

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

LITL LLC,

Plaintiff,

v.

HP INC.,

Defendant.

Civil Action No.: 23-120-RGA

JURY TRIAL DEMANDED

MICROSOFT CORPORATION,

Intervenor-Plaintiff,

v.

LITL LLC,

Intervenor-Defendant.

**MICROSOFT CORPORATION'S RESPONSE TO  
COUNTERCLAIMS IN HP INC. ACTION**

Pursuant to Rule 24(c) of the Federal Rules of Civil Procedure, Intervenor-Plaintiff and Counterclaim Defendant in Intervention Microsoft Corporation ("Microsoft") responds to counterclaims in Intervenor-Defendant and Counterclaim Plaintiff in Intervention LiTL LLC's ("LiTL") action against HP, Inc. ("HP"):

**RESPONSE TO COUNTERCLAIMS**

Except as specifically admitted herein, Microsoft denies each and every allegation of LiTL's Counterclaims. To the extent that any allegations of the Counterclaims refer or rely upon information not previously supplied to Microsoft, Microsoft is without sufficient information to admit or deny such allegations, and therefore denies the same. Any factual allegation admitted below is admitted only as to the specific facts and not as to any purported conclusions,

characterizations, implications, or speculations that might follow from the admitted facts. In responding to the Counterclaims, Microsoft understands Accused Microsoft Products to mean the products expressly accused of infringement in the counterclaims.

Microsoft reserves the right to amend or supplement its Answer, to take further positions, and to raise additional defenses based on additional facts or developments that become available or arise during discovery in this action.

The numbered paragraphs herein correspond to and respond to the numbered paragraphs set forth in the Counterclaims. The first, non-numbered paragraph of the Counterclaims contains an introductory paragraph to which no responsive pleading is required. To the extent a response is deemed necessary, Microsoft denies that it has committed patent infringement and further denies that LiTL is entitled to any relief from Microsoft.

#### **NATURE OF THE ACTION**

1. Microsoft admits that LiTL's complaint alleges patent infringement under 35 U.S.C. § 1, et seq. Microsoft denies all of LiTL's allegations of infringement and denies that LiTL is entitled to any relief from Microsoft.

2. Denied.

3. Microsoft admits that LiTL's Counterclaims seeks monetary damages and injunctive relief. To the extent this paragraph contains legal conclusions, no answer is required. Microsoft denies the remaining allegations of paragraph 3.

#### **THE PARTIES**

4. Microsoft is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph, and on that basis denies them.

5. Admitted.

## **JURISDICTION AND VENUE**

6. Microsoft admits that LiTL's Counterclaims allege patent infringement under Title 35 of the United States Code. Microsoft admits this Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a). Microsoft denies that it infringes any of the Asserted Patents

7. Microsoft admits that this Court has personal jurisdiction over Microsoft for purposes of this action. Microsoft denies the remaining allegations of paragraph 7.

8. Admitted.

## **FACTUAL BACKGROUND**

### **LiTL's Patented Technologies**

9. Microsoft is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph, and on that basis denies them.

10. Microsoft is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph, and on that basis denies them.

11. Microsoft is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph, and on that basis denies them.

12. Microsoft is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph, and on that basis denies them.

13. Microsoft is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph, and on that basis denies them.

14. Microsoft is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph, and on that basis denies them.

15. Microsoft is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph, and on that basis denies them.

16. Microsoft is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph, and on that basis denies them.

#### **LiTL's Asserted Patents**

17. Microsoft admits that LiTL asserts eight patents against Microsoft in its Counterclaims. Microsoft denies the remaining allegations of paragraph 17.

18. Microsoft admits that Exhibit A purports to be a copy of the '688 patent, and that LiTL purports to be the owner by assignment of the '688 patent. Microsoft admits that the '688 patent is titled "Portable computer with multiple display configurations" and that, on its face, it issued on October 16, 2012. Microsoft denies the remaining allegations of paragraph 18.

19. Microsoft admits that Exhibit B purports to be a copy of the '844 patent, and that LiTL purports to be the owner by assignment of the '844 patent. Microsoft admits that the '844 patent is titled "Portable computer with multiple display configurations" and that, on its face, it issued on January 7, 2014. Microsoft denies the remaining allegations of paragraph 19.

20. Microsoft admits that Exhibit C purports to be a copy of the '229 patent, and that LiTL purports to be the owner by assignment of the '229 patent. Microsoft admits that the '229 patent is titled "Portable computer with multiple display configurations" and that, on its face, it issued on February 7, 2017. Microsoft denies the remaining allegations of paragraph 20.

21. Microsoft admits that Exhibit D purports to be a copy of the '154 patent and that LiTL purports to be the owner by assignment of the '154 patent. Microsoft admits that on its face, the '154 patent is titled "Portable computer with multiple display configurations" and that, on its face, it issued on May 14, 2019. Microsoft denies the remaining allegations of paragraph 21.

22. Microsoft admits that Exhibit E purports to be a copy of the '315 patent, and that LiTL purports to be the owner by assignment of the '315 patent. Microsoft admits that the '315

patent is titled “Portable computer with multiple display configurations” and that, on its face, it issued on April 7, 2015. Microsoft denies the remaining allegations of paragraph 22.

23. Microsoft admits that Exhibit F purports to be a copy of the ’715 patent, and that LiTL purports to be the owner by assignment of the ’715 patent. Microsoft admits the ’715 patent is titled “System and method for streamlining user interaction with electronic content” and that, on its face, it issued on January 30, 2018. Microsoft denies the remaining allegations of paragraph 23.

24. Microsoft admits that Exhibit G purports to be a copy of the ’818 patent and that LiTL purports to be the owner by assignment of the ’818 patent. Microsoft admits the ’818 patent is titled “System and method for streamlining user interaction with electronic content” and that, on its face, it issued on February 18, 2020. Microsoft denies the remaining allegations of paragraph 24.

25. Microsoft admits that Exhibit H purports to be a copy of the ’888 patent, and that LiTL purports to be the owner by assignment of the ’888 patent. Microsoft admits the ’888 patent is titled “Method and apparatus for managing digital media content” and that, on its face, it issued on December 17, 2013. Microsoft denies the remaining allegations of paragraph 25.

#### **Microsoft’s Alleged Knowledge of LiTL’s Asserted Patents and Microsoft’s Alleged Infringement**

26. Microsoft admits that in May 2021 it was aware that LiTL had asserted certain of the Asserted Patents against Lenovo.

27. Microsoft admits that a conversation took place between a LiTL executive and an Assistant General Counsel for Microsoft. Microsoft denies the remaining allegations of paragraph 27.

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