

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

MAXELL, LTD.,

Plaintiff,

v.

LG ELECTRONICS INC. and
LG ELECTRONICS U.S.A., INC.,

Defendants.

Civil No. 5:23-cv-00152-RWS

JURY TRIAL REQUESTED

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

Defendants LG Electronics Inc. (“LGE”) and LG Electronics U.S.A., Inc. (“LGEUS”) (collectively, “Defendants” or “LG”), by and through their attorneys, file this Answer to Plaintiff Maxell, Ltd.’s (“Plaintiff” or “Maxell”) Complaint for Patent Infringement (“Complaint”). The numbered paragraphs in this Answer correspond to the like-numbered paragraphs of the Complaint, to the extent applicable. LG denies all allegations and characterizations except those specifically admitted.

Specifically, LG answers as follows:

OVERVIEW¹

1. LG admits that Plaintiff’s Complaint purports to state a cause of action for patent infringement, but LG denies that it has committed any acts of patent infringement. LG is without

¹ LG repeats the headings set forth in the Complaint to simplify comparison of the Complaint and this Answer. In doing so, LG makes no admissions regarding the substance of the headings or any other allegations of the Complaint. Unless otherwise stated, to the extent that a particular heading can be construed as an allegation, LG specifically denies all such allegations.

knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1 of the Complaint and therefore denies those allegations.

2. LG is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 2 of the Complaint and therefore denies those allegations.

3. LG is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 3 of the Complaint and therefore denies those allegations.

4. LG denies that it has committed any acts of patent infringement, whether knowing or otherwise. LG is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 4 of the Complaint and therefore denies those allegations.

5. LG denies that it has committed any acts of patent infringement, whether knowing or otherwise. Plaintiff's remaining allegations in Paragraph 5 of the Complaint are vague and indefinite, and LG is without knowledge or information sufficient to form a belief as to the truth of those allegations, and therefore denies those allegations.

6. LG is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 6 of the Complaint and therefore denies those allegations.

NATURE OF THE ACTIONS

7. LG admits that Plaintiff's Complaint purports to state a cause of action for patent infringement under the patent laws of the United States, 35 U.S.C. § 271 *et seq.*, but LG denies that it has committed any acts of patent infringement.

PARTIES

8. LG is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 8 of the Complaint and therefore denies those allegations.

9. LGE admits that it is a corporation organized and existing under the laws of the Republic of Korea with its principal place of business at LG Twin Towers, 128 Yeoui-daero

Yeongdeungpo-gu, Seoul, South Korea. LGE denies the remaining allegations in Paragraph 9 of the Complaint.

10. LGEUS admits that it is a Delaware corporation having a principal place of business at 111 Sylvan Avenue, Englewood Cliffs, New Jersey 07632. LGEUS admits that it is a wholly owned subsidiary of LGE. To the extent Paragraph 10 states legal conclusions, no response is required. LG denies the remaining allegations in Paragraph 10 of the Complaint.

11. Plaintiff's allegations in Paragraph 11 of the Complaint are vague and indefinite, and LG is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore denies those allegations.

JURISDICTION AND VENUE

12. LG admits that this Court has subject matter jurisdiction over actions for alleged patent infringement arising under 35 U.S.C. § 271 *et seq.* pursuant to 28 U.S.C. §§ 1331 and 1338(a), but LG denies that it has committed any acts of patent infringement.

13. LGEUS admits that it has sold and offered for sale in the United States, and imported into the United States, certain smartphones, laptops, and tablets. LG admits that, in the *Spacetime3D* case, LG stated that it “d[id] not contest that the Court ha[d] personal jurisdiction over LGE Inc. or LGEUS for the purposes of th[at] particular action only, but d[id] not waive the right to contest personal jurisdiction in any other case or action in this District.” No 2:22-cv-00049-RWS, Dkt. 19 (LG’s June 20, 2022 Answer and Affirmative Defenses), ¶ 8. LG denies that it has committed acts of patent infringement, in this District, the State of Texas, or elsewhere. Paragraph 13 of the Complaint further contains legal conclusions to which no response is required. To the extent a response is required, LG denies the allegations.

14. Paragraph 14 of the Complaint contains legal conclusions to which no response is required. To the extent a response is required, LG denies the allegations.

15. Venue in the Eastern District of Texas is not convenient under 28 U.S.C. § 1404. LGE admits that it is organized under the laws of the Republic of Korea. The remaining allegations in Paragraph 15 of the Complaint contain legal conclusions to which no response is required. To the extent a response is required, LG denies the allegations.

16. Paragraph 16 of the Complaint contains legal conclusions to which no response is required. LG is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations and therefore denies the allegations.

COUNT 1 – [ALLEGED] INFRINGEMENT OF U.S. PATENT NO. 6,856,760

17. LG incorporates by reference paragraphs 1–16 as if fully set forth herein.

18. LG admits that, on its face, U.S. Patent No. 6,856,760 (“the ’760 patent”) is titled “RECORDING MEDIUM” and reads “Date of Patent: *Feb. 15, 2005.” LG admits that Exhibit 1 to the Complaint is a purported copy of the ’760 patent. LG is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 18 of the Complaint and therefore denies those allegations.

19. Paragraph 19 of the Complaint contains legal conclusions to which no response is required. To the extent a response is required, LG is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore denies the allegations.

20. Paragraph 20 of the Complaint contains legal conclusions to which no response is required. To the extent a response is required, LG is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore denies the allegations.

21. Plaintiff’s allegations in Paragraph 21 of the Complaint are vague and indefinite, and LG is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore denies the allegations.

22. LG denies that it has committed any acts of patent infringement. Paragraph 22 of the Complaint contains legal conclusions to which no response is required. To the extent a response is required, the allegations are vague and indefinite, and LG is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore denies the allegations.

23. Paragraph 23 of the Complaint contains legal conclusions to which no response is required. To the extent a response is required, the allegations are vague and indefinite, and LG denies the allegations.

24. Paragraph 24 of the Complaint contains legal conclusions to which no response is required. To the extent a response is required, the allegations are vague and indefinite, and LG denies the allegations.

25. LG denies that it has committed any acts of patent infringement. Paragraph 25 of the Complaint contains legal conclusions to which no response is required. To the extent a response is required, the allegations are vague and indefinite, and LG denies the allegations.

26. LG denies that it has committed any acts of patent infringement or that it has induced or contributed to any acts of patent infringement. LG admits that a pdf bearing the title “User Guide LG V60 ThinQ™ 5G UW LM-V600VM OS: Android™ 11” can be accessed (as of April 23, 2024) at https://ss7.vzw.com/is/content/VerizonWireless/Catalog%20Assets/Devices/LG/LG_V60_ThinQ/userguide/lg-v60-thinq-5g-lm-v600vmengug-user-manual-en-03132020.pdf. LG further admits that a webpage bearing the title “Manuals & Documents” can be accessed (as of April 23, 2024) at <https://www.lg.com/us/support/manuals-documents>. LG further answers that this pdf and webpage speak for themselves and no further response is required. Paragraph 26 of the Complaint further contains legal conclusions to which no response is required.

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.