

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

AGIS SOFTWARE DEVELOPMENT, LLC

Plaintiff,

v.

LG ELECTRONICS, INC.

Defendant.

LEAD CASE NO. 2:17-cv-514-JRG

MEMBER CASE NO. 2:17-cv-515-JRG

JURY TRIAL DEMANDED

**DEFENDANT LG ELECTRONICS, INC.'S ANSWER TO
PLAINTIFF'S COMPLAINT FOR PATENT INFRINGEMENT**

Defendant LG Electronics, Inc. ("Defendant" or "LG") answer the Complaint for Patent Infringement ("Complaint") of Plaintiff AGIS Software Development, LLC ("AGIS") as follows:

THE PARTIES

1. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 1 of the Complaint and therefore denies them.
2. Defendant admits that LG Electronics Inc. is a South Korean company headquartered in Seoul, South Korea, with its principal place of business located at LG Twin Tower 128, Yeoui-daero, yeongdeungpogu, Seoul, Korea. Defendant denies the remaining allegations in paragraph 2 of the Complaint, and specifically denies that it has committed any acts of infringement.

JURISDICTION AND VENUE

3. The allegations in paragraph 3 of the Complaint are legal conclusions to which no answer is required. To the extent any answer is required, Defendant admits that this action

involves the United States patent laws, and that this Court has subject matter jurisdiction over patent law claims. Defendant denies any remaining allegations in paragraph 3 of the Complaint.

4. The allegations in paragraph 4 are legal conclusions to which no answer is required. To the extent that any answer is required, Defendant denies that it has committed any acts of infringement in this judicial district or in any other district. Defendant denies any remaining factual allegations in paragraph 4 of the Complaint and denies that there is personal jurisdiction over Defendant in this District.

5. The allegations in paragraph 5 are legal conclusions to which no answer is required. To the extent that any answer is required, Defendant denies that it has committed any acts of infringement in this judicial district or in any other district. Defendant further denies that venue is proper in this District and also denies that venue is convenient in the Eastern District of Texas for the issues raised in this case. Defendant denies any remaining factual allegations in paragraph 5 of the Complaint.

PATENTS-IN-SUIT

6. Defendant admits that U.S. Patent No. 8,213,970 (“’970 patent”) is entitled, “Method of Utilizing Forced Alerts for Interactive Remote Communications” and, on its face, indicates an issue date of July 3, 2012. Defendant admits that Exhibit A to the Complaint is alleged to be a copy of the ’970 patent. Defendant denies the remaining allegations in paragraph 6 of the Complaint.

7. Defendant admits that U.S. Patent No. 9,408,055 (“’055 patent”) is entitled, “Method to Provide Ad Hoc and Password Protected Digital and Voice Networks” and, on its face, indicates an issue date of August, 2, 2016. Defendant admits that Exhibit B to the

Complaint is alleged to be a copy of the '055 patent. Defendant denies the remaining allegations in paragraph 7 of the Complaint.

8. Defendant admits that U.S. Patent No. 9,445,251 (“’251 patent”) is entitled, “Method to Provide Ad Hoc and Password Protected Digital and Voice Networks” and, on its face, indicates an issue date of September 13, 2016. Defendant admits that Exhibit C to the Complaint is alleged to be a copy of the ’251 patent. Defendant denies the remaining allegations in paragraph 8 of the Complaint.

9. Defendant admits that U.S. Patent No. 9,467,838 (“’838 patent”) is entitled, “Method to Provide Ad Hoc and Password Protected Digital and Voice Networks” and, on its face, indicates an issue date of October 11, 2016. Defendant admits that Exhibit D to the Complaint is alleged to be a copy of the ’838 patent. Defendant denies the remaining allegations in paragraph 9 of the Complaint.

FACTUAL ALLEGATIONS

10. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 10 of the Complaint, and therefore denies them.

11. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 11 of the Complaint and therefore denies them.

12. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 12 of the Complaint and therefore denies them.

13. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 13 of the Complaint and therefore denies them.

14. Defendant admits that various parties design products using the Android operating system from non-party Google LLC, and also admits that Defendant designs certain products

utilizing the Android operating system. Defendant is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in paragraph 14 of the Complaint and therefore denies them.

15. Defendant admits that it designs and manufactures Android-based devices, including those named “LG G Stylo,” “LG G6,” “LG X Venture,” “LG V20,” “LG Phoenix P505,” “LG G5,” “LG K10,” “LG V10,” “LG Vista 2,” and “LG Escape 2” (collectively, “Accused Devices”) in South Korea. Defendant admits that Google Mobile Applications that are available for phones that run the Android operating system include Google Maps, Find My Device, Hangouts, and Google+. Defendant understands that the factual allegations directed to the functionality of the Accused Devices rely upon language found in the asserted patents and/or effectively amount to an allegation of infringement, and, on that basis, Defendant denies them, and specifically denies that it has committed any acts of infringement. Defendant further denies that each Accused Product has supported the Google Latitude application, which, on information and belief, was discontinued prior to the release of certain of the Accused Products. Defendant is without knowledge or information sufficient to form a belief as to the truth of the remaining factual allegations in paragraph 15 of the Complaint and therefore denies them.

COUNT I

(Infringement of the '970 Patent)

16. In response to paragraph 16 of the Complaint, Defendant incorporates by reference its response to the preceding paragraphs as if fully set forth herein.

17. Defendant admits that it has not directly entered into a license with Plaintiff concerning the '970 patent. Defendant denies the remaining allegations in paragraph 17 of the Complaint, and specifically denies that it has committed any acts of infringement.

18. Defendant denies the allegations in paragraph 18 of the Complaint, and specifically denies that it has committed any acts of infringement.

19. Defendant denies the allegations in paragraph 19 of the Complaint, and specifically denies that it has committed any acts of infringement.

20. Defendant denies the allegations in paragraph 20 of the Complaint, and specifically denies that it has committed any acts of infringement.

21. Defendant denies the allegations in paragraph 21 of the Complaint, and specifically denies that it has committed any acts of infringement.

22. Defendant denies the allegations in paragraph 22 of the Complaint, and specifically denies that it has committed any acts of infringement or that Plaintiff is entitled to any damages.

23. Defendant denies the allegations in paragraph 23 of the Complaint, and specifically denies that it has committed any acts of infringement or that Plaintiff has suffered any harm.

24. Defendant denies the allegations in paragraph 24 of the Complaint, and specifically denies that it has committed any acts of infringement or that Plaintiff is entitled to any relief.

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