

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

ANCORA TECHNOLOGIES, INC.

Plaintiff,

v.

LG ELECTRONICS INC., and LG  
ELECTRONICS U.S.A., INC.,

Defendants.

Civil Action No. 6:19-cv-384

Jury Trial Requested

**ANSWER TO DEFENDANTS' COUNTERCLAIMS**

Plaintiff Ancora Technologies, Inc. submits the following Answer to the Counterclaims asserted by LG Electronics Inc. ("LGEKR") and LG Electronics U.S.A., Inc. ("LGEUS") (collectively, "LG" or "Defendants"):

**PARTIES**

1. Admitted.
2. Plaintiff admits that LGEUS is a Delaware corporation. Plaintiff is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in this paragraph and thus denies those allegations.
3. Admitted.

**JURISDICTION AND VENUE**

4. This paragraph states legal conclusions to which no response is required. To the extent that a response is required, Plaintiff admits that LG's asserted Counterclaims purport to arise under Title 35 of the United States Code and the Declaratory Judgment Act.

5. Plaintiff admits that the Court has subject matter jurisdiction over LG's asserted Counterclaims to the extent they arise under 28 U.S.C. §§ 1331 and 1338. Plaintiff denies the remaining allegations in this paragraph.

6. Plaintiff admits that this Court has personal jurisdiction over it to the extent that LG's asserted Counterclaims relate to the allegations in Plaintiff's Complaint. Plaintiff denies the remaining allegations in this paragraph.

7. Plaintiff admits that venue is proper in this District for LG's asserted Counterclaims. Plaintiff denies the remaining allegations in this paragraph.

### **COUNTERCLAIM COUNT I**

#### **Declaratory Judgment of Non-Infringement of U.S. Patent No. 6,411,941**

8. Plaintiff incorporates by reference paragraphs 1–57 of its Complaint and paragraphs 1–7 of its Answer to Defendants' Counterclaims.

9. This paragraph states legal conclusions to which no response is required. To the extent that a response is required, Plaintiff admits that an actual controversy exists between Ancora and LG concerning the infringement of the '941 patent. Plaintiff denies the remaining allegations in this paragraph.

10. This paragraph states legal conclusions to which no response is required. To the extent that a response is required, Plaintiff admits that a justiciable controversy exists between Ancora and LG concerning the infringement of the '941 patent. Plaintiff denies the remaining allegations in this paragraph.

11. Plaintiff admits that, by this Counterclaim, LG seeks a declaratory judgment of non-infringement of the '941 patent. Plaintiff denies that LG is entitled to a declaratory judgment of non-infringement of the '941 patent. Plaintiff denies the remaining allegations in this paragraph.

12. This paragraph states legal conclusions to which no response is required. To the extent that a response is required, Plaintiff denies the allegations in this paragraph.

## **COUNTERCLAIM COUNT II**

### **Declaratory Judgment of Invalidity of U.S. Patent No. 6,411,941**

13. Plaintiff incorporates by reference paragraphs 1–57 of its Complaint and paragraphs 1–12 of its Answer to Defendants’ Counterclaims.

14. This paragraph states legal conclusions to which no response is required. To the extent that a response is required, Plaintiff denies the allegations in this paragraph.

15. This paragraph states legal conclusions to which no response is required. To the extent that a response is required, Plaintiff denies the allegations in this paragraph.

16. Plaintiff admits that, by this Counterclaim, LG seeks a declaratory judgment of invalidity of the ’941 patent. Plaintiff denies that LG is entitled to a declaratory judgment of invalidity of the ’941 patent. Plaintiff denies the remaining allegations in this paragraph.

17. This paragraph states legal conclusions to which no response is required. To the extent that a response is required, Plaintiff denies the allegations in this paragraph.

## **PRAYER FOR RELIEF**

Plaintiff denies that Defendants are entitled to any of the relief they seek and requests that the Court deny all such relief with prejudice and order that Defendants take nothing and enter judgment in Plaintiff’s favor against Defendants as follows:

- A. Declaring that Defendants have infringed the ’941 patent;
- B. Awarding damages to Plaintiff arising out of this infringement, including enhanced damages pursuant to 35 U.S.C. § 284 and prejudgment and post-judgment interest, in an amount according to proof;

C. Awarding such other costs and relief the Court deems just and proper, including any relief that the Court may deem appropriate under 35 U.S.C. § 285.

**GENERAL DENIAL**

Except as expressly admitted above, Plaintiff denies every allegation in Defendants' Counterclaims.

**AFFIRMATIVE DEFENSES**

Plaintiff asserts the following Affirmative Defenses against Defendants' Counterclaims and reserves the right to amend such defenses as additional information becomes available:

1. The claims of U.S. Patent No. 6,411,941 are valid, enforceable, and infringed by Defendants.
2. Defendants' Counterclaims fail to state a claim on which relief can be granted.
3. Defendants' Counterclaims are barred, in whole or in part, under the doctrines of waiver, laches, and/or estoppel.

**DEMAND FOR JURY TRIAL**

Plaintiff demands a jury trial on all issues so triable.

Dated: November 1, 2019

Respectfully submitted,

By: /s/ Charles L. Ainsworth

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