

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

CELLULAR COMMUNICATIONS
EQUIPMENT LLC,
Plaintiff,

v.

LG ELECTRONICS, INC., et al.,
Defendants.

Civil Action No. 6:14-cv-982

Consolidated Lead Case

JURY TRIAL DEMANDED

**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. T-Mobile lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 7 of the Complaint, and therefore denies the same.

8. T-Mobile lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 8 of the Complaint, and therefore denies the same.

9. T-Mobile lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 9 of the Complaint, and therefore denies the same.

10. T-Mobile lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 10 of the Complaint, and therefore denies the same.

11. Admit.

12. Admit.

JURISDICTION AND VENUE

13. 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 13.

14. To the extent that the allegations of Paragraph 14 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 14.

15. To the extent that the allegations of Paragraph 15 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 15.

16. To the extent that the allegations of Paragraph 16 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 16.

17. 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 17.

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

18. T-Mobile re-alleges and reincorporate its answers to Paragraphs 1-17 of the Complaint as if fully set forth herein.

19. 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 19 of the Complaint, and therefore denies the same.

20. Denied.

21. Denied.

22. Denied.

23. Denied.

24. T-Mobile denies the allegations in Paragraph 24 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 24 of the Complaint, and therefore denies the same.

25. Denied.

26. Denied.

27. Denied.

28. Denied.

29. Denied.

30. T-Mobile lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 30 of the Complaint, and therefore denies the same.

31. T-Mobile lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 31 of the Complaint, and therefore denies the same.

32. T-Mobile admits that it has provided LG brand devices. T-Mobile denies all remaining allegations of Paragraph 32.

33. T-Mobile lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 33 of the Complaint, and therefore denies the same.

34. Denied.

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

35. T-Mobile re-alleges and reincorporate its answers to Paragraphs 1-34 of the Complaint as if fully set forth herein.

36. 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 36 of the Complaint, and therefore denies the same.

37. Denied.

38. Denied.

39. Denied.

40. T-Mobile denies the allegations in Paragraph 40 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.

41. Denied.

42. T-Mobile lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 42 of the Complaint, and therefore denies the same.

43. T-Mobile lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 43 of the Complaint, and therefore denies the same.

44. T-Mobile lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 44 of the Complaint, and therefore denies the same.

45. Denied.

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

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