

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

ANDREA ELECTRONICS CORPORATION

Plaintiff,

v.

LENOVO HOLDING COMPANY, INC., and  
LENOVO (UNITED STATES) INC.

Defendants.

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Civil No. 2:14-cv-04489-KAM-SIL

**JURY TRIAL DEMANDED**

**DEFENDANTS LENOVO HOLDING COMPANY, INC., AND LENOVO (UNITED STATES) INC.'S ANSWER AND COUNTERCLAIMS TO PLAINTIFF'S FIRST AMENDED COMPLAINT**

Defendants Lenovo Holding Company, Inc., and Lenovo (United States), Inc. (collectively, "Lenovo") answer Plaintiff Andrea Electronics Corporation's First Amended Complaint (D.I. 35) as follows. Any allegations or averments not specifically admitted herein are denied.

**NATURE OF ACTION**

1. Lenovo admits that paragraph 1 alleges that this is an action for infringement of one or more claims in U.S. Patent No. 5,825,898 (the "898 patent"), U.S. Patent No. 6,049,607 (the "607 patent"), U.S. Patent No. 6,363,345 (the "345 patent"), and U.S. Patent No. 6,483,923 (the "923 patent") (collectively, the "Asserted Patents"). Lenovo denies the remaining allegations of paragraph 1.
2. Lenovo admits that paragraph 2 alleges that this is an action for direct infringement. Lenovo denies the remaining allegations of paragraph 2.

3. Lenovo admits that paragraph 3 alleges that this is also an action for indirect infringement of one or more methods claimed in the '607, '345, and '923 Patents. Lenovo denies the remaining allegations of paragraph 3.

### **THE PARTIES**

4. Lenovo is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 4 and therefore denies them.

5. Lenovo admits that Lenovo Holding Company, Inc. ("Lenovo Holding") is a Delaware corporation with offices in Morrisville, North Carolina. Lenovo admits that Lenovo Holding is a subsidiary of Lenovo Group Ltd. Lenovo denies the remaining allegations of paragraph 5.

6. Lenovo admits that Lenovo (United States) Inc. ("Lenovo U.S.") is a Delaware corporation with offices in Morrisville, North Carolina. Lenovo admits that Lenovo U.S. is a subsidiary of Lenovo Holding. Lenovo denies the remaining allegations of paragraph 6.

### **JURISDICTION AND VENUE**

7. Lenovo admits that this Court has subject matter jurisdiction over patent claims.

8. Lenovo does not contest that, for purposes of this case only, the Court has personal jurisdiction over Lenovo Holding and Lenovo U.S. Lenovo denies the remaining allegations in paragraph 8.

9. Lenovo does not contest that venue is proper in this District as to Lenovo Holding and Lenovo U.S. in this case. Lenovo denies that this District is a convenient forum for this case. Lenovo denies the remaining allegations of paragraph 9.

**BACKGROUND AND FACTS RELATED TO THIS ACTION**

10. Lenovo is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 10 and therefore denies them.

11. Lenovo is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 11 and therefore denies them.

12. Lenovo is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 12 and therefore denies them.

13. Lenovo is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 13 and therefore denies them.

14. Lenovo is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 14 and therefore denies them.

15. Lenovo is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 15 and therefore denies them.

16. Lenovo is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 16 and therefore denies them.

17. Lenovo is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 17 and therefore denies them.

18. Lenovo is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 18 and therefore denies them.

19. Lenovo is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 19 and therefore denies them.

20. Lenovo is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 20 and therefore denies them.

**COUNT I**

**(Infringement of the '898 Patent)**

21. Lenovo incorporates its answers to the allegations of paragraphs 1-20 as though fully set forth herein.

22. Lenovo admits that, on its face, the '898 patent appears to be titled "System and Method for Adaptive Interference Cancelling," and was issued on October 20, 1998. Lenovo is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of paragraph 22 and therefore denies them.

23. Lenovo is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 23 and therefore denies them.

24. Lenovo is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 24 and therefore denies them.

25. Denied.

26. Denied.

**COUNT II**

**(Infringement of the '607 Patent)**

27. Lenovo incorporates its answers to the allegations of paragraphs 1-26 as though fully set forth herein.

28. Lenovo admits that, on its face, the '607 patent appears to be titled "Interference Canceling Method and Apparatus," and was issued on April 11, 2000. Lenovo is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of paragraph 28 and therefore denies them.

29. Lenovo is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 29 and therefore denies them.

30. Lenovo is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 30 and therefore denies them.

31. Denied.

32. Denied.

33. Lenovo admits that the original complaint in this action was filed on July 25, 2014. Lenovo denies the remaining allegations in paragraph 33.

34. Denied.

35. Denied.

36. Denied.

37. Denied.

38. Denied.

### **COUNT III**

#### **(Infringement of the '345 Patent)**

39. Lenovo incorporates its answers to the allegations of paragraphs 1-38 as though fully set forth herein.

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