

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

T-REX PROPERTY AB,

Plaintiff,

v.

JCDECAUX NORTH AMERICA, INC. AND  
JCDECAUX NORTH AMERICA HOLDINGS INC.,

Defendants.

CASE NO. 4:16-cv-303-ALM

**JURY TRIAL DEMANDED**

**DEFENDANT JCDECAUX NORTH AMERICA, INC.'S  
ANSWER AND AFFIRMATIVE DEFENSES TO PLAINTIFF'S COMPLAINT**

Defendant JCDecaux North America, Inc. ("JCDecaux"), by its attorneys of record, responds to the allegations of the Complaint for Patent Infringement ("Complaint") filed in this action by Plaintiff T-Rex Property AB ("T-Rex" or "Plaintiff") on May 9, 2016, as follows:

**NATURE OF THE ACTION**

1. JCDecaux admits that the Complaint purports to state a claim for patent infringement under the laws of the United States, and in particular 35 U.S.C. §§ 271, *et seq.* JCDecaux denies all of the remaining allegations in Paragraph 1, including any allegation that JCDecaux has infringed any asserted patent.

2. JCDecaux lacks knowledge or information to form a belief as to the truth of the allegations in Paragraph 2 and therefore denies the same.

3. JCDecaux admits that JCDecaux North America, Inc. is a Delaware corporation with an office located at 3 Park Avenue, 33 Floor, New York, NY 10016. JCDecaux also admits that The Corporation Trust Company is a registered agent for JCDecaux North America, Inc.

JCDecaux lacks knowledge or information to form a belief as to the truth of the remaining allegations in Paragraph 3 and therefore denies the same.

4. JCDecaux denies the allegations in Paragraph 4.

#### **JURISDICTION AND VENUE**

5. At this time, JCDecaux does not contest this Court's subject matter jurisdiction over T-Rex's claims.

6. JCDecaux does not contest that the Court has personal jurisdiction over it. JCDecaux denies the remaining allegations in Paragraph 6.

7. JCDecaux does not contest that the Court has personal jurisdiction over it. JCDecaux denies the remaining allegations in Paragraph 7.

8. JCDecaux denies the allegations in Paragraph 8. JCDecaux incorporates by reference its Motion to Transfer Venue filed contemporaneously with this Answer.

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

9. JCDecaux incorporates by reference its responses to Paragraphs 1-8 as if fully stated herein.

10. JCDecaux admits that a copy of the '470 Patent, entitled "Digital Information System," appears to have been attached to the Complaint as Exhibit A. JCDecaux admits that the face of the '470 Patent indicates that the United States Patent and Trademark Office issued the '470 Patent on January 16, 2007. JCDecaux denies the remainder of the allegations in Paragraph 10, including that the '470 Patent was duly and legally issued.

11. JCDecaux admits that the face of the '470 Patent indicates that it is a reissue of U.S. Patent No. 6,005,534. JCDecaux also admits that the face of the U.S. Patent No. 6,005,534 indicates that it claims priority to U.S. Provisional App. No. 60/017,403 and Swedish

Application No. 9601603. JCDecaux lacks knowledge or information to form a belief as to the truth of the remaining allegations in Paragraph 11 and therefore denies the same.

12. JCDecaux admits that the quoted portions appear in the '470 Patent but denies the remainder of the allegations in Paragraph 12.

13. JCDecaux denies the allegations in Paragraph 13.

14. JCDecaux denies the allegations in Paragraph 14.

15. JCDecaux denies the allegations in Paragraph 15.

16. JCDecaux admits that a copy of the '334 Patent, entitled "Digital Information System," appears to have been attached to the Complaint as Exhibit B. JCDecaux admits that the face of the '334 Patent indicates that the United States Patent and Trademark Office issued the '334 Patent on June 3, 2008. JCDecaux denies the remainder of the allegations in Paragraph 16, including that the '334 Patent was duly and legally issued.

17. JCDecaux admits that the quoted portions appear in the '334 Patent but denies the remainder of the allegations in Paragraph 17.

18. JCDecaux denies the allegations in Paragraph 18.

19. JCDecaux denies the allegations in Paragraph 19.

20. JCDecaux denies the allegations in Paragraph 20.

21. JCDecaux admits that a copy of the '603 Patent, entitled "System for Direct Placement of Commercial Advertising, Public Service Announcements and Other Content on Electronic Billboard Displays," appears to have been attached to the Complaint as Exhibit C. JCDecaux admits that the face of the '603 Patent indicates that the United States Patent and Trademark Office issued the '603 Patent on August 6, 2002. JCDecaux denies the remainder of the allegations of Paragraph 21, including that the '603 Patent was duly and legally issued.

22. JCDecaux admits that the quoted portions appear in the '603 Patent but denies the remainder of the allegations in Paragraph 22.

23. JCDecaux admits that the quoted portions appear in the '603 Patent but denies the remainder of the allegations in Paragraph 23.

24. JCDecaux admits that the quoted portions appear in the '603 Patent but denies the remainder of the allegations in Paragraph 24.

25. JCDecaux admits that the quoted portions appear in the '603 Patent but denies the remainder of the allegations in Paragraph 25.

26. JCDecaux lacks knowledge or information to form a belief as to the truth of the allegations in Paragraph 26 and therefore denies the same.

**COUNT I – ALLEGED INFRINGEMENT OF U.S. PATENT NO. RE39,470**

27. JCDecaux incorporates by reference its responses to Paragraphs 1-26 as if fully stated herein.

28. JCDecaux denies the allegations in Paragraph 28.

29. JCDecaux denies the allegations in Paragraph 29.

30. JCDecaux denies the allegations in Paragraph 30.

31. JCDecaux denies the allegations in Paragraph 31.

32. JCDecaux lacks knowledge or information to form a belief as to the truth of the allegations in Paragraph 32 and therefore denies the same.

33. JCDecaux denies the allegations in Paragraph 33.

34. JCDecaux denies the allegations in Paragraph 34.

35. JCDecaux denies the allegations in Paragraph 35.

36. JCDecaux admits that claim 25 of the '470 Patent is worded differently than other claims, including claim 26. JCDecaux denies the remainder of the allegations in Paragraph 36.

37. JCDecaux denies the allegations in Paragraph 37.

38. JCDecaux denies the allegations in Paragraph 38.

39. JCDecaux denies the allegations in Paragraph 39.

40. JCDecaux denies the allegations in Paragraph 40.

41. JCDecaux lacks knowledge or information to form a belief as to the truth of the allegations in Paragraph 41 and therefore denies those allegations.

42. JCDecaux denies the allegations in Paragraph 42.

43. JCDecaux denies the allegations in Paragraph 43.

44. JCDecaux denies the allegations in Paragraph 44.

**COUNT II – ALLEGED INFRINGEMENT OF U.S. PATENT NO. 7,382,334**

45. JCDecaux incorporates by reference its responses to Paragraphs 1-44 as if fully stated herein.

46. JCDecaux denies the allegations in Paragraph 46.

47. JCDecaux denies the allegations in Paragraph 47.

48. JCDecaux denies the allegations in Paragraph 48.

49. JCDecaux denies the allegations in Paragraph 49.

50. JCDecaux denies the allegations in Paragraph 50.

51. JCDecaux denies the allegations in Paragraph 51.

52. JCDecaux denies the allegations in Paragraph 52.

53. JCDecaux admits that claim 22 of the '334 Patent is worded differently than other claims, including claim 32. JCDecaux denies the remainder of the allegations in Paragraph 53.

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