

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

CELLULAR COMMUNICATIONS EQUIPMENT  
LLC,  
Plaintiff,

v.

LG ELECTRONICS, INC., LG ELECTRONICS U.S.A.,  
INC., AT&T MOBILITY LLC,  
VERIZON COMMUNICATIONS, INC., CELLCO  
PARTNERSHIP D/B/A VERIZON WIRELESS,  
SPRINT NEXTEL CORPORATION, SPRINT  
SOLUTIONS, INC.,  
SPRINT SPECTRUM LP.,  
BOOST MOBILE, LLC,  
T-MOBILE USA, INC., and T-MOBILE US, INC.,

**Civil Action No. 6:14-cv-982**

CONSOLIDATED LEAD CASE

CELLULAR COMMUNICATIONS EQUIPMENT  
LLC,  
Plaintiff,

v.

SONY MOBILE COMMUNICATIONS INC., SONY  
MOBILE COMMUNICATIONS (USA) INC., AT&T  
MOBILITY LLC,  
VERIZON COMMUNICATIONS, INC., CELLCO  
PARTNERSHIP D/B/A VERIZON WIRELESS,  
T-MOBILE USA, INC., and T-MOBILE US, INC.,

**Civil Action No. 6:14-cv-983**

**ANSWER OF DEFENDANT CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS  
TO PLAINTIFF'S FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT**

Defendant Cellco Partnership d/b/a Verizon Wireless ("Verizon"), by and through the undersigned attorneys, answers the First Amended Complaint for Patent Infringement ("Complaint") of Plaintiff Cellular Communications Equipment LLC as follows:

**THE PARTIES**

1. Cellular Communications Equipment LLC ("CCE") is a Texas limited liability company with its principal place of business in Plano, Texas.

**ANSWER:** Verizon lacks knowledge or information sufficient to form a belief as to the truth or falsity of the remaining allegations of paragraph 1, and therefore denies those allegations.

2. On information and belief, Sony Mobile Communications Inc. is incorporated under the laws of Japan with its principal place of business at 1-8-15 Konan, Minato-ku, Tokyo, 108-0075 Japan. This Defendant may be served at its principal place of business at 1-8-15 Konan, Minato-ku, Tokyo, 108-0075 Japan. This Defendant does business in the State of Texas and in the Eastern District of Texas.

**ANSWER:** The allegations in this paragraph are not directed to Verizon, so no response is required. To the extent a response is required, Verizon lacks knowledge or information sufficient to form a belief as to the truth or falsity of the remaining allegations of paragraph 2, and therefore denies those allegations.

3. On information and belief, Sony Mobile Communications (USA) Inc. (with Sony Mobile Communications Inc., "Sony") is a Delaware corporation with its principal place of business in Atlanta, Georgia. This Defendant may be served with process through its agent, Capitol Services, Inc., 1675 S. State St. Suite B, Dover, Delaware 19901. This Defendant does business in the State of Texas and in the Eastern District of Texas.

**ANSWER:** The allegations in this paragraph are not directed to Verizon, so no response is required. To the extent a response is required, Verizon lacks knowledge or information sufficient to form a belief as to the truth or falsity of the remaining allegations of paragraph 3, and therefore denies those allegations.

4. AT&T Mobility LLC ("AT&T") is a Delaware limited liability company with its principal place of business in Atlanta, Georgia. This Defendant may be served with process through its agent, The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801. This Defendant does business in the State of Texas and in the Eastern District of Texas.

**ANSWER:** The allegations in this paragraph are not directed to Verizon, so no response is required. To the extent a response is required, Verizon lacks knowledge or information sufficient to form a belief as to the truth or falsity of the remaining allegations of paragraph 4, and therefore denies those allegations.

5. Verizon Communications Inc. is a Delaware corporation with its principal place of business in New York, New York. This Defendant may be served with process through its agent, The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801. This Defendant does business in the State of Texas and in the Eastern District of Texas.

**ANSWER:** Verizon Communications Inc. was dismissed from this case on April 22, 2015.

Dkt. 18. Verizon admits that Verizon Communications Inc. is a Delaware corporation with its principal place of business in New York, New York. Verizon denies the remaining allegations of paragraph 5.

6. Cellco Partnership d/b/a Verizon Wireless (with Verizon Communications Inc., "Verizon") is a Delaware general partnership with its principal place of business in Basking Ridge, New Jersey. This Defendant may be served with process through its agent, The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801. This Defendant does business in the State of Texas and in the Eastern District of Texas.

**ANSWER:** Verizon admits that it is a Delaware general partnership with its principal place of business in Basking Ridge, New Jersey. Verizon admits that it does business in the State of Texas and in the Eastern District of Texas. Verizon admits that it may be served with process through its agent, The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801. Verizon admits that it has been served with process and has appeared in this action. Verizon denies the remaining allegations of paragraph 6.

7. T-Mobile USA, Inc. is a Delaware corporation with a principal place of business in Bellevue, Washington. This Defendant may be served with process through its agent, Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, Delaware 19808. This Defendant does business in the State of Texas and in the Eastern District of Texas.

**ANSWER:** The allegations in this paragraph are not directed to Verizon, so no response is required. To the extent a response is required, Verizon lacks knowledge or information sufficient to form a belief as to the truth or falsity of the remaining allegations of paragraph 7, and therefore denies those allegations.

8. T-Mobile US, Inc. (with T-Mobile USA, Inc., "T-Mobile") is a Delaware corporation with its principal place of business in Bellevue, Washington. This Defendant may be served with process through its agent, Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, Delaware 19808. This Defendant does business in the State of Texas and in the Eastern District of Texas.

**ANSWER:** The allegations in this paragraph are not directed to Verizon, so no response is required. To the extent a response is required, Verizon lacks knowledge or information sufficient to form a belief as to the truth or falsity of the remaining allegations of paragraph 8, and therefore denies those allegations.

### **JURISDICTION AND VENUE**

9. This action arises under the patent laws of the United States, namely 35 U.S.C. §§ 271, 281, and 284-285, among others.

**ANSWER:** Verizon admits that the Complaint purports to set forth a patent infringement action arising under the patent laws of the United States, Title 35 of the United States Code. Verizon denies all remaining allegations of Paragraph 9.

10. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a), and 1367.

**ANSWER:** To the extent that the allegations of Paragraph 10 of the Complaint set forth legal conclusions, no response is required. Verizon admits that this Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a) over actions arising under the patent laws of the United States. Verizon denies all remaining allegations of Paragraph 10.

11. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(b) and (c), and 1400(b). On information and belief, each Defendant is deemed to reside in this judicial district, has committed acts of infringement in this judicial district, has purposely transacted business in this judicial district, and/or has regular and established places of business in this judicial district.

**ANSWER:** To the extent that the allegations of Paragraph 11 of the Complaint set forth legal conclusions, no response is required. Verizon admits it has transacted business in this district.

Verizon denies that it has committed any act of patent infringement in this district or any other judicial district. Verizon denies all remaining allegations in Paragraph 11.

12. On information and belief, each Defendant is subject to this Court's specific and general personal jurisdiction pursuant to due process and/or the Texas Long Arm Statute, due at least to their substantial and pervasive business in this State and judicial district, including: (i) at least part of their infringing activities alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent conduct, and/or deriving substantial revenue from goods sold and services provided to Texas residents.

**ANSWER:** To the extent that the allegations of Paragraph 12 of the Complaint set forth legal conclusions, no response is required. Verizon admits it has transacted business in this district.

Verizon denies that it has committed any act of patent infringement in this district or any other judicial district. Verizon denies all remaining allegations in Paragraph 12.

13. More specifically, Defendants' substantial contacts with the forum include, but are not limited to: (i) the manufacture, marketing, sale, distribution, and use of Sony mobile devices; (ii) the marketing and sale of services for mobile device communications; (iii) the ownership and/or operation of stores where Sony mobile devices are sold and serviced; and/or (iv) the provision of technical and customer support for Sony mobile devices and attendant mobile device communications services.

**ANSWER:** Verizon admits that it has transacted business in this district. Verizon denies that it has committed any acts of patent infringement in this district or any other judicial district.

Verizon denies the remaining allegations in Paragraph 13.

### **COUNT I**

(INFRINGEMENT OF U.S. PATENT NO. 8,385,966)

14. CCE incorporates paragraphs 1 through 13 herein by reference.

**ANSWER:** To the extent an answer to this paragraph is required, Verizon repeats and incorporates by reference its Answers to paragraphs 1 through 13.

15. CCE is the assignee of the '966 patent, entitled "Method, Apparatus, and Computer Program for Power Control Related to Random Access Procedures" with ownership of all substantial rights in the '966 patent, including the right to exclude others and to enforce, sue, and recover damages for past and future infringements. A true and correct copy of the '966 patent is attached as Exhibit A.

# 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.