

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT

LEGO SYSTEM A/S,

Plaintiffs/Counterclaim-Defendants,

v.

RUBICON COMMUNICATIONS, LP DBA
SMALLWORKS AND SMALLWORKS, LLC,

Defendant/Counterclaim-Plaintiff.

Civil Action No. 15-cv-00823-VLB

JURY TRIAL DEMANDED

**DEFENDANTS' ANSWER, DEFENSES, AND COUNTERCLAIMS
TO AMENDED COMPLAINT**

Defendant Rubicon Communications, LP (“Rubicon”) and SmallWorks, LLC (“SmallWorks”) for their Answer, Defenses, and Counterclaims to the Amended Complaint of Plaintiff Lego System A/S (“Lego”) respond as follows. Every allegation not expressly admitted herein is denied.

THE PARTIES

1. Rubicon and SmallWorks separately lack knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 1, and therefore separately deny all allegations of Paragraph 1.
2. Rubicon no longer exists. Current manufacturing, offering for sale, and sales of the accused products are done solely by SmallWorks, which should be the only defendant entity in this lawsuit.
3. Rubicon and SmallWorks separately admit that they have done a very small amount of business in the state of Connecticut, but separately deny the remainder of Paragraph 3.

LEGO A/S Ex. 2013
Rubicon Communications, LP
v. LEGO A/S
IPR2016-01187

JURISDICTION AND VENUE

4. Separately Admitted.

5. Rubicon and SmallWorks separately admit that the Court has personal jurisdiction over the subject matter, but separately deny the remainder of Paragraph 5.

6. Separately denied.

THE ASSERTED PATENTS

7. Rubicon and SmallWorks separately lack knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 7, and therefore separately deny all allegations of Paragraph 7.

8. Separately admitted.

9. Separately admitted.

10. Separately admitted.

11. Separately admitted.

12. Rubicon and SmallWorks separately admit that an assignment document was filed with the USPTO, but separately lack knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph 12, and therefore separately deny the remaining allegations of Paragraph 12.

DEFENDANTS' [ALLEGED] INFRINGING ACTS

13. SmallWorks admits that it makes, uses, sells, and offers for sale in the United States cases for the iPhone 4/4S, the iPhone 5/5S, iPod Touch 4th generation, and iPad mini, which allow users to connect bricks and other building elements to the cases, including Lego bricks, but denies the remainder of Paragraph 13. Rubicon denies that the allegations in Paragraph 13 are applicable to it.

14. SmallWorks admits that it operates www.smallworks.com. Rubicon denies that the allegations in Paragraph 14 are applicable to it.

15. SmallWorks admits that it offers cases for the iPhone 4/4S, the iPhone 5/5S, iPod Touch 4th generation, and iPad mini. Rubicon denies that the allegations in Paragraph 15 are applicable to it.

16. SmallWorks admits that Lego has partially quoted parts of sentences appearing on the SmallWorks website in Paragraph 16 of the Complaint.

17. SmallWorks admits that it has various social media sites, but lacks knowledge as to what Lego means by “promote”, and therefore denies the remainder of Paragraph 17. Rubicon denies that the allegations in Paragraph 17 are applicable to it.

18. SmallWorks admits that it sells products on Amazon.com and other locations. Rubicon denies that the allegations in Paragraph 18 are applicable to it.

19. Separately denied.

20. SmallWorks admits that it has previous knowledge of the '191 Patent and '892 Patent but denies that it infringes those patents. Rubicon denies that the allegations in Paragraph 20 are applicable to it.

COUNT I – [ALLEGED] INFRINGEMENT OF THE '191 PATENT

21. Rubicon and SmallWorks separately restate and incorporate by reference their responses to paragraphs 1 through 20 as if fully stated herein.

22. Separately denied.

23. Separately denied.

24. Separately denied.

25. Separately denied.

26. Separately denied.

27. Separately denied.

COUNT II – [ALLEGED] INFRINGEMENT OF THE '892 PATENT

28. Rubicon and SmallWorks separately restate and incorporate by reference their responses to paragraphs 1 through 20 as if fully stated herein.

29. Separately denied.

30. Separately denied.

31. Separately denied.

32. Separately denied.

33. Separately denied.

34. Separately denied.

COUNT III – [ALLEGED] INFRINGEMENT OF THE ‘085 PATENT

35. Rubicon and SmallWorks separately restate and incorporate by reference their responses to paragraphs 1 through 20 as if fully stated herein.

36. Separately denied.

37. Separately denied.

38. Separately denied.

39. Separately denied.

40. Separately denied.

41. Separately denied.

COUNT IV – [ALLEGED] INFRINGEMENT OF THE ‘066 PATENT

42. Rubicon and SmallWorks separately restate and incorporate by reference their responses to paragraphs 1 through 20 as if fully stated herein.

43. Separately denied.

44. Separately denied.

45. Separately denied.

46. Separately denied.

47. Separately denied.

48. Separately denied.

PRAYER FOR RELIEF

Rubicon and SmallWorks separately deny all allegations not expressly admitted herein. Rubicon and SmallWorks further separately deny that Lego is entitled to any of the relief requested or to any relief whatsoever. Rubicon and

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.