

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

JAWBONE INNOVATIONS, LLC,	§	Case No. 2:21-cv-00186-JRG
	§	
Plaintiff,	§	<b><u>JURY TRIAL DEMANDED</u></b>
	§	
v.	§	
	§	
SAMSUNG ELECTRONICS CO. LTD. and	§	
SAMSUNG ELECTRONICS AMERICA,	§	
INC.,	§	
	§	
Defendants.	§	

**PLAINTIFF JAWBONE INNOVATIONS, LLC’S ANSWER TO  
SAMSUNG ELECTRONICS CO., LTD. AND  
SAMSUNG ELECTRONICS AMERICA, INC.’S COUNTERCLAIMS**

Plaintiff/Counterclaim-Defendant Jawbone Innovations, LLC (“Jawbone”), by and through its undersigned counsel, hereby responds to the counterclaims in Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc.’s (collectively, “Samsung”) Answer to Jawbone Innovations, LLC’s First Amended Complaint, and Counterclaims (Dkt. No. 27) (the “Counterclaims”) as follows:

**PARTIES**

1. Jawbone admits the allegations contained in paragraph 1 of the Counterclaims.
2. Jawbone admits the allegations contained in paragraph 2 of the Counterclaims.
3. Jawbone admits that it is a limited liability company established and existing under the laws of the State of Texas, with its principal place of business at 100 West Houston Street, Marshall, Texas 75670. Furthermore, Jawbone maintains a principal place of business at 104 East

Houston Street, Suite 165, Marshall, Texas 75670. Jawbone denies any remaining allegations contained in paragraph 3 of the Counterclaims.

#### **JURISDICTION AND VENUE**

4. Jawbone admits that Samsung states in paragraph 4 of the Counterclaims that this is an action for declaratory judgment of noninfringement and invalidity of U.S. Patent Nos. 8,019,091 (“the ‘091 Patent”), 8,280,072 (“the ‘072 Patent”), 7,246,058 (the “’058 Patent”), 10,779,080 (the “’080 Patent”), 11,122,357 (the “’357 Patent”), 8,467,543 (the “’543 Patent”), and 8,503,691 (the “’691 Patent”).

5. Jawbone admits that this Court has subject matter jurisdiction under the Federal Declaratory Judgment Act, 28 U.S.C. §§ 2201 and 2202, and under 28 U.S.C. §§ 1331, 1367, and 1338(a). Jawbone denies that Samsung is entitled to any relief. Furthermore, Jawbone admits that an actual, substantial, and continuing justiciable controversy exists between Samsung and Jawbone concerning the ‘091, ‘072, ‘058, ‘080, ‘357, ‘543, and ‘691 Patents in that Jawbone has filed a Complaint in this Court alleging that Samsung infringes the ‘091, ‘072, ‘058, ‘080, ‘357, ‘543, and ‘691 Patents. Jawbone denies any remaining allegations contained in paragraph 5 of the Counterclaims.

6. Jawbone admits that this Court has personal jurisdiction over Jawbone. Jawbone denies any remaining allegations contained in paragraph 6 of the Counterclaims.

7. Jawbone admits venue is proper in this Judicial District. Jawbone denies any remaining allegations contained in paragraph 7 of the Counterclaims.

#### **COUNT I** **NON-INFRINGEMENT OF THE ‘091 PATENT**

8. Jawbone incorporates paragraphs 1-7, as if fully set forth herein.

9. Jawbone denies the allegations contained in paragraph 9 of the Counterclaims.

10. Jawbone admits that there is an actual case and controversy between Jawbone and Samsung based on Samsung's infringement of the '091 Patent. Jawbone denies that Samsung is entitled to any relief and denies any remaining allegations contained in paragraph 10 of the Counterclaims.

11. Jawbone denies the allegations contained in paragraph 11 of the Counterclaims.

12. Jawbone admits that Samsung seeks a declaration that it does not infringe and has not infringed (whether directly, contributorily, or by inducement) literally or under the doctrine of equivalents any valid and enforceable claim of the '091 Patent. Jawbone denies that Samsung is entitled to such a declaratory judgment.

13. Jawbone denies that Samsung is entitled to any relief and denies any remaining allegations contained in paragraph 13 of the Counterclaims.

**COUNT II**  
**NON-INFRINGEMENT OF THE '072 PATENT**

14. Jawbone incorporates paragraphs 1-13, as if fully set forth herein.

15. Jawbone denies the allegations contained in paragraph 15 of the Counterclaims.

16. Jawbone admits that there is an actual case and controversy between Jawbone and Samsung based on Samsung's infringement of the '072 Patent. Jawbone denies that Samsung is entitled to any relief and denies any remaining allegations contained in paragraph 16 of the Counterclaims.

17. Jawbone denies the allegations contained in paragraph 17 of the Counterclaims.

18. Jawbone admits that Samsung seeks a declaration that it does not infringe and has not infringed (whether directly, contributorily, or by inducement) literally or under the doctrine of equivalents any valid and enforceable claim of the '072 Patent. Jawbone denies that Samsung is entitled to such a declaratory judgment.

19. Jawbone denies that Samsung is entitled to any relief and denies any remaining allegations contained in paragraph 19 of the Counterclaims.

**COUNT III**  
**NON-INFRINGEMENT OF THE '058 PATENT**

20. Jawbone incorporates paragraphs 1-19, as if fully set forth herein.

21. Jawbone denies the allegations contained in paragraph 21 of the Counterclaims.

22. Jawbone admits that there is an actual case and controversy between Jawbone and Samsung based on Samsung's infringement of the '058 Patent. Jawbone denies that Samsung is entitled to any relief and denies any remaining allegations contained in paragraph 22 of the Counterclaims.

23. Jawbone denies the allegations contained in paragraph 23 of the Counterclaims.

24. Jawbone admits that Samsung seeks a declaration that it does not infringe and has not infringed (whether directly, contributorily, or by inducement) literally or under the doctrine of equivalents any valid and enforceable claim of the '058 Patent. Jawbone denies that Samsung is entitled to such a declaratory judgment.

25. Jawbone denies that Samsung is entitled to any relief and denies any remaining allegations contained in paragraph 25 of the Counterclaims.

**COUNT IV**  
**NON-INFRINGEMENT OF THE '080 PATENT**

26. Jawbone incorporates paragraphs 1-25, as if fully set forth herein.

27. Jawbone denies the allegations contained in paragraph 27 of the Counterclaims.

28. Jawbone admits that there is an actual case and controversy between Jawbone and Samsung based on Samsung's infringement of the '080 Patent. Jawbone denies that Samsung is

entitled to any relief and denies any remaining allegations contained in paragraph 28 of the Counterclaims.

29. Jawbone denies the allegations contained in paragraph 29 of the Counterclaims.

30. Jawbone admits that Samsung seeks a declaration that it does not infringe and has not infringed (whether directly, contributorily, or by inducement) literally or under the doctrine of equivalents any valid and enforceable claim of the '080 Patent. Jawbone denies that Samsung is entitled to such a declaratory judgment.

31. Jawbone denies that Samsung is entitled to any relief and denies any remaining allegations contained in paragraph 31 of the Counterclaims.

**COUNT V**  
**NON-INFRINGEMENT OF THE '357 PATENT**

32. Jawbone incorporates paragraphs 1-31, as if fully set forth herein.

33. Jawbone denies the allegations contained in paragraph 33 of the Counterclaims.

34. Jawbone admits that there is an actual case and controversy between Jawbone and Samsung based on Samsung's infringement of the '357 Patent. Jawbone denies that Samsung is entitled to any relief and denies any remaining allegations contained in paragraph 34 of the Counterclaims.

35. Jawbone denies the allegations contained in paragraph 35 of the Counterclaims.

36. Jawbone admits that Samsung seeks a declaration that it does not infringe and has not infringed (whether directly, contributorily, or by inducement) literally or under the doctrine of equivalents any valid and enforceable claim of the '357 Patent. Jawbone denies that Samsung is entitled to such a declaratory judgment.

37. Jawbone denies that Samsung is entitled to any relief and denies any remaining allegations contained in paragraph 37 of the Counterclaims.

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