

Exhibit A

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8

9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA
11 WESTERN DIVISION
12

13 KONINKLIJKE PHILIPS N.V., and
14 PHILIPS NORTH AMERICA LLC,

15 Plaintiffs,

16 v.

17 TTE TECHNOLOGY, INC., TCL
INDUSTRIES HOLDINGS CO.,
18 LTD., TCL ELECTRONICS
HOLDINGS LTD., TCL KING
ELECTRICAL APPLIANCES
19 (HUIZHOU) CO. LTD., TCL MOKA
INT'L LTD., SHENZHEN TCL NEW
20 TECHNOLOGY CO., LTD., TCL
SMART DEVICE (VIETNAM) CO.,
21 LTD., AND TCL MOKA
MANUFACTURING, S.A. DE C.V.,
22

23 Defendants.
24
25
26
27
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Case No. 2:20-cv-01406 CJC-MRW

TCL'S ANSWER, AFFIRMATIVE
DEFENSES AND COUNTERCLAIMS
TO PLAINTIFFS' FIRST AMENDED
COMPLAINT FOR PATENT
INFRINGEMENT

Judge: Hon. Cormac J. Carney

JURY TRIAL DEMANDED

1 Defendants TTE Technology, Inc., TCL Industries Holdings Co., Ltd., TCL
2 Electronics Holdings Ltd., TCL King Electrical Appliances (Huizhou) Co. Ltd.,
3 TCL Moka Int'l Ltd., Shenzhen TCL New Technology Co., Ltd., TCL Smart
4 Device (Vietnam) Co., Ltd., and TCL Moka Manufacturing, S.A. de C.V.
5 (collectively "Defendants" or "TCL") by and through their attorneys, answer and
6 respond to the First Amended Complaint (the "FAC") filed by Koninklijke Philips
7 N.V.'s and Philips North America LLC's (collectively, "Philips" or "Plaintiffs") as
8 follows:

9 **NATURE OF THE ACTION**

10 1. TCL admits that Plaintiffs have brought this action for alleged patent
11 infringement but denies that it has committed any alleged infringing acts and that
12 Plaintiffs are entitled to any relief.

13 2. TCL lacks sufficient knowledge or information to admit or deny the
14 allegations of this paragraph, and on that basis, denies those allegations.

15 3. TCL lacks sufficient knowledge or information to admit or deny the
16 allegations of this paragraph, and on that basis, denies those allegations.

17 4. TCL lacks sufficient knowledge or information to admit or deny the
18 allegations of this paragraph, and on that basis, denies those allegations.

19 5. TCL lacks sufficient knowledge or information to admit or deny the
20 allegations of this paragraph, and on that basis, denies those allegations.

21 6. TCL admits that this paragraph allegedly describes TCL without
22 clarity as to which TCL entity and purports two hyperlinks as related to TCL.
23 Except as explicitly admitted, TCL denies the remaining allegations in this
24 paragraph.

25 7. TCL admits that a hyperlink is purported to describe a TCL TV.
26 Except as explicitly admitted, TCL denies the remaining allegations in this
27 paragraph.

28 8. Denied.

PARTIES

9. TCL lacks sufficient knowledge or information to admit or deny the allegations of this paragraph, and on that basis, denies those allegations.

10. TCL lacks sufficient knowledge or information to admit or deny the allegations of this paragraph, and on that basis, denies those allegations.

11. TCL admits that TTE Technology, Inc. (“TTE Technology”) is a Delaware corporation, and imports into the United States certain televisions. Except as explicitly admitted, TCL denies the remaining allegations in this paragraph.

12. TCL admits that TCL Industries Holdings Co., Ltd. (“TCL Industries”) is a holding company incorporated in China. Except as explicitly admitted, TCL denies the remaining allegations in this paragraph.

13. TCL admits that TCL Electornics Holdings Ltd. (“TCL Electronics”) is a holding company and located at 7/F Hong Kong Sience Park, Bldg 22 E, 22 Science Park East Ave, Sha Tin, Hong Kong. Except as explicitly admitted, TCL denies the remaining allegations in this paragraph.

14. TCL admits that TCL King Electrical Appliances (Huizhou) Co. (“TCL King”) is a Chinese corporation located at No. 78 Huifeng 4 Road, Zhongkai Development Zone Huizhou, 516006, China and manufactures certain televisions. Except as explicitly admitted, TCL denies the remaining allegations in this paragraph.

15. TCL admits that TCL Moka International Ltd. (“TCL Moka”) is incorporated in China and trades certain televisions. Except as explicitly admitted, TCL denies the remaining allegations in this paragraph.

16. TCL admits that Shenzhen TCL New Technology Company Limited (“TCL New Technology”) is incorporated in China, and conducts research and development with respect to televisions. Except as explicitly admitted, TCL denies the remaining allegations in this paragraph.

1 17. TCL admits that TCL Smart Device (Vietnam) Co., Ltd. (“TCL
2 Vietnam”) is a Vietnamese corporation located at No. 26 VSIP II-A, Street 32,
3 Vietnam Singapore Industrial Park II-A, Tan Binh Commune, Bac Tan Uyen
4 District, Binh Duong Province, 75000, Vietnam, and manufactures certain
5 televisions. Except as explicitly admitted, TCL denies the remaining allegations in
6 this paragraph.

7 18. TCL admits that TCL Moka Manufacturing, S.A. de C.V. (“TCL
8 Moka Manufacturing”) is incorporated in Mexico and manufactures certain
9 televisions. Except as explicitly admitted, TCL denies the remaining allegations in
10 this paragraph.

11 19. Denied.

12 **JURISDICTION AND VENUE**

13 20. TCL admits that Plaintiffs have brought this action for alleged patent
14 infringement arising under the patent laws of the United States, Title 35 of the
15 United States Code, but TCL denies that it has infringed any claim of United States
16 Patent Nos. 7,052,152; 9,590,977; or 10,298,564 (collectively, the “Patents-in-
17 Suit”).

18 21. TCL admits that this Court has subject matter jurisdiction but denies
19 that Plaintiffs are entitled to any relief.

20 22. TCL admits that this Court has personal jurisdiction over TTE
21 Technology because it resides in California. Except as explicitly admitted, TCL
22 denies the remaining allegations in this paragraph.

23 23. TCL admits that TTE Technology is licensed to do business in the
24 State of California. Except as explicitly admitted, TCL denies the remaining
25 allegations in this paragraph.

26 24. Denied.

27 25. Denied.

28 26. Denied.

27. Denied.

28. Denied.

29. Denied.

30. TCL admits that a hyperlink is purported as an advertisement for certain TCL TVs. Except as explicitly admitted, TCL denies the remaining allegations in this paragraph.

31. TCL admits that venue is proper but denies that it has committed any alleged infringing acts, in this or other Districts.

32. TCL admits that venue is proper over TTE Technology as it resides in this District. Except as explicitly admitted, TCL denies the remaining allegations in this paragraph.

33. TCL admits that venue is proper over Defendants TCL Industries, TCL Electronics, TCL King, TCL Moka, TCL New Technology, TCL Vietnam and TCL Moka Manufacturing as they are foreign companies. Except as explicitly admitted, TCL denies the remaining allegations in this paragraph.

FACTUAL BACKGROUND

Philips Background, Innovation Leadership and Asserted Patents

34. TCL lacks sufficient knowledge or information to admit or deny the allegations of this paragraph, and on that basis, denies those allegations.

U.S. Patent No. 7,052,152

35. TCL admits that a copy of a document purporting to be United States Patent No. 7,052, 152 (“the ’152 patent”) was attached to the FAC as Exhibit A. Otherwise, TCL lacks sufficient knowledge or information to admit or deny the remainder of this paragraph and denies it on that basis.

36. TCL lacks sufficient knowledge or information to admit or deny the allegations of this paragraph, and on that basis, denies those allegations.

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