

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

**SIPCO LLC, and
IP CO., LLC (d/b/a INTUS IQ)
Plaintiffs,**

v.

**EMERSON ELECTRIC CO., EMERSON
PROCESS MANAGMENT LLLP,
FISHER-ROSEMOUNT SYSTEMS, INC.,
ROSEMOUNT INC., BP PLC, BP
AMERICA, INC., and BP AMERICA
PRODUCTION COMPANY**

Emerson Defendants.

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Civil Action No. 6:15-CV-907-JRG-KNM

EMERSON ELECTRIC CO., EMERSON PROCESS MANAGEMENT LLLP, FISHER-ROSEMOUNT SYSTEMS, INC., AND ROSEMOUNT INC.’S AMENDED ANSWER TO FIRST AMENDED COMPLAINT

Defendants Emerson Electric Co., Emerson Process Management LLLP, Fisher-Rosemount Systems, Inc., and Rosemount Inc., (collectively, “Emerson Defendants”), amended their answer the First Amended Complaint of Plaintiffs SIPCO, LLC (“SIPCO”) and IP CO, LLC (d/b/a/INTUS IQ) (“IP CO”) (collectively, “Plaintiffs”), as follows in the correspondingly numbered paragraphs:

1. Admitted.
2. Admitted.
3. Emerson Defendants admit that Emerson Electric Co. is a corporation organized and existing under the laws of the State of Missouri and deny the remaining allegations of this Paragraph.

4. Emerson Defendants admit that Emerson Process Management LLLP is indirectly a wholly owned subsidiary of Emerson Electric Co., and is organized and existing under the laws of the State of Delaware, and deny the remaining allegations of this Paragraph.

5. Admitted.

6. Admitted.

7. Emerson Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph, and therefore deny them.

8. Emerson Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph, and therefore deny them.

9. Emerson Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph, and therefore deny them.

10. Admitted that, in general, claims for patent infringement arise under the cited statutes; denied that the Complaint actually asserts a claim for patent infringement under the cited statutes.

11. Admitted.

12. Emerson Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph, and therefore deny them.

13. Denied.

14. Denied.

15. Denied.

16. Admitted.

17. Emerson Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph, and therefore deny them.

18. Emerson Defendants admit knowledge of the '492 patent before the filing of the Complaint and deny the remaining allegations of this Paragraph.

19. Denied.

20. Admitted.

21. Emerson Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph, and therefore deny them.

22. Emerson Defendants admit knowledge of the '692 patent before the filing of the Complaint and deny the remaining allegations of this Paragraph.

23. Denied.

24. Admitted.

25. Emerson Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph, and therefore deny them.

26. Emerson Defendants admit knowledge of the existence of the '893 patent before the filing of the Complaint and deny the remaining allegations of this Paragraph.

27. Denied.

28. Admitted.

29. Emerson Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph, and therefore deny them.

30. Emerson Defendants admit knowledge of the existence of the '516 patent before the filing of the Complaint and deny the remaining allegations of this Paragraph.

31. Denied.

32. Admitted.

33. Emerson Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph, and therefore deny them.

34. Emerson Defendants admit knowledge of the '661 patent before the filing of the Complaint and deny the remaining allegations of this Paragraph.

35. Denied.

36. Admitted.

37. Emerson Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph, and therefore deny them.

38. Emerson Defendants admit knowledge of the '314 patent before the filing of the Complaint and deny the remaining allegations of this Paragraph.

39. Denied.

40. Admitted.

41. Emerson Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph, and therefore deny them.

42. Emerson Defendants admit knowledge of the existence of the '471 patent before the filing of the Complaint and deny the remaining allegations of this Paragraph.

43. Denied.

44. Admitted.

45. Emerson Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph, and therefore deny them.

46. Emerson Defendants admit knowledge of the existence of the '496 patent before the filing of the Complaint and deny the remaining allegations of this Paragraph.

47. Denied.

48. Admitted.

49. Emerson Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph, and therefore deny them.

50. Emerson Defendants admit knowledge of the existence of the '780 patent before the filing of the Complaint and deny the remaining allegations of this Paragraph.

51. Denied.

52. Admitted.

53. Emerson Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph, and therefore deny them.

54. Denied.

55. Denied.

56. Admitted.

57. Emerson Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph, and therefore deny them.

58. Emerson Defendants admit knowledge of the existence of the '732 patent before the filing of the Complaint and deny the remaining allegations of this Paragraph.

59. Emerson Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph, and therefore deny them.

60. Emerson Defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations of this Paragraph, and therefore deny them.

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