

1 COOLEY LLP
Heidi Keefe (178960)
(hkeefe@cooley.com)
2 Lowell Mead (223989)
(lmead@cooley.com)
3 Priya B. Viswanath (238089)
(pviswanath@cooley.com)
4 3175 Hanover Street
Palo Alto, California 94304
5 Telephone: (650) 843-5000
Facsimile: (650) 849-7400
6

7 COOLEY LLP
Phillip Morton (*Pro Hac Vice*)
(pmorton@cooley.com)
8 1299 Pennsylvania Avenue
NW, Suite 700
9 Washington, DC 20004-2400
Telephone: (202) 842-7800
10 Facsimile: (202) 842-7899

11 *Attorneys for Defendant*
Apple, Inc.
12

13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**

15
16 COREPHOTONICS, LTD.,
17 Plaintiff,
18 v.
19 APPLE INC.
20 Defendant.
21

Case No. 3:19-cv-04809-LHK
**ANSWER TO COMPLAINT FOR
PATENT INFRINGEMENT**
DEMAND FOR JURY TRIAL

22
23
24
25
26
27
28

ANSWER

1
2 1. Defendant Apple Inc. (“Apple”) answers the Complaint filed by Plaintiff
3 Corephotonics, Ltd. (“Corephotonics”). Each Allegation not expressly admitted is denied. The
4 following numbered paragraphs of this Answer correspond to the numbered paragraphs in the
5 Complaint, other than with respect to affirmative defenses, counterclaims, jury demand set forth
6 herein, and the Prayer for Relief.

7 **NATURE OF THE ACTION**

8 2. Apple admits that this purports to be a civil action for patent infringement under
9 35 U.S.C. § 1, et seq.

10 3. Apple admits that U.S. Patent No. 9,661,233 (the “’233 patent”) is entitled “Dual
11 Aperture Zoom Digital Camera.” Apple further admits that the face of the ’233 patent indicates
12 that it issued on May 23, 2017. Apple further admits that the face of the ’233 patent indicates
13 that Corephotonics was the assignee of the patent on the date of issuance, but Apple is without
14 sufficient information to admit or deny whether Corephotonics is the legal owner of the ’233
15 patent. Apple further admits that Exhibit A is a copy of the ’233 patent. Except as expressly
16 admitted, Apple denies the remaining allegations in paragraph 3.

17 4. Apple admits that U.S. Patent No. 10,230,898 (the “’898 patent”) is entitled “Dual
18 Aperture Zoom Camera with Video Support and Switching / Non-Switching Dynamic Control.”
19 Apple further admits that the face of the ’898 patent indicates that it issued on March 12, 2019.
20 Apple further admits that the face of the ’898 patent indicates that Corephotonics was the
21 assignee of the patent on the date of issuance, but Apple is without sufficient information to
22 admit or deny whether Corephotonics is the legal owner of the ’898 patent. Apple further admits
23 that Exhibit B is a copy of the ’898 patent. Except as expressly admitted, Apple denies the
24 remaining allegations in paragraph 4.

25 5. Apple admits that U.S. Patent No. 10,288,840 (the “’840 patent”) is entitled
26 “Miniature Telephoto Lens Module and A Camera Utilizing Such a Lens Module.” Apple
27 further admits that the face of the ’840 patent indicates that it issued on May 14, 2019. Apple
28 further admits that the face of the ’840 patent indicates that Corephotonics was the assignee of

1 the patent on the date of issuance, but Apple is without sufficient information to admit or deny
2 whether Corephotonics is the legal owner of the '840 patent. Apple further admits that Exhibit C
3 is a copy of the '840 patent. Except as expressly admitted, Apple denies the remaining
4 allegations in paragraph 5.

5 6. Apple admits that U.S. Patent No. 10,317,647 (the "'647 patent") is entitled
6 "Miniature Telephoto Lens Module Assembly." Apple further admits that the face of the '647
7 patent indicates that it issued on June 11, 2019. Apple further admits that the face of the '647
8 patent indicates that Corephotonics was the assignee of the patent on the date of issuance, but
9 Apple is without sufficient information to admit or deny whether Corephotonics is the legal
10 owner of the '647 patent. Apple further admits that Exhibit D is a copy of the '647 patent.
11 Except as expressly admitted, Apple denies the remaining allegations in paragraph 6.

12 7. Apple admits that U.S. Patent No. 10,324,277 (the "'277 patent") is entitled
13 "Miniature Telephoto Lens Assembly." Apple further admits that the face of the '277 patent
14 indicates that it issued on June 18, 2019. Apple further admits that the face of the '277 patent
15 indicates that Corephotonics was the assignee of the patent on the date of issuance, but Apple is
16 without sufficient information to admit or deny whether Corephotonics is the legal owner of the
17 '277 patent. Apple further admits that Exhibit E is a copy of the '277 patent. Except as
18 expressly admitted, Apple denies the remaining allegations in paragraph 7.

19 8. Apple admits that U.S. Patent No. 10,330,897 (the "'897 patent") is entitled
20 "Miniature Telephoto Lens Assembly." Apple further admits that the face of the '897 patent
21 indicates that it issued on June 25, 2019. Apple further admits that the face of the '897 patent
22 indicates that Corephotonics was the assignee of the patent on the date of issuance, but Apple is
23 without sufficient information to admit or deny whether Corephotonics is the legal owner of the
24 '897 patent. Apple further admits that Exhibit F is a copy of the '897 patent and a certificate of
25 correction dated July 23, 2019. Except as expressly admitted, Apple denies the remaining
26 allegations in paragraph 8.

27 9. Apple admits that U.S. Patent No. 10,225,479 (the "'479 patent") is entitled "Dual
28 Aperture Zoom Digital Camera." Apple further admits that the face of the '479 patent indicates

1 that it issued on March 5, 2019. Apple further admits that the face of the '479 patent indicates
2 that Corephotonics was the assignee of the patent on the date of issuance, but Apple is without
3 sufficient information to admit or deny whether Corephotonics is the legal owner of the '479
4 patent. Apple further admits that Exhibit G is a copy of the '479 patent. Except as expressly
5 admitted, Apple denies the remaining allegations in paragraph 9.

6 10. Apple admits that U.S. Patent No. 10,015,408 (the "'408 patent") is entitled "Dual
7 Aperture Zoom Digital Camera." Apple further admits that the face of the '408 patent indicates
8 that it issued on July 3, 2018. Apple further admits that the face of the '408 patent indicates that
9 Corephotonics was the assignee of the patent on the date of issuance, but Apple is without
10 sufficient information to admit or deny whether Corephotonics is the legal owner of the '408
11 patent. Apple further admits that Exhibit H is a copy of the '408 patent. Except as expressly
12 admitted, Apple denies the remaining allegations in paragraph 10.

13 11. Apple admits that U.S. Patent No. 10,356,332 (the "'332 patent") is entitled "Dual
14 Aperture Zoom Camera With Video Support And Switching / Non-Switching Dynamic Control."
15 Apple further admits that the face of the '332 patent indicates that it issued on July 16, 2019.
16 Apple further admits that the face of the '332 patent indicates that Corephotonics was the
17 assignee of the patent on the date of issuance, but Apple is without sufficient information to
18 admit or deny whether Corephotonics is the legal owner of the '332 patent. Apple further admits
19 that Exhibit I is a copy of the '332 patent. Except as expressly admitted, Apple denies the
20 remaining allegations in paragraph 11.

21 12. Apple admits that U.S. Patent No. 10,326,942 (the "'942 patent") is entitled "Dual
22 Aperture Zoom Digital Camera." Apple further admits that the face of the '942 patent indicates
23 that it issued on July 16, 2019. Apple further admits that the face of the '942 patent indicates
24 that Corephotonics was the assignee of the patent on the date of issuance, but Apple is without
25 sufficient information to admit or deny whether Corephotonics is the legal owner of the '942
26 patent. Apple further admits that Exhibit J is a copy of the '942 patent. Except as expressly
27 admitted, Apple denies the remaining allegations in paragraph 12.

28 13. Apple denies the allegations in paragraph 13.

1 **THE PARTIES**

2 14. Apple is without sufficient information to admit or deny the allegations in
3 paragraph 14 and therefore denies them.

4 15. Apple admits that it is a corporation organized and existing under the laws of the
5 state of California. Apple denies that its principal place of business is 1 Infinite Loop,
6 Cupertino, California. Apple's principal place of business is One Apple Park, Cupertino,
7 California.

8 **JURISDICTION AND VENUE**

9 16. Apple admits that based on the allegations in the First Amended Complaint, this
10 Court would appear to have subject matter jurisdiction over this action pursuant to 28 U.S.C. §§
11 1331 and 1338(a).

12 17. Apple admits that it is subject to this Court's personal jurisdiction for purposes of
13 this action. Apple admits that it resides in and has its principal place of business in the Northern
14 District of California. Apple denies that it has committed any acts of patent infringement. Apple
15 admits that it has sold and offered for sale Apple products and services in the Northern District
16 of California. Except as expressly admitted, Apple denies the remaining allegations in
17 paragraph 17.

18 18. Apple admits that venue is proper in the Northern District of California for the
19 purposes of this action. Apple admits that it resides and has a place of business in this District.
20 Apple denies that it has committed any acts of patent infringement. Except as expressly
21 admitted, Apple denies the remaining allegations in paragraph 18.

22 **INTRADISTRICT ASSIGNMENT**

23 19. Apple admits that Civil L.R. 3-2(c) states that cases involving "Intellectual
24 Property Rights" are assigned on a district-wide basis. Except as expressly admitted, Apply
25 denies the remaining allegations in paragraph 19.

26
27
28

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.