

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

AGIS SOFTWARE DEVELOPMENT LLC,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Case No. 2:22-cv-00185-JRG
	§	
VERIZON COMMUNICATIONS INC.	§	JURY TRIAL DEMANDED
CELLCO PARTNERSHIP, d/b/a	§	
VERIZON WIRELESS, VERIZON	§	
ENTERPRISE SOLUTIONS, LLC,	§	
VERIZON BUSINESS GLOBAL LLC,	§	
VERIZON BUSINESS NETWORK	§	
SERVICES, LLC and TERREMARK	§	
NORTH AMERICA LLC,	§	
	§	
Defendants.	§	

**DEFENDANTS' ANSWER TO PLAINTIFF'S FIRST AMENDED COMPLAINT
FOR PATENT INFRINGEMENT**

Defendants Verizon Communications Inc., Cellco Partnership, d/b/a Verizon Wireless, Verizon Enterprise Solutions, LLC, Verizon Business Global LLC, Verizon Business Network Services, LLC, and Terremark North America, Inc. (collectively, “Defendants” or “Verizon”) hereby answer the First Amended Complaint for Patent Infringement filed by Plaintiff AGIS Software Development LLC (“AGIS”). Verizon specifically denies the allegations not expressly admitted below.

THE PARTIES¹

1. Verizon is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 1, and therefore denies them.

¹ Multiple defendants are incorrectly named in the First Amended Complaint and Verizon Enterprise Solutions LLC is no longer an active entity.

2. Verizon admits the allegations in paragraph 2, except that it specifically denies that jurisdiction in this case is proper over Verizon Communications Inc. and that Verizon Communications Inc. may be served with process through its registered agent at CT Corporation System, 350 North Street, Dallas, Texas 75201.

3. Verizon admits the allegations in paragraph 3 as to Cellco Partnership d/b/a Verizon Wireless (“VZW”).

4. Verizon denies the allegations in paragraph 4. Verizon Enterprise Solutions LLC is not an active entity.

5. Verizon admits the allegations in paragraph 5.

6. Verizon admits that Verizon Business Network Services LLC is a corporation organized under the laws of the State of Delaware. Verizon otherwise denies the remaining allegations in paragraph 5.

7. Verizon admits that Terremark North America LLC is a Florida limited liability company and that it has a principal place of business at One Verizon Way, Basking Ridge, New Jersey 07920. Except as expressly admitted, Verizon denies the remaining allegations in paragraph 7.

8. To the extent that the allegations of paragraph 8 set forth legal conclusions, no response is required. Verizon denies any remaining allegations of paragraph 8, including it specifically denies having conducted business in the Eastern District of Texas and denies that it is subject to personal jurisdiction in this District. Verizon denies that the retail locations identified in this paragraph are related to the allegations in the Complaint.

9. Verizon otherwise denies the allegations in paragraph 9.

10. Verizon admits that Verizon Network Services Inc., Terremark North America LLC, and Verizon Business Global LLC are directly or indirectly, wholly-owned by Verizon Communications Inc. Except as expressly admitted, Verizon denies the remaining allegations in paragraph 10.

JURISDICTION AND VENUE

11. Verizon admits that the First Amended Complaint purports to bring an action that arises under the patent laws of the United States, 35 U.S.C. §§ 1 et seq., but denies that Verizon has committed any act of patent infringement. To the extent the allegations in paragraph 11 call for a legal conclusion, no response is required. To the extent a response is required, for purposes of this action only, Verizon admits that this Court has subject matter jurisdiction.

12. To the extent the allegations in paragraph 12 call for a legal conclusion, no response is required. Verizon denies any remaining allegations of paragraph 12 including specifically that all Defendants (collectively as alleged) are subject to personal jurisdiction in this District.

13. Verizon denies that venue is permissible or proper with respect to all Defendants except for VZW in the Eastern District of Texas. Verizon denies all remaining allegations in paragraph 13.

PATENTS-IN-SUIT

14. Verizon admits that U.S. Patent No. 8,213,970 (the “’970 Patent”) appears to be issued by the United States Patent and Trademark Office on July 3, 2012. Verizon admits that the ’970 Patent is entitled “Method of Utilizing Forced Alerts for Interactive Remote Communications.” Verizon admits that Exhibit A to the First Amended Complaint appears to be a copy of the ’970 Patent and September 1, 2021 *Inter Partes* Review Certificate and December 9, 2021 *Ex Parte* Reexamination Certificate. Verizon admits that the copy of the September 1, 2021

Inter Partes Review Certificate attached as Exhibit A states that “Claims 1 and 3-9 and cancelled.” Verizon admits that the copy of the December 9, 2021 *Ex Parte* Reexamination Certificate attached as Exhibit A states that claims 2 and 10 “are determined to be patentable as amended” and claims 11-13, “dependent on an amended claim, are determined to be patentable.” Verizon denies any remaining allegations.

15. Verizon admits that U.S. Patent No. 9,467,838 (the “’838 Patent”) appears to be issued by the United States Patent and Trademark Office on October 11, 2016. Verizon admits that the ’838 Patent is entitled “Method to Provide Ad Hoc and Password Protected Digital and Voice Networks.” Verizon admits that Exhibit B to the First Amended Complaint appears to be a copy of the ’838 Patent and May 27, 2021 *Ex Parte* Reexamination Certificate. Verizon admits that the copy of the May 27, 2021 *Ex Parte* Reexamination Certificate states “[t]he patentability of claims 1-84 is confirmed.” Verizon denies any remaining allegations.

16. Verizon admits that U.S. Patent No. 9,749,829 (the “’829 Patent”) appears to be issued by the United States Patent and Trademark Office on August 29, 2017. Verizon admits that the ’829 Patent is entitled “Method to Provide Ad Hoc and Password Protected Digital and Voice Networks.” Verizon admits that Exhibit C to the First Amended Complaint appears to be a copy of the ’829 Patent and August 16, 2021 *Ex Parte* Reexamination Certificate. Verizon admits that the copy of the August 16, 2021 *Ex Parte* Reexamination Certificate states “[t]he patentability of claims 1-68 is confirmed.” Verizon denies any remaining allegations.

17. Verizon admits that U.S. Patent No. 9,820,123 (the “’123 Patent”) appears to be issued by the United States Patent and Trademark Office on November 14, 2017. Verizon admits that the ’123 Patent is entitled “Method to Provide Ad Hoc and Password Protected Digital and Voice Networks.” Verizon admits that Exhibit D to the First Amended Complaint appears to be a

copy of the '123 Patent and September 24, 2021 *Ex Parte* Reexamination Certificate. Verizon admits that the copy of the September 24, 2021 *Ex Parte* Reexamination Certificate states “[t]he patentability of claims 1-48 is confirmed.” Verizon denies any remaining allegations.

18. Verizon is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 18 and therefore, denies them.

FACTUAL ALLEGATIONS²

19. Verizon is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 19, and therefore denies them.

20. Verizon is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 20, and therefore denies them.

21. Verizon denies the allegations in paragraph 21.

22. Verizon denies the allegations in paragraph 22.

23. Verizon denies the allegations in paragraph 23.

24. Verizon admits that some Verizon products include functionalities that allow users to interact with each other and display maps. To the extent paragraph 24 purports to include screenshots from <https://www.verizon.com/business/solutions/public-sector/public-safety/first-responder-applications/#video-2>, <https://www.verizon.com/business/solutions/public-sector/public-safety/first-responder-applications/#video-3>, <https://www.verizon.com/business/solutions/public-sector/public-safety/first-responder-applications/#video-4>, <https://www.verizon.com/business/solutions/public-sector/public-safety/first-responder-applications/#video-8>,

² For convenience and clarity, Verizon’s Answer repeats the same headings used in the First Amended Complaint. In so doing, Verizon does not admit any allegations contained in those headings.

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