

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

CELLULAR COMMUNICATIONS  
EQUIPMENT LLC,  
*Plaintiff,*

v.

SONY MOBILE COMMUNICATIONS  
INC, et al.,  
*Defendants.*

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

Consolidated Lead Case Civil Action No.  
6:14-cv-982

**JURY TRIAL DEMANDED**

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**T-MOBILE’S ANSWER  
TO PLAINTIFF’S FIRST AMENDED COMPLAINT**

Defendants T-Mobile USA, Inc., and T-Mobile US, Inc. (collectively, “T-Mobile”) hereby submit this Answer and Affirmative Defenses in response to Plaintiff Cellular Communications Equipment LLC’s (“CCE” or “Plaintiff”) First Amended Complaint for Patent Infringement (the “Complaint”).

**GENERAL DENIAL**

Unless specifically admitted below, T-Mobile denies each and every allegation in the Complaint. To the extent the headings of the Complaint are construed as allegations, they are each denied.

**THE PARTIES**

1. T-Mobile lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 1 of the Complaint, and therefore denies the same.
2. T-Mobile lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 2 of the Complaint, and therefore denies the same.

3. T-Mobile lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 3 of the Complaint, and therefore denies the same.

4. T-Mobile lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 4 of the Complaint, and therefore denies the same.

5. T-Mobile lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 5 of the Complaint, and therefore denies the same.

6. T-Mobile lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 6 of the Complaint, and therefore denies the same.

7. Admit.

8. Admit.

#### **JURISDICTION AND VENUE**

9. T-Mobile 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. T-Mobile denies all remaining allegations of Paragraph 9.

10. To the extent that the allegations of Paragraph 10 of the Complaint set forth legal conclusions, no response is required. T-Mobile 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. T-Mobile denies all remaining allegations of Paragraph 10.

11. To the extent that the allegations of Paragraph 11 of the Complaint set forth legal conclusions, no response is required. T-Mobile admits it has transacted business in this district. T-Mobile denies that it has committed any act of patent infringement in this district or any other judicial district. T-Mobile denies all remaining allegations in Paragraph 11.

12. To the extent that the allegations of Paragraph 12 of the Complaint set forth legal conclusions, no response is required. T-Mobile admits it has transacted business in this district. T-Mobile denies that it has committed any act of patent infringement in this district or any other judicial district. T-Mobile denies all remaining allegations in Paragraph 12.

13. T-Mobile admits it has transacted business in this district. T-Mobile denies that it has committed any act of patent infringement in this district or any other judicial district. T-Mobile denies all remaining allegations in Paragraph 13.

**COUNT I—ALLEGED INFRINGEMENT OF U.S. PATENT NO. 8,385,966**

14. T-Mobile re-alleges and reincorporate its answers to Paragraphs 1-13 of the Complaint as if fully set forth herein.

15. T-Mobile admits that the cover page of U.S. Patent No. 8,385,966 (“’966 Patent”) states that its title is “Method, Apparatus, and Computer Program for Power Control Related to Random Access Procedures.” T-Mobile admits that what purports to be a copy of the ’966 Patent is attached as Exhibit A to the Complaint. T-Mobile lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph 15 of the Complaint, and therefore denies the same.

16. Denied.

17. Denied.

18. Denied.

19. Denied.

20. T-Mobile denies the allegations in Paragraph 20 as to T-Mobile. T-Mobile lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph 20 of the Complaint, and therefore denies the same.

21. Denied.

22. Denied.

23. Denied.

24. Denied.

25. Denied.

26. T-Mobile lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 26 of the Complaint, and therefore denies the same.

27. T-Mobile admits that it has provided Sony brand devices. T-Mobile denies all remaining allegations of Paragraph 27.

28. T-Mobile lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 28 of the Complaint, and therefore denies the same.

29. Denied.

**COUNT II—ALLEGED INFRINGEMENT OF U.S. PATENT NO. 8,848,556**

30. T-Mobile re-alleges and reincorporate its answers to Paragraphs 1-29 of the Complaint as if fully set forth herein.

31. T-Mobile admits that the cover page of U.S. Patent No. 8,848,556 (“’556 Patent”) states that its title is “Carrier Aggregation with Power Headroom Report.” T-Mobile admits that what purports to be a copy of the ’556 Patent is attached as Exhibit B to the Complaint. T-Mobile lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph 31 of the Complaint, and therefore denies the same.

32. Denied.

33. Denied.

34. Denied.

35. T-Mobile denies the allegations in Paragraph 35 as to T-Mobile. T-Mobile lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph 40 of the Complaint, and therefore denies the same.

36. Denied.

37. T-Mobile admits that it has provided Sony brand devices. T-Mobile denies all remaining allegations of Paragraph 37.

38. T-Mobile lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 38 of the Complaint, and therefore denies the same.

39. Denied.

**COUNT III—ALLEGED INFRINGEMENT OF U.S. PATENT NO. 8,868,060**

40. T-Mobile re-alleges and reincorporate its answers to Paragraphs 1-39 of the Complaint as if fully set forth herein.

41. T-Mobile admits that the cover page of U.S. Patent No. 8,868,060 (“’060 Patent”) states that its title is “Method, Network and Device for Information Provision by Using Paging and Cell Broadcast Services.” T-Mobile admits that what purports to be a copy of the ’060 Patent is attached as Exhibit C to the Complaint. T-Mobile lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph 41 of the Complaint, and therefore denies the same.

42. Denied.

43. Denied.

44. Denied.

45. Denied.

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