

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

AGIS SOFTWARE DEVELOPMENT LLC,

Plaintiff

v.

HMD GLOBAL OY and
HMD AMERICA, INC.

Defendants.

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Case No. 2:22-cv-00443-JRG
(Lead Case)

**DEFENDANT HMD GLOBAL OY’S ANSWER TO AGIS SOFTWARE
DEVELOPMENT LLC’S COMPLAINT FOR PATENT INFRINGEMENT**

Defendant HMD Global Oy (“HMD”) hereby answers the Complaint of Plaintiff AGIS Software Development LLC (“AGIS”). To the extent not explicitly admitted, all allegations of the complaint are denied.

PARTIES

1. HMD lacks sufficient knowledge or information to either admit or deny the allegations in paragraph 1 of the Complaint, and therefore denies them.
2. Denied.
3. HMD admits that HMD Global Oy is a corporation organized and existing under the laws of Finland, with its principal place of business at Bertel Jungin aukio 9, 02600 Espoo, Finland. HMD denies the remaining allegations in this paragraph.
4. HMD admits that HMD America, Inc. (“HMD America”) is a corporation organized and existing under the laws of the State of Florida, with its principal place of business at 1200 Brickell Ave., Suite. 510, Miami, Florida 33131. HMD admits that HMD America is

registered to transact business in Texas and may be served with process through its registered agent. HMD denies the remaining allegations in this paragraph.

5. HMD lacks sufficient knowledge or information to either admit or deny the allegations in paragraph 5 of the Complaint, and therefore denies them.

JURISDICTION AND VENUE

6. HMD admits that the Complaint purports to initiate an action for patent infringement under the patent laws of the United States of America, contained in Title 35 of the United States Code. HMD admits that this Court has jurisdiction under 28. U.S.C. §§ 1331 and 1338(a) over claims for patent infringement but denies it has committed any act that would give rise to any cause of action in the Complaint. Otherwise, denied.

7. Denied.

8. HMD admits that HMD Global Oy is a foreign corporation formed under the laws of Finland with a principal place of business in Finland. Otherwise, denied.

PATENTS-IN-SUIT

9. HMD admits that the face of the '970 patent indicates that it issued on July 3, 2012, and that it is entitled "Method of Utilizing Forced Alerts for Interactive Remote Communications." HMD lacks sufficient knowledge or information to either admit or deny the remaining allegations in this paragraph of the Complaint, and therefore denies them.

10. HMD admits that the face of the '251 patent indicates that it issued on September 13, 2016, and that it is entitled "Method to Provide Ad Hoc and Password Protected Digital and Voice Networks." HMD lacks sufficient knowledge or information to either admit or deny the remaining allegations in this paragraph of the Complaint, and therefore denies them.

11. HMD admits that the face of the '838 patent indicates that it issued on October 11, 2016, and that it is entitled "Method to Provide Ad Hoc and Password Protected Digital and

Voice Networks.” HMD lacks sufficient knowledge or information to either admit or deny the remaining allegations in this paragraph of the Complaint, and therefore denies them.

12. HMD admits that the face of the ’829 patent indicates that it issued on August 29, 2017, and that it is entitled “Method to Provide Ad Hoc and Password Protected Digital and Voice Networks.” HMD lacks sufficient knowledge or information to either admit or deny the remaining allegations in this paragraph of the Complaint, and therefore denies them.

13. HMD admits that the face of the ’123 patent indicates that it issued on November 14, 2017, and that it is entitled “Method to Provide Ad Hoc and Password Protected Digital and Voice Networks.” HMD lacks sufficient knowledge or information to either admit or deny the remaining allegations in this paragraph of the Complaint, and therefore denies them.

14. HMD lacks sufficient knowledge or information to either admit or deny the allegations in paragraph 14 of the Complaint, and therefore denies them.

FACTUAL ALLEGATIONS

15. HMD lacks sufficient knowledge or information to either admit or deny the allegations in paragraph 15 of the Complaint, and therefore denies them.

16. HMD lacks sufficient knowledge or information to either admit or deny the allegations in paragraph 16 of the Complaint, and therefore denies them.

17. HMD lacks sufficient knowledge or information to either admit or deny the allegations in paragraph 17 of the Complaint, and therefore denies them.

18. Denied.

19. This paragraph states legal conclusions that require no response, at least because the Court has yet to construe the claim terms that appear in this paragraph. To the extent the Court requires a response, HMD denies the allegations of this paragraph.

COUNT 1 - INFRINGEMENT OF THE '970 PATENT

20. HMD repeats and incorporates by reference, as if fully set forth herein, its answers to paragraphs 1-19, as set forth above.

21. HMD lacks sufficient knowledge or information to either admit or deny the allegations in paragraph 21 of the Complaint, and therefore denies them.

22. Denied.

23. Denied.

24. Denied.

25. Denied.

26. Denied.

27. Denied.

28. Denied.

COUNT 2 - INFRINGEMENT OF THE '251 PATENT

29. HMD repeats and incorporates by reference, as if fully set forth herein, its answers to paragraphs 1-19, as set forth above.

30. HMD lacks sufficient knowledge or information to either admit or deny the allegations in paragraph 30 of the Complaint, and therefore denies them.

31. Denied.

32. Denied.

33. Denied.

34. Denied.

35. This paragraph states legal conclusions that require no response, at least because the Court has yet to construe the claim terms that appear in this paragraph. To the extent the

Court requires a response, HMD denies the allegations of this paragraph.

36. This paragraph states legal conclusions that require no response, at least because the Court has yet to construe the claim terms that appear in this paragraph. To the extent the Court requires a response, HMD denies the allegations of this paragraph.

37. This paragraph states legal conclusions that require no response, at least because the Court has yet to construe the claim terms that appear in this paragraph. To the extent the Court requires a response, HMD denies the allegations of this paragraph.

38. This paragraph states legal conclusions that require no response, at least because the Court has yet to construe the claim terms that appear in this paragraph. To the extent the Court requires a response, HMD denies the allegations of this paragraph.

39. This paragraph states legal conclusions that require no response, at least because the Court has yet to construe the claim terms that appear in this paragraph. To the extent the Court requires a response, HMD denies the allegations of this paragraph.

40. This paragraph states legal conclusions that require no response, at least because the Court has yet to construe the claim terms that appear in this paragraph. To the extent the Court requires a response, HMD denies the allegations of this paragraph.

41. Denied.

42. Denied.

COUNT 3 - INFRINGEMENT OF THE '838 PATENT

43. HMD repeats and incorporates by reference, as if fully set forth herein, its answers to paragraphs 1-19, as set forth above.

44. HMD lacks sufficient knowledge or information to either admit or deny the allegations in paragraph 44 of the Complaint, and therefore denies them.

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