

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

<b>AGIS SOFTWARE DEVELOPMENT LLC,</b>	§	
	§	
	§	
v.	§	<b>Case No. 2:22-cv-00443-JRG</b>
	§	<b>(Lead Case)</b>
<b>HMD GLOBAL, et al.</b>	§	

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<b>AGIS SOFTWARE DEVELOPMENT LLC,</b>	§	
	§	
	§	
v.	§	<b>Case No. 2:22-cv-00447-JRG</b>
	§	<b>(Member Case)</b>
<b>PANASONIC CORPORATION, et al.</b>	§	

**PANASONIC CORPORATION AND PANASONIC CORPORATION OF NORTH  
AMERICA’S RESPONSE TO PLAINTIFF’S COMPLAINT FOR PATENT  
INFRINGEMENT**

Panasonic Corporation and Panasonic Corporation of North America (“Panasonic”) hereby respond to and answer the numbered paragraphs of the Complaint (“Complaint”) filed by AGIS Software Development, LLC (“AGIS” or “Plaintiff”), as follows. In addition, unless specifically admitted, Panasonic Corporation denies each and every allegation of the Complaint, as it does not make, use, sell or import any Accused Product nor have any contacts with the State of Texas or this District.

**THE PARTIES**

1. Panasonic is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations and characterizations contained in this Paragraph of the Complaint, and therefore denies them.

2. Panasonic admits that Panasonic Corporation is a Japanese corporation. Panasonic denies the remaining allegations and characterizations contained in Paragraph 2 of the Complaint.

3. Panasonic admits that Panasonic Corporation of North America is headquartered at Two Riverfront Plaza, 828 McCarter Highway, Newark, New Jersey 07102. Panasonic denies that Panasonic Corporation of North America manufactures products or sells smartphones. Panasonic denies the remaining allegations contained in Paragraph 3 of the Complaint.

4. Panasonic admits that its products are sold through resellers in the State of Texas. Panasonic denies the remaining allegations contained in Paragraph 4 of the Complaint.

### **JURISDICTION AND VENUE**

5. Panasonic admits that AGIS's Complaint purports to allege an action for patent infringement arising under the patent laws of the United States, 35 U.S.C. §§ 1, *et seq.* Panasonic admits that this Court has subject matter jurisdiction over the causes of action asserted in the Complaint, but denies there is any factual or legal basis for AGIS's claims.

6. To the extent Paragraph 6 of the Complaint contains conclusions of law, no response is necessary. Panasonic specifically denies that it has committed or continues to commit any act of patent infringement in the State of Texas or this District, as alleged in the Complaint. Panasonic denies the remaining allegations in Paragraph 6 of the Complaint.

7. To the extent Paragraph 7 of the Complaint contains conclusions of law, no response is necessary. Panasonic specifically denies that it has committed or continues to commit any act of patent infringement in the State of Texas or this District, as alleged in the Complaint. Panasonic denies the remaining allegations in Paragraph 7 of the Complaint.

### **PATENTS-IN-SUIT**

8. Panasonic denies the allegations in Paragraph 8 of the Complaint insofar as they purport to attribute to the '970 patent anything that is not stated therein. Panasonic admits that the '970 patent is titled "Method of Utilizing Forced Alerts for Interactive Remote Communications";

that it names Malcolm K. Beyer as the inventor; that its application was filed November 26, 2008; that it purports to claim priority through a chain of continuation-in-part applications to a patent application filed September 21, 2004; that the patent issued July 3, 2012; and that the patent will expire no later than June 2, 2025. Panasonic admits that link provided purports to be a certified copy of the '970 patent. Panasonic is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations and characterizations contained in this Paragraph of the Complaint, and therefore denies them.

9. Panasonic denies the allegations in Paragraph 9 of the Complaint insofar as they purport to attribute to the '251 patent anything that is not stated therein. Panasonic admits that the '251 patent is titled "Method to Provide Ad Hoc and Password Protected Digital and Voice Networks"; that it names Malcolm K. Beyer and Christopher R. Rice as the inventors; that its application was filed February 27, 2015; that it purports to claim priority through a chain of continuation-in-part applications to a patent application filed September 21, 2004; that the patent issued September 13, 2016; and that the patent will expire no later than September 21, 2024. Panasonic admits that link provided purports to be a certified copy of the '251 patent. Panasonic is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations and characterizations contained in this Paragraph of the Complaint, and therefore denies them.

10. Panasonic denies the allegations in Paragraph 10 of the Complaint insofar as they purport to attribute to the '838 patent anything that is not stated therein. Panasonic admits that the '838 patent is titled "Method to Provide Ad Hoc and Password Protected Digital and Voice Networks"; that it names Malcolm K. Beyer and Christopher R. Rice as the inventors; that its application was filed October 31, 2014; that it purports to claim priority through a chain of

continuation-in-part applications to a patent application filed September 21, 2004; that the patent issued September 13, 2016; and that the patent will expire no later than September 21, 2024. Panasonic admits that link provided purports to be a certified copy of the '838 patent. Panasonic is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations and characterizations contained in this Paragraph of the Complaint, and therefore denies them.

11. Panasonic denies the allegations in Paragraph 11 of the Complaint insofar as they purport to attribute to the '829 patent anything that is not stated therein. Panasonic admits that the '829 patent is titled "Method to Provide Ad Hoc and Password Protected Digital and Voice Networks"; that it names Malcolm K. Beyer and Christopher R. Rice as the inventors; that its application was filed February 27, 2015; that it purports to claim priority through a chain of continuation-in-part applications to a patent application filed September 21, 2004; that the patent issued August 29, 2017; and that the patent will expire no later than September 21, 2024. Panasonic admits that link provided purports to be a certified copy of the '829 patent. Panasonic is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations and characterizations contained in this Paragraph of the Complaint, and therefore denies them.

12. Panasonic denies the allegations in Paragraph 12 of the Complaint insofar as they purport to attribute to the '123 patent anything that is not stated therein. Panasonic admits that the '123 patent is titled "Method to Provide Ad Hoc and Password Protected Digital and Voice Networks"; that it names Malcolm K. Beyer and Christopher R. Rice as the inventors; that its application was filed September 1, 2016; that it purports to claim priority through a chain of continuation-in-part applications to a patent application filed September 21, 2004; that the patent issued November 14, 2017; and that the patent will expire no later than September 21, 2024.

Panasonic admits that link provided purports to be a certified copy of the '123 patent. Panasonic is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations and characterizations contained in this Paragraph of the Complaint, and therefore denies them.

13. Panasonic is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations and characterizations contained in this Paragraph of the Complaint, and therefore denies them.

### **FACTUAL ALLEGATIONS**

14. Panasonic is without knowledge or information sufficient to form belief as to the truth of the allegations and characterizations contained in Paragraph 14 of the Complaint, and therefore denies them.

15. Panasonic is without knowledge or information sufficient to form belief as to the truth of the allegations and characterizations contained in Paragraph 15 of the Complaint, and therefore denies them.

16. Panasonic is without knowledge or information sufficient to form belief as to the truth of the allegations and characterizations contained in Paragraph 16 of the Complaint, and therefore denies them.

17. Panasonic denies the allegations in Paragraph 17 of the Complaint.

18. Panasonic denies the allegations in Paragraph 18 of the Complaint.

### **COUNT I** **(Infringement of the '970 Patent)**

19. In response to Paragraph 19 of the Complaint, Panasonic reasserts and realleges its responses to the allegations of Paragraphs 1-18 of the Complaint above, and incorporates them herein by reference.

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