

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

FUTURE LINK SYSTEMS, LLC,

Plaintiff,

v.

APPLE INC.,

Defendant.

Civil Action No. 6:21-cv-00263-ADA

JURY TRIAL DEMANDED

**DEFENDANT APPLE INC.'S ANSWER TO
FUTURE LINK SYSTEMS, LLC'S COMPLAINT**

Defendant Apple Inc. ("Apple"), by and through its attorneys, files its Answer to Plaintiff Future Link Systems, LLC's ("Future Link") Complaint for Patent Infringement (Dkt. No. 1).

ANSWER

Apple responds to the allegations contained in the numbered paragraphs of Future Link's Complaint in the corresponding numbered paragraphs below. Unless expressly admitted, Apple denies all allegations and characterizations in Future Link's Complaint.

INTRODUCTION¹

1. Apple admits that the Complaint purports to assert infringement by Apple of U.S. Patent Nos. 6,317,804 (the "'804 patent"); 6,622,108 (the "'108 patent"); 6,807,505 (the "'505 patent"); and 7,917,680 (the "'680 patent") (collectively, the "Asserted Patents"). To the extent that Paragraph 1 of the Complaint implicates legal conclusions, no response is required. Apple

¹ Apple repeats the headings set forth in the Complaint to simplify comparison of the Complaint and this response. In doing so, Apple makes no admissions regarding the substance of the headings or any other allegations of the Complaint. Unless otherwise stated, to the extent that a particular heading can be construed as an allegation, Apple specifically denies all such allegations. Where necessary, Apple makes amendments to Future Link's headings in brackets.

denies that its conduct has been unlawful or that it has infringed any claims of the Asserted Patents. Apple admits that the Asserted Patents relate to electronic circuitry in computing devices and processors, but denies that they recite improvements over the prior art. To the extent that this paragraph purports to describe matters within Future Link's knowledge and control, such as its ownership of the Asserted Patents, Apple is without knowledge or information sufficient to form a belief as to the truth of any remaining allegations and characterizations in Paragraph 1 of the Complaint, and therefore denies them. Except as specifically admitted, and to the extent that a response is required, Apple denies the allegations and characterizations contained in Paragraph 1 of the Complaint.

PARTIES

2. Apple lacks knowledge or information sufficient to form a belief as to the truth of the allegations and characterizations in Paragraph 2 of the Complaint, and therefore denies them.

3. To the extent that the allegations of Paragraph 3 of the Complaint set forth legal conclusions, no response is required. To the extent that a response is required, Apple admits that it is a publicly traded corporation, that it is organized under the laws of California, and that its principal place of business is at One Apple Park Way, Cupertino, California 95014. Apple also admits that CT Corporation Systems, which operates an office at 818 West Seventh Street, Suite 930, Los Angeles, California 90017, is Apple's agent for service of process. Except as specifically admitted, and to the extent that a response is required, Apple denies the allegations and characterizations contained in Paragraph 3 of the Complaint.

JURISDICTION AND VENUE

4. Apple admits that this is a purported action for patent infringement arising under the Patent Laws of the United States, Title 35 of the United States Code. Apple further admits

that this Court has subject matter jurisdiction over actions for alleged patent infringement pursuant to 28 U.S.C. §§ 1331 and 1338(a).

5. Apple does not contest that specific personal jurisdiction is proper in this Court, solely for purposes of this action. Apple denies that it infringes or has infringed any claim of the Asserted Patents, directly or indirectly, literally or under the doctrine of equivalents. Except as specifically admitted, and to the extent that a response is required, Apple denies the allegations and characterizations contained in Paragraph 5 of the Complaint.

6. Future Link's venue allegation calls for a legal conclusion and therefore no answer is required. Apple admits that it has an office at 12545 Riata Vista Circle, Austin, Texas 78727. Apple admits that it has a retail location at 3121 Palm Way, Austin, Texas 78758. Apple admits that it has conducted and continues to conduct business in this District. Apple denies that it infringes or has infringed any claim of the Asserted Patents, directly or indirectly, literally or under the doctrine of equivalents. Except as specifically admitted, and to the extent that a response is required, Apple denies the allegations and characterizations contained in Paragraph 6 of the Complaint.²

FACTUAL ALLEGATIONS

7. To the extent that the allegations of Paragraph 7 of the Complaint set forth legal conclusions, no response is required. To the extent that a response is required, Apple admits that on or around April 3, 2018, Apple received a letter from Future Link. Apple admits the letter, dated April 3, 2018, asserts infringement of certain patents, including the '804 patent, the '108 patent, and the '505 patent. Except as specifically admitted, and to the extent that a response is

² Footnote one to paragraph 6 of the Complaint does not contain allegations for Apple to admit or deny and so no response is required.

required, Apple denies that it infringes any Future Link patents, and denies the allegations and characterizations contained in Paragraph 7 of the Complaint.

8. Apple admits that representatives from Apple met with representatives from Future Link on or around May 15, 2018, that the parties viewed presentations during that meeting, and that the presentations identified the '804 patent, the '108 patent, the '505 patent, and the '680 patent and included information on an element-by-element basis for some claims in chart form. Except as specifically admitted, and to the extent that a response is required, Apple denies the allegations and characterizations contained in Paragraph 8 of the Complaint.

9. Apple admits that representatives from Apple met with representatives from Future Link on or around August 1, 2018, that the parties viewed a presentation identifying the '804 patent, the '108 patent, the '505 patent, and the '680 patent, and that Apple presented noninfringement positions pertaining to these patents. Except as specifically admitted, and to the extent that a response is required, Apple denies the allegations and characterizations contained in Paragraph 9 of the Complaint.

10. Apple admits that representatives from Apple met with representatives from Future Link on or around October 4, 2018 and that the parties viewed a presentation during that meeting. Apple admits the presentation contained purported infringement allegations for certain patents, including the '804 patent, the '108 patent, the '505 patent, and the '680 patent. Except as specifically admitted, and to the extent that a response is required, Apple denies the allegations and characterizations contained in Paragraph 10 of the Complaint.

11. Apple admits that representatives from Apple met with representatives from Future Link on or around November 29, 2018, that the parties viewed a presentation during that meeting, and that Apple presented, *inter alia*, invalidity positions pertaining to the '804 patent,

the '108 patent, the '505 patent, and the '680 patent. Except as specifically admitted, and to the extent that a response is required, Apple denies the allegations and characterizations contained in Paragraph 11 of the Complaint.

12. Apple admits that representatives from Apple received a presentation from representatives from Future Link on or around March 14, 2019 that identified patents including the Asserted Patents. Apple admits the presentation contained purported responses to Apple's invalidity positions relating to certain patents, including the '804 patent, the '108 patent, the '505 patent, and the '680 patent. Except as specifically admitted, and to the extent that a response is required, Apple denies the allegations and characterizations contained in Paragraph 12 of the Complaint.

13. Denied.

COUNT I

[ALLEGED] INFRINGEMENT OF U.S. PATENT NO. 6,317,804

14. Apple incorporates by reference its responses to Paragraphs 1–13 of the Complaint as set forth fully herein. Paragraph 14 of the Complaint does not contain allegations for Apple to either admit or deny and so no response is required.

15. Apple admits that what appears to be a copy of the '804 patent, entitled “Concurrent Serial Interconnect for Integrating Functional Blocks in an Integrated Circuit Device,” bearing an issue date of November 13, 2001, is attached to the Complaint as Exhibit 1. Apple denies that the '804 patent was duly and legally issued. Apple is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations and characterizations in Paragraph 15 of the Complaint, and therefore denies them.

16. Denied.

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