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 13 *VOXX International Corporation, VOXX Electronics*  
 14 *Corporation, and Invision Automotive Systems, Inc.*

15 UNITED STATES DISTRICT COURT  
 16 CENTRAL DISTRICT OF CALIFORNIA  
 WESTERN DIVISION

17 JOHNSON SAFETY, INC.,

18 Plaintiff,

19 v.

20 VOXX INTERNATIONAL  
 21 CORPORATION, VOXX  
 22 ELECTRONICS CORPORATION, and  
 23 INVISION AUTOMOTIVE  
 SYSTEMS, INC.,

24 Defendants.

25  
 26 VOXX INTERNATIONAL  
 CORPORATION, VOXX  
 27 ELECTRONICS CORPORATION, and  
 28 INVISION AUTOMOTIVE  
 SYSTEMS, INC.

CASE NO. 5:14-cv-2591-ODW-DTB

**COUNTERCLAIMS OF  
 DEFENDANTS AND  
 COUNTERCLAIMANTS  
 VOXX INTERNATIONAL  
 CORPORATION, VOXX  
 ELECTRONICS CORPORATION,  
 AND INVISION AUTOMOTIVE  
 SYSTEMS, INC.**

**DEMAND FOR JURY TRIAL**

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Counterclaimants,  
v.  
JOHNSON SAFETY, INC., and  
MYRON & DAVIS, INC.,  
Counterdefendants.

Counterclaimants VOXX International Corporation (“VOXX”), VOXX Electronics Corporation (“VEC”), and Invision Automotive Systems, Inc. (“Invision”), for their counterclaims against Counterdefendants Johnson Safety, Inc. (“Johnson Safety”) and Myron & Davis, Inc. (“M&D”), aver as follows:

**PARTIES**

1. VOXX is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business at 180 Marcus Blvd., Hauppauge, NY 11788.

2. VEC is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business at 150 Marcus Blvd., Hauppauge, NY 11788. VEC is a wholly-owned subsidiary of VOXX and was formerly known as Audiovox Electronics Corporation.

3. Invision is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business at 2822 Commerce Park Drive, Orlando, FL 32819. Invision is a wholly-owned subsidiary of VOXX.

4. Upon information and belief, Johnson Safety is a California corporation with its corporate headquarters and principal place of business at 1425 Cooley Ct., San Bernardino, CA 92408.

5. Upon information and belief, M&D is a California corporation with its corporate headquarters and principal place of business at 1425 Cooley Ct., San Bernardino, CA 92408.

6. Upon information and belief, M&D is owned by Johnson Safety and

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1 markets, promotes, advertises, sells, offers to sell, and imports into the United States  
2 the products complained of herein by Counterclaimants.

3 7. Upon information and belief, M&D markets, promotes, advertises, and  
4 provides support to its distributors, retailers, and customers through its website  
5 located at [www.myronanddavis.com](http://www.myronanddavis.com).

6 8. Upon information and belief, M&D is not in good standing with the State  
7 of California as the California Secretary of State's online business records list M&D's  
8 current status as "FTB Suspended."

9 9. As used in Counts I-V below, Counterclaimants refer to Johnson Safety  
10 and M&D collectively as "Johnson."

### 11 JURISDICTION AND VENUE

12 10. Certain counterclaims set forth herein arise under the patent laws of the  
13 United States, Title 35 United States Code, particularly §§ 271, 281, 283, 284 and  
14 285. This Court has subject matter jurisdiction over these claims for patent  
15 infringement pursuant to 28 U.S.C. §§ 1331 and 1338(a).

16 11. This Court has supplemental jurisdiction over certain other  
17 counterclaims pursuant to 28 U.S.C. §§ 1367, 2201, and 2202. Certain counterclaims  
18 set forth herein seek a declaration of non-infringement and/or invalidity of U.S. Patent  
19 No. 6,871,356 (the "356 Patent"), U.S. Patent No. 7,267,402 (the "402 Patent"),  
20 U.S. Patent No. 7,379,125 (the "125 Patent"), U.S. Patent No. 7,448,679 (the "679  
21 Patent"), and U.S. Patent No. 7,894,003 (the "003 Patent") (collectively, the  
22 "Johnson Asserted Patents").

23 12. This Court has personal jurisdiction over Johnson Safety and M&D by  
24 virtue of the fact that both entities are California Corporations with their corporate  
25 headquarters and principal place of business at 1425 Cooley Ct., San Bernardino, CA  
26 92408. This Court further has personal jurisdiction over Johnson Safety by way of it  
27 submitting itself to the personal jurisdiction of this Court by filing the original  
28 Complaint against the Counterclaimants in this action.

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1 13. In a Complaint dated December 19, 2014 (“Complaint”), Johnson Safety  
2 avers, among other things, that Johnson Safety is the assignee of the Johnson Asserted  
3 Patents; and that Counterclaimants have infringed, have induced others to infringe,  
4 and/or have committed acts of contributory infringement of one or more claims of the  
5 Johnson Asserted Patents by making, using, offering for sale, selling, and/or  
6 importing into the United States certain video systems embodying the patented  
7 inventions.

8 14. Counterclaimants deny liability for alleged infringement of the Johnson  
9 Asserted Patents.

10 15. Accordingly, there is an actual and justiciable controversy between  
11 Counterclaimants and Johnson as set forth below.

12 16. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1391(b)-(d) and  
13 1400(b). Further, Johnson is headquartered in this District and does business in this  
14 District.

15 **VOXX PATENTS**

16 **U.S. Patent No. 5,775,762**

17 17. On July 7, 1998, United States Patent No. 5,775,762, entitled “Overhead  
18 Console Having Flip-Down Monitor” (the “`762 Patent”), was duly and legally issued  
19 by the United States Patent & Trademark Office (“USPTO”). A true and correct copy  
20 of the `762 Patent is attached hereto as Exhibit A.

21 18. Pursuant to 35 U.S.C. § 282, the `762 Patent is presumed valid.

22 19. VOXX is the owner of all right, title, and interest in and to the `762  
23 Patent.

24 20. Prior to filing these counterclaims, VOXX complied with the marking  
25 requirement pursuant to 35 U.S.C. § 287(a) and is entitled to recover for past damages  
26 for Johnson’s infringement of the `762 Patent.

27 **U.S. Patent No. 6,678,892**

28 21. On January 13, 2004, United States Patent No. 6,678,892, entitled

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1 “Multimedia Entertainment Unit for Use in a Vehicle” (the “892 Patent”), was duly  
2 and legally issued by the USPTO. A true and correct copy of the `892 Patent is  
3 attached hereto as Exhibit B.

4 22. Pursuant to 35 U.S.C. § 282, the `892 Patent is presumed valid.

5 23. VOXX is the owner of all right, title, and interest in and to the `892  
6 Patent.

7 24. Prior to filing these counterclaims, VOXX complied with the marking  
8 requirement pursuant to 35 U.S.C. § 287(a) and is entitled to recover for past damages  
9 for Johnson’s infringement of the `892 Patent.

10 **U.S. Patent No. 7,050,124**

11 25. On May 23, 2006, United States Patent No. 7,050,124, entitled “Mobile  
12 Video System” (the “124 Patent”), was duly and legally issued by the USPTO. A  
13 true and correct copy of the `124 Patent is attached hereto as Exhibit C.

14 26. Pursuant to 35 U.S.C. § 282, the `124 Patent is presumed valid.

15 27. VOXX is the owner of all right, title, and interest in and to the `124  
16 Patent.

17 28. Prior to filing these counterclaims, VOXX complied with the marking  
18 requirement pursuant to 35 U.S.C. § 287(a) and is entitled to recover for past damages  
19 for Johnson’s infringement of the `124 Patent.

20 **U.S. Patent No. 7,245,274**

21 29. On July 17, 2007, United States Patent No. 7,245,274, entitled “Headrest  
22 Mountable Video System” (the “274 Patent”), was duly and legally issued by the  
23 USPTO. A true and correct copy of the `274 Patent is attached hereto as Exhibit D.

24 30. Pursuant to 35 U.S.C. § 282, the `274 Patent is presumed valid.

25 31. VOXX is the owner of all right, title, and interest in and to the `274  
26 Patent.

27 32. Prior to filing these counterclaims, VOXX complied with the marking  
28 requirement pursuant to 35 U.S.C. § 287(a) and is entitled to recover for past damages

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