

**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-385
)	
SAMSUNG ELECTRONICS CO., LTD.,)	
and SAMSUNG ELECTRONICS)	JURY TRIAL DEMANDED
AMERICA, INC.,)	
)	
Defendants.)	
)	

**DEFENDANTS SAMSUNG ELECTRONICS CO., LTD. AND SAMSUNG
ELECTRONICS AMERICA, INC.’S ANSWER AND COUNTERCLAIMS
TO PLAINTIFF ANCORA TECHNOLOGIES, INC.’S
COMPLAINT FOR PATENT INFRINGEMENT**

Defendants Samsung Electronics Co., Ltd. (“SEC”) and Samsung Electronics America, Inc. (“SEA”) (collectively, “Defendants” or “Samsung”), by and through their undersigned counsel, hereby answer the Complaint for Patent Infringement filed by Plaintiff Ancora Technologies, Inc. (“Plaintiff” or “Ancora”) (Dkt. 1). Samsung denies the allegations of the Complaint to the extent such allegations are not expressly admitted in the following paragraphs.

RELATED CASE

1. Samsung is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1 and thus denies those allegations.

PARTIES

2. Samsung is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 2 and thus denies those allegations.

3. SEC admits that it is a Korean corporation and that SEC’s headquarters are

located at 129, Samsung-ro, Yeongtong-gu, Suwon-si, Gyeonggi-do, 443-742, Republic of Korea. SEC denies any and all remaining allegations of paragraph 3 of the Complaint.

4. SEA admits that it is a wholly-owned subsidiary of SEC organized and existing under the laws of the State of New York, with its principal place of business at 85 Challenger Road, Ridgefield Park, New Jersey 07660 and that it has offices in Plano, Texas. SEA denies any and all remaining allegations in Paragraph 11.

5. SEA admits that it merged with Samsung Telecommunications America LLC in January 2015 and prior to such merger, Samsung Telecommunications America LLC was involved in the sales and distribution of Samsung-branded consumer electronics products in the United States.

6. Samsung states that the allegations in Paragraph 6 contain legal conclusions that require no answer. To the extent an answer is required, Samsung denies it is liable for patent infringement as alleged by Ancora. Samsung denies any and all remaining allegations in Paragraph 6.

JURISDICTION AND VENUE

7. Samsung states that the allegations in Paragraph 7 contain legal conclusions that require no answer. To the extent an answer is required, Samsung admits that the Complaint purports to assert an action arising under Title 35 of the United States Code. Samsung denies that it is liable for patent infringement as alleged by Ancora.

8. Samsung does not contest that this Court has subject matter jurisdiction over Ancora's claim pursuant to 28 U.S.C. §§ 1331 and 1338(a).

9. Samsung states that the allegations in Paragraph 9 contain legal conclusions that require no answer. To the extent an answer is required, Samsung does not contest, for purposes

of this action only, that the Court has personal jurisdiction over Samsung. Samsung denies that it has committed any acts of patent infringement in the State of Texas or this District. Samsung denies any and all remaining allegations in Paragraph 9.

10. SEA denies the allegations in paragraph 10 of the Complaint.

11. Samsung states that the allegations in Paragraph 11 contain legal conclusions that require no answer. To the extent an answer is required, Samsung denies the allegations in paragraph 11 of the Complaint.

12. SEC denies the allegations in paragraph 12 of the Complaint.

13. Samsung states that the allegations in Paragraph 13 contain legal conclusions that require no answer. Samsung denies that it is liable for patent infringement as alleged by Ancora. Samsung denies any and all remaining allegations in Paragraph 13.

14. Samsung states that the allegations in Paragraph 14 contain legal conclusions that require no answer. Samsung denies that it is liable for patent infringement as alleged by Ancora. Samsung denies any and all remaining allegations in Paragraph 14.

15. Samsung states that the allegations in Paragraph 15 contain legal conclusions that require no answer. To the extent an answer is required, SEC does not contest at this time, and solely for the purpose of the present litigation, whether venue over it properly lies in this District. SEC denies that venue in this District is convenient and reserves the right to seek transfer to a more appropriate or convenient forum. SEA denies that venue properly lies in this District.

16. Samsung states that the allegations in Paragraph 16 contain legal conclusions that require no answer. To the extent an answer is required, Samsung denies the allegations in Paragraph 16.

THE ASSERTED PATENT

17. Samsung states that the allegations in Paragraph 17 contain legal conclusions that require no answer. To the extent an answer is required, Samsung admits that U.S. Patent No. 6,411,941 (“the ’941 patent”) appears on its face to be entitled “Method of Restricting Software Operation Within a License Limitation.” Samsung denies that it is liable for patent infringement as alleged by Ancora and denies any and all remaining allegations in Paragraph 17.

18. Samsung states that the allegations in Paragraph 18 contain legal conclusions that require no answer. To the extent an answer is required, Samsung admits that the ’941 patent appears on its face to have been issued on June 25, 2002.

19. Samsung is without knowledge or information sufficient to form a belief as to the truth of Ancora’s ownership of the ’941 patent and thus denies those allegations. Samsung denies any and all remaining allegations in Paragraph 19.

20. Samsung is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 20 and thus denies those allegations.

21. Samsung is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 21. Samsung admits that the reexamination certificate to the ’941 patent on its face appears to have been issued on June 1, 2010.

22. Samsung is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 22. Samsung was not a party to the referenced matters.

23. Samsung is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 23 and thus denies those allegations.

24. Samsung is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 24. Samsung was not a party to the referenced matter.

25. Samsung is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 25. Samsung was not a party to the referenced matter.

26. Samsung is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 26. Samsung was not a party to the referenced matter.

27. Samsung is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 27. Samsung was not a party to the referenced matter.

28. Samsung is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 28. Samsung was not a party to the referenced matter.

29. Samsung is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 29. Samsung was not a party to the referenced matter.

COUNT 1 – INFRINGEMENT

30. Samsung restates and incorporates by reference its answers to Paragraphs 1 through 29 as if fully set forth herein.

31. Denied.

32. Denied.

33. Denied.

34. Denied.

35. Samsung admits that Paragraph 35 reproduces the language of Claim 1 of the '941 Patent.

36. Denied.

37. Samsung states that the allegations in Paragraph 37 contain legal conclusions that require no answer. Samsung denies that it is liable for patent infringement as alleged by Ancora.

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