

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

ASSA ABLOY AB, :  
ASSA ABLOY Inc., :  
ASSA ABLOY Residential Group, Inc., :  
August Home, Inc., :  
HID Global Corporation, and : Civil Action No. 3:22-cv-00694-MPS  
ASSA ABLOY Global Solutions, Inc. :  
 :  
Plaintiffs, :  
 :  
v. :  
 :  
CPC Patent Technologies Pty. Ltd., and : September 16, 2022  
Charter Pacific Corporation Ltd. :  
 :  
Defendants. :  
 :  
\_\_\_\_\_ :

**DECLARATORY JUDGMENT PLAINTIFFS'**  
**OPPOSITION TO DEFENDANTS' MOTION TO DISMISS**

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## I. INTRODUCTION

There is no jurisdictional barrier for any of the named Declaratory Judgment Plaintiffs in this case post-*MedImmune*. Each of the six Declaratory Judgment Plaintiffs are within the ASSA ABLOY corporate family and, as alleged in the Complaint as an un rebutted fact: “each individual Plaintiff has a unique role in the operations that lead to the making and selling of products, platforms, and/or services provided by Yale, August, HID, and Hospitality to customers in the United States.” Complaint, ECF No. 1 (“Complaint”), at ¶ 13. In other words, each individual entity is involved in bringing products to the market. The relief sought by the ASSA ABLOY Entities in this lawsuit is critical to maintain the market status quo and ensure that Charter Pacific is not positioned to introduce unwarranted business interruptions now or in the future.

Declaratory Judgment Defendants CPC Patent Technologies Pty. Ltd. and Charter Pacific Corporation Ltd. (collectively, “Charter Pacific”) do not challenge the standing of ASSA ABLOY Residential Group, Inc. (“Yale”) or August Home, Inc. (“August”) because Charter Pacific has formally accused these entities of infringement. Answer and Counterclaims, ECF No. 28 (“Answer”), at 68–74 (asserting counterclaims of infringement against Yale and August). There is little reason, however, to conclude that the allegations will end there. Charter Pacific has not and will not provide the ASSA ABLOY Entities any assurances that the remaining entities, the so-called “Non-Contacted Entities,”<sup>1</sup> will not later be accused of infringement.

All six of the ASSA ABLOY Entities have an existing case or controversy with Charter Pacific as to declarations of non-infringement of the Patents-in-Suit. To conclude otherwise would

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<sup>1</sup> Plaintiffs sparingly apply Charter Pacific’s terms “Contacted” and “Non-Contacted” Entities as invoked in the Motion to Dismiss for simplicity and clarity only. Plaintiffs do not thereby intend to concede the “contacted” status of any entity as a matter of law or fact.

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