusions to which no response is required. To the extent a response is required, for the purposes of this action only, Toyota does not contest personal jurisdiction. Toyota denies all remaining allegations in Paragraph 14.

15. Paragraph 15 contains legal conclusions to which no response is required. To the extent a response is required, for the purposes of this action only, Toyota does not contest personal jurisdiction. Toyota denies all remaining allegations in Paragraph 15.

16. Paragraph 16 contains legal conclusions to which no response is required. To the extent a response is required, for the purposes of this action only, Toyota does not contest personal jurisdiction. Toyota denies all remaining allegations in Paragraph 16.

17. Paragraph 17 contains legal conclusions to which no response is required. To the extent a response is required, for the purposes of this action only, Toyota does not contest personal jurisdiction. Toyota denies all remaining allegations in Paragraph 17.

18. Paragraph 18 contains legal conclusions to which no response is required. To the extent a response is required, for the purposes of this action only, Toyota does not contest personal jurisdiction. Toyota denies all remaining allegations in Paragraph 18.

### **THE ASSERTED PATENTS**

#### **The '366 Patent**

19. Toyota admits that U.S. Patent No. 8,467,366 (“the '366 patent”) was issued on June 18, 2013 and is titled “Methods and Apparatus for Random Access in Multi-Carrier

Communication Systems.” Toyota admits that Exhibit 1 to the First Amended Complaint appears to be a copy of the ’366 patent. Toyota denies all remaining allegations in Paragraph 19.

20. Toyota lacks sufficient knowledge and information to admit or deny the allegations in Paragraph 20 of the First Amended Complaint and therefore denies them.

21. Denied.

**The ’908 Patent**

22. Toyota admits that U.S. Patent No. 10,833,908 (“the ’908 patent”) was issued on April 17, 2018 and is titled “Channel Probing Signal for a Broadband Communication System.” Toyota admits that Exhibit 2 to the First Amended Complaint appears to be a copy of the ’908 patent. Toyota denies all remaining allegations in Paragraph 22.

23. Toyota lacks sufficient knowledge and information to admit or deny the allegations in Paragraph 23 of the First Amended Complaint and therefore denies them.

24. Denied.

**The ’941 Patent**

25. Toyota admits that U.S. Patent No. 10,075,941 (“the ’941 patent”) was issued on September 11, 2018 and is titled “Methods and Apparatus for Multi-Carrier Communication Systems with Adaptive Transmission and Feedback.” Toyota admits that Exhibit 3 to the First Amended Complaint appears to be a copy of the ’941 patent. Toyota denies all remaining allegations in Paragraph 25.

26. Toyota lacks sufficient knowledge and information to admit or deny the allegations in Paragraph 26 of the First Amended Complaint and therefore denies them.

27. Denied.

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