

1 PETER H. KANG (SBN 158101)
pkang@sidley.com
2 SIDLEY AUSTIN LLP
1001 Page Mill Road, Bldg. 1
3 Palo Alto, CA 94304
Telephone: (650) 565-7000
4 Facsimile: (650) 565-7100
ADDITIONAL COUNSEL LISTED
5 ON SIGNATURE PAGE

6 Attorneys for Defendant,
Ohsung Electronics USA, Inc.
7

8
9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA
11 SOUTHERN DIVISION

12 UNIVERSAL ELECTRONICS INC.,

13 Plaintiff,

14 vs.

15 UNIVERSAL REMOTE CONTROL,
16 INC., OHSUNG ELECTRONICS CO.,
LTD., AND OHSUNG ELECTRONICS
17 USA, INC.,

18 Defendants.

NO. SACV 13-00984 AG (JPRx)

Assigned to: Hon. Andrew J. Guilford

**DEFENDANT OHSUNG
ELECTRONICS, USA, INC.'S
ANSWER TO SECOND AMENDED
COMPLAINT**

19 UNIVERSAL REMOTE CONTROL,
20 INC.,

21 Counterclaimant,

22 vs.

23 UNIVERSAL ELECTRONICS, INC.,

24 Counter-Defendant.
25
26
27
28

DEMAND FOR JURY TRIAL

1 Defendant Ohsung Electronics U.S.A., Inc. (“Ohsung USA”), by the
2 undersigned attorneys, hereby responds to the Second Amended Complaint
3 (“Complaint”) in the above civil action with the following Answer and Affirmative
4 Defenses:

5 **NATURE OF CASE**

6 1. In answer to paragraph 1 of the Complaint, Ohsung USA admits that the
7 Complaint purports to state claims for patent infringement under the patent laws of the
8 United States, Title 35, United States Code. Ohsung USA admits that the Court has
9 subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338 (a). Ohsung USA
10 specifically denies any wrongdoing or liability and denies the claim of patent
11 infringement by the Plaintiff.

12 **PARTIES**

13 2. In answer to paragraph 2 of the Complaint, Ohsung USA is without
14 knowledge or information sufficient to form a belief as to the truth of the allegations
15 of paragraph 2, and therefore denies them.

16 3. In answer to paragraph 3 of the Complaint, Ohsung USA admits that the
17 ’077 patent is entitled “Remotely Upgradable Universal Remote Control” and bears an
18 issue date of July 13, 1993. Ohsung USA is without knowledge or information
19 sufficient to form a belief as to the truth of the remainder of the allegations contained
20 in paragraph 3, and therefore denies them.

21 4. In answer to paragraph 4 of the Complaint, Ohsung USA admits that the
22 ’313 patent is entitled “Universal Remote Control System” and bears an issue date of
23 October 19, 1993. Ohsung USA is without knowledge or information sufficient to
24 form a belief as to the truth of the remainder of the allegations contained in paragraph
25 4, and therefore denies them.

26 5. In answer to paragraph 5 of the Complaint, Ohsung USA admits that the
27 ’761 patent is entitled “Remote Control System” and bears an issue date of May 9,
28

1 1995. Ohsung USA is without knowledge or information sufficient to form a belief as
2 to the truth of the remainder of the allegations contained in paragraph 5, and therefore
3 denies them.

4 6. In answer to paragraph 6 of the Complaint, Ohsung USA admits that the
5 '917 patent is entitled "Remote Control" and bears an issue date of September 3,
6 1996. Ohsung USA is without knowledge or information as to the truth of the
7 remainder of the allegations contained in paragraph 6, and therefore denies them.

8 7. In answer to paragraph 7 of the Complaint, Ohsung USA admits that the
9 '059 patent is entitled "Computer Programmable Remote Control" and bears an issue
10 date of April 4, 2006, and indicates on its face sheet it is a reissue of U.S. Patent No.
11 6,211,870, which bears an issue date of April 3, 2001. Ohsung USA is without
12 knowledge or information sufficient to form a belief as to the truth of the remainder of
13 the allegations contained in paragraph 7, and therefore denies them.

14 8. In answer to paragraph 8 of the Complaint, Ohsung USA admits that the
15 '779 patent is entitled "Method and Apparatus for an Intuitive Universal Remote
16 Control System" and bears an issue date of June 18, 2002. Ohsung USA is without
17 knowledge or information sufficient to form a belief as to the truth of the remainder of
18 the allegations contained in paragraph 8, and therefore denies them.

19 9. In answer to paragraph 9 of the Complaint, Ohsung USA admits that the
20 '468 patent is entitled "System and Method for Monitoring Remote Control
21 Transmissions" and bears an issue date of October 24, 2006. Ohsung USA is without
22 knowledge or information sufficient to form a belief as to the truth of the remainder of
23 the allegations contained in paragraph 9, and therefore denies them.

24 10. In answer to paragraph 10 of the Complaint, Ohsung USA admits that the
25 '642 patent is entitled "Relaying Key Code Signals Through A Remote Control
26 Device" and bears an issue date of September 15, 2009. Ohsung USA is without
27

1 knowledge or information sufficient to form a belief as to the truth of the remainder of
2 the allegations contained in paragraph 10, and therefore denies them.

3 11. In answer to paragraph 11 of the Complaint, Ohsung USA admits that the
4 '930 patent is entitled "System and Method for Displaying a User Interface for a
5 Remote Control Application" and bears an issue date of November 9, 2010. Ohsung
6 USA is without sufficient knowledge or information as to the truth of the remainder of
7 the allegations contained in paragraph 11, and therefore denies them.

8 12. In answer to paragraph 12 of the Complaint, Ohsung USA admits that the
9 '207 patent is entitled "System and Method for Activity Based Configuration of an
10 Entertainment System" and bears an issue date of August 14, 2012. Ohsung USA is
11 without sufficient knowledge or information as to the truth of the remainder of the
12 allegations contained in paragraph 12, and therefore denies them.

13 13. In answer to paragraph 13 of the Complaint, Ohsung USA is without
14 sufficient knowledge or information as to the truth of the allegations concerning other
15 Defendants named in the Complaint, and therefore denies them.

16 14. In answer to paragraph 14 of the Complaint, Ohsung USA admits that
17 Ohsung Electronics Co., Ltd. ("Ohsung Korea") is a South Korean entity having its
18 principal place of business at #181, Gongdan-Dong, Gumi-City, Gyeongsangbuk-do,
19 South Korea 730-030.

20 15. In answer to paragraph 15 of the Complaint, Ohsung USA admits that it
21 is a California corporation with a Business Entity record in the California Secretary of
22 State database that lists an entity address of P.O. Box 3171, El Centro, California
23 92244 and an agent address of 238 Jakrabbitt Dr., El Centro, California 92243.
24 Ohsung USA admits that it has an office in Calexico, California. Ohsung USA avers
25 that El Centro and Calexico are in Imperial County, California, which is in the federal
26 judicial district of the Southern District of California. Ohsung USA avers that it is a
27

1 subsidiary of Ohsung Korea, a Korean corporation. Ohsung USA denies the
2 remaining allegations set forth in paragraph 15 of the Complaint.

3 **JURISDICTION AND VENUE**

4 16. In answer to paragraph 16 of the Complaint, Ohsung USA admits that it
5 sells remote control devices. Ohsung USA is without sufficient knowledge or
6 information as to the truth of the remaining allegations contained in paragraph 16, and
7 therefore denies them.

8 17. In answer to paragraph 17 of the Complaint, Ohsung USA admits that it
9 supplies remote control devices to Defendant Universal Remote Control, Inc.
10 (“URC”). Ohsung USA is without sufficient information or knowledge as to the truth
11 of the remaining allegations contained in paragraph 17, and therefore denies them.

12 18. In answer to paragraph 18 of the Complaint, Ohsung USA admits that
13 Ohsung Korea designs, manufactures, and supplies remote control devices which are
14 ultimately transferred to URC. Ohsung USA is without sufficient knowledge or
15 information as to the truth of the remaining allegations contained in paragraph 18, and
16 therefore denies them.

17 19. In answer to paragraph 19 of the Complaint, Ohsung USA is without
18 sufficient knowledge or information as to the truth of the allegations contained in
19 paragraph 19, and therefore denies them.

20 20. In answer to paragraph 20 of the Complaint, Ohsung USA admits that
21 Ohsung Korea designs, manufactures, and supplies remote control devices which are
22 ultimately transferred to URC. Ohsung USA is without sufficient knowledge or
23 information as to the truth of the remaining allegations contained in paragraph 20, and
24 therefore denies them.

25 21. In answer to paragraph 21 of the Complaint, Ohsung USA admits that
26 Ohsung USA is a subsidiary of Ohsung Korea. Ohsung USA admits that Ohsung
27 USA, Ohsung Korea, and URC have communicated in the normal course of business.

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.