

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

ANCORA TECHNOLOGIES, INC.	§	
	§	
Plaintiff,	§	
	§	
v.	§	Civil Action No. 6:19-cv-384
	§	
LG ELECTRONICS INC., and LG	§	
ELECTRONICS U.S.A., INC.,	§	Jury Trial Requested
	§	
Defendants.	§	

**DEFENDANTS LG ELECTRONICS INC. AND LG ELECTRONICS U.S.A., INC.’S
ANSWER AND COUNTERCLAIMS TO PLAINTIFF’S ORIGINAL COMPLAINT**

Defendants LG Electronics Inc. (“LGEKR”) and LG Electronics U.S.A., Inc. (“LGEUS”) (collectively, “LGE”) hereby submit their Answer (“Answer”) and Counterclaims to Plaintiff Ancora Technologies, Inc.’s Original Complaint (“Complaint”). Except as otherwise admitted in this Answer, LGE denies each and every allegation in the Complaint.

RELATED CASE

1. LGE admits that Plaintiff filed an action styled as *Ancora Technologies, Inc. v. Samsung Electronics, Co., Ltd., et al.*, and that it was filed on June 21, 2019 in the United States District Court for the Western District of Texas, Waco Division. LGE is without sufficient knowledge or information to form a relief as to the truth of the remaining allegations set forth in this paragraph of the Complaint and therefore denies the same.

PARTIES

2. LGE is without sufficient knowledge or information to form a belief as to the truth of the allegations set forth in this paragraph of the Complaint and therefore denies the same.

3. LGEKR admits that LGEKR is a company incorporated under the laws of the

Republic of Korea with a place of business at LG Twin Towers, 128 Yeoui-daero, Yeongdeungpo-gu, South Korea. LGE denies the remaining allegations in this paragraph of the Complaint.

4. LGEUS admits that LGEUS is a Delaware corporation. LGE denies the remaining allegations in this paragraph of the Complaint.

5. LGEUS admits that LGEUS assumed all of the rights and obligations of LG Electronics MobileComm U.S.A., Inc. on August 1, 2018. LGEUS admits that Dkt. 144 filed in *3G Licensing S.A., et al. v. LG Electronics Inc., et al.*, Case No. 1:17-cv-00085-LPS (D. Del.) speaks for itself and no response is necessary. LGE denies the remaining allegations in this paragraph of the Complaint.

6. LGEUS admits that LGEUS assumed all of the rights and obligations of LG Electronics MobileComm U.S.A., Inc. on August 1, 2018. LGE denies the remaining allegations in this paragraph of the Complaint.

JURISDICTION AND VENUE

7. LGE admits that this action purportedly arises under the patent laws of the United States, Title 35 of the United States Code. LGE denies that it has committed any acts of infringement as alleged in the Complaint and denies any remaining allegations in this paragraph of the Complaint.

8. LGE admits that this Court has jurisdiction over the subject matter of actions arising under §§ 1331 and 1338(a). LGE denies that it has committed any acts of infringement as alleged in the Complaint and denies any remaining allegations in this paragraph of the Complaint.

9. This paragraph of the Complaint sets out a legal conclusion to which no response

is necessary. LGEKR and LGEUS do not contest that this Court has personal jurisdiction over them for the purposes of this action only, but do not waive the right to contest personal jurisdiction in any other case or action in this District. LGE denies that it has committed any acts of infringement in this District or elsewhere. LGE denies the remaining allegations in this paragraph of the Complaint.

10. Denied.

11. Denied.

12. Denied.

13. Denied.

14. This paragraph of the Complaint sets out a legal conclusion to which no response is necessary. To the extent a response is required, LGEKR and LGEUS do not contest the propriety of venue at this time and for this action only, but do not waive the right to contest the propriety of venue in another action or to seek transfer to a more convenient forum later in this or another action.

15. This paragraph of the Complaint sets out a legal conclusion to which no response is necessary. LGEKR admits that LGEKR is a corporation incorporated under the laws of the Republic of Korea. LGE denies the remaining allegations in this paragraph of the Complaint.

THE ASSERTED PATENT

16. LGE admits that this lawsuit purportedly asserts causes of action for alleged infringement of United States Patent No. 6,411,941 (“the ’941 patent”). LGE admits that Exhibit A purports to be a true and correct copy of the ’941 patent, which on its face bears the title “Method of Restricting Software Operation Within a License Limitation,” but LGE is without knowledge or information sufficient to form a belief as to the accuracy of this assertion and

therefore denies the same. LGE denies that it has committed any acts of infringement as alleged in the Complaint.

17. LGE admits that the '941 patent on its face indicates it issued on June 25, 2002. LGE is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations set forth in this paragraph of the Complaint and therefore denies the same.

18. LGE is without sufficient knowledge or information to form a belief as to the truth of the allegations set forth in this paragraph of the Complaint and therefore denies the same.

19. LGE admits that the '941 patent on its face lists Miki Mullor as one of the inventors. LGE is without sufficient knowledge or information to form a belief as to the truth of the remaining allegations set forth in this paragraph of the Complaint and therefore denies the same.

20. LGE admits that Exhibit A purportedly includes a true and correct copy of a reexamination certificate for the '941 patent, which on its face indicates that it issued on June 1, 2010, but LGE is without knowledge or information sufficient to form a belief as to the accuracy of this assertion and therefore denies the same.

21. LGE is without sufficient knowledge or information to form a belief as to the truth of the allegations set forth in this paragraph of the Complaint and therefore denies the same.

22. This paragraph of the Complaint purportedly refers to decisions by a court or courts in litigations involving the '941 patent. The decisions speak for themselves and no response is necessary. To the extent that this paragraph of the Complaint interprets the court decisions, it sets out a legal conclusion to which no response is necessary. LGE is without sufficient knowledge or information to form a belief as to the truth of any remaining allegations set forth in this paragraph of the Complaint and therefore denies the same.

23. *Ancora Techs., Inc. v. Apple Inc.*, No. 11-CV-06357 YGR, 2012 WL 6738761 (N.D. Cal. Dec. 31, 2012) speaks for itself and no response is necessary. To the extent that this paragraph of the Complaint interprets the cited court decision, it sets out a legal conclusion to which no response is necessary. LGE is without sufficient knowledge or information to form a belief as to the truth of any remaining allegations set forth in this paragraph of the Complaint and therefore denies the same.

24. *Ancora Techs., Inc. v. Apple Inc.*, No. 11-CV-06357 YGR, 2012 WL 6738761 (N.D. Cal. Dec. 31, 2012) speaks for itself and no response is necessary. To the extent that this paragraph of the Complaint interprets the cited court decision, it sets out a legal conclusion to which no response is necessary. LGE is without sufficient knowledge or information to form a belief as to the truth of any remaining allegations set forth in this paragraph of the Complaint and therefore denies the same.

25. The decision of the United States Court of Appeals for the Federal Circuit (“the Federal Circuit”) in *Ancora Techs., Inc. v. Apple Inc.*, 744 F.3d 732 (Fed. Cir. 2014) speaks for itself and no response is necessary. To the extent that this paragraph of the Complaint interprets the cited decision by the Federal Circuit, it sets out a legal conclusion to which no response is necessary. LGE is without sufficient knowledge or information to form a belief as to the truth of any remaining allegations set forth in this paragraph of the Complaint and therefore denies the same.

26. The decision of the Federal Circuit in *Ancora Techs., Inc. v. Apple Inc.*, 744 F.3d 732 (Fed. Cir. 2014) speaks for itself and no response is necessary. To the extent that this paragraph of the Complaint interprets the cited decision by the Federal Circuit, it sets out a legal conclusion to which no response is necessary. LGE is without sufficient knowledge or

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