

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

ANCORA TECHNOLOGIES, INC.,

Plaintiff,

vs.

GOOGLE LLC,

Defendant.

CIVIL ACTION NO. 6:21-cv-735-ADA

JURY TRIAL DEMANDED

**DEFENDANT GOOGLE LLC’S ANSWER TO ORIGINAL COMPLAINT  
FOR PATENT INFRINGEMENT**

Defendant Google LLC (“Google”) hereby submits its Answer in response to Complaint for Patent Infringement filed by Plaintiff Ancora Technologies, Inc. (“Ancora”) as set forth below.

Each paragraph of the Answer below corresponds to the corresponding numbered or lettered paragraph of the Complaint. All allegations not expressly admitted herein are denied by Google.

**RELATED CASE<sup>1</sup>**

1. Google admits that the actions *Ancora Technologies, Inc. v. Roku, Inc.* (W.D. Tex. Jul. 16, 2021); *Ancora Technologies Inc. v. Nintendo Co. Ltd. et al.* (W.D. Tex. Jul. 16, 2021); and *Ancora Technologies Inc. v. Vizio, Inc.* (W.D. Tex. Jul. 16, 2021) were filed on July 16, 2021, in the United States District Court for the Western District of Texas, Waco Division,

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<sup>1</sup> Headings are provided for convenience only and are not admissions.

asserting infringement of United States Patent No. 6,411,941. Any remaining allegations in paragraph 1 consist of argument and legal conclusions, to which no response is required, but to the extent a response is required, Google denies the allegations.

### **PARTIES**

2. Google lacks knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 2, and therefore denies them.

3. Google admits that Google LLC is a Delaware limited liability company with a principal place of business at 1600 Amphitheatre Parkway, Mountain View, California 94043. Google admits that it maintains an office at 500 West 2nd Street, Austin, Texas 78701. Google admits that its registered agent in Texas is Corporation Service Company, 211 East 7th Street, Suite 620, Austin, Texas 78701. Google admits that it is registered to do business in the State of Texas and has been since at least November 17, 2006. Any remaining allegations in paragraph 3 consist of argument and legal conclusions, to which no response is required, but to the extent a response is required, Google denies the allegations.

### **JURISDICTION AND VENUE**

4. Google admits that the Complaint alleges an action arising under the patent laws of the United States, Title 35 of the United States Code. Google admits that this Court has subject matter jurisdiction over actions arising under 28 U.S.C. §§ 1331 and 1338(a). Except as expressly admitted, Google denies any remaining allegations in paragraph 4.

5. Google does not contest personal jurisdiction in this District solely for the purposes of this action. Google admits that it has an office at 500 West 2nd Street, Austin, Texas 78701. Except as expressly admitted, Google denies any remaining allegations in paragraph 5.

6. Google does not contest personal jurisdiction in this District solely for the purposes of this action. Google denies that it has committed acts of infringement within the Western District of Texas, or any other District. Any remaining allegations in paragraph 6 consist of argument and legal conclusions, to which no response is required, but to the extent a response is required, Google denies the allegations.

7. Google denies that it has committed acts of infringement within the Western District of Texas, or any other District, and denies any remaining allegations in paragraph 7.

8. Google denies that it has committed acts of infringement within the Western District of Texas, or any other District, and denies any remaining allegations in paragraph 8.

9. Google admits that venue is proper in this District for purposes of this particular action, but denies that venue is convenient or in the interests of justice under 28 U.S.C. § 1404(a). Google admits that it has an office at 500 West 2nd Street, Austin, Texas 78701. Except as expressly admitted, Google denies any remaining allegations in paragraph 9.

10. Google admits that venue is proper in this District for purposes of this particular action, but denies that the venue is convenient or in the interests of justice under 28 U.S.C. § 1404(a). Google admits that it has an office at 500 West 2nd Street, Austin, Texas 78701. Google denies that it has committed acts of infringement within the Western District of Texas, or any other District, and denies any remaining allegations in paragraph 10.

#### **THE ASSERTED PATENT**

11. Google admits that the title appearing on the face of U.S. Patent No. 6,411,941 (the “’941 Patent”) is “Method of Restricting Software Operation Within a License Limitation.” Any remaining allegations in paragraph 11 consist of argument and legal conclusions, to which no response is required, but to the extent a response is required, Google denies the allegations.

12. Google admits that the '941 Patent bears, on its face, an issue date of June 25, 2002. Any remaining allegations in paragraph 12 consist of argument and legal conclusions, to which no response is required, but to the extent a response is required, Google denies the allegations.

13. Google is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 13 of the Complaint and therefore denies each and every allegation set forth therein.

14. Google admits that the '941 Patent lists, on its face, a named inventor by the name of Miki Mullor. Google is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations set forth in paragraph 14 of the Complaint and therefore denies each and every remaining allegation set forth therein.

15. Google admits that an Ex Parte Reexamination Certificate for the '941 Patent appears, on its face, to have been issued on June 1, 2010. Google is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations set forth in paragraph 15 of the Complaint and therefore denies each and every remaining allegation set forth therein.

16. Google is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 16 of the Complaint and therefore denies each and every allegation set forth therein.

17. Google admits that certain courts have previously issued orders and opinions regarding the '941 Patent. Google denies that the '941 Patent is valid. Any remaining allegations in paragraph 17 consist of argument and legal conclusions, to which no response is required, but to an extent a response is required, Google denies the allegations.

18. Google admits that the United States District Court for the Northern District of California issued a claim construction order in *Ancora Techs., Inc. v. Apple Inc.*, No. 11-CV-06357 YGR, 2012 WL 6738761 (N.D. Cal. Dec. 31, 2012), *aff'd in part, rev'd in part*, 744 F.3d 732 (Fed. Cir. 2014). To the extent that Ancora's allegations extend beyond the language of the order, Ancora's allegations consist of argument and legal conclusions to which no response is required, but to the extent a response is required, Google denies the allegations. Google denies any remaining allegations in paragraph 18.

19. Google admits that the United States District Court for the Northern District of California issued a claim construction order in *Ancora Techs., Inc. v. Apple Inc.*, No. 11-CV-06357 YGR, 2012 WL 6738761 (N.D. Cal. Dec. 31, 2012), *aff'd in part, rev'd in part*, 744 F.3d 732 (Fed. Cir. 2014). To the extent that Ancora's allegations extend beyond the language of the order, Ancora's allegations consist of argument and legal conclusions to which no response is required, but to the extent a response is required, Google denies the allegations. Google denies any remaining allegations in paragraph 19.

20. Google admits that the United States Court of Appeals for the Federal Circuit issued an opinion in *Ancora Techs., Inc. v. Apple, Inc.*, 744 F.3d 732 (Fed. Cir. 2014), prior to the Supreme Court's opinion in *Nautilus, Inc. v. Biosig Instruments, Inc.*, 134 S. Ct. 2120 (2014). To the extent that Ancora's allegations extend beyond the language of the opinion, Ancora's allegations consist of argument and legal conclusions to which no response is required, but to the extent a response is required, Google denies the allegations. Google denies any remaining allegations in paragraph 20.

21. Google admits that the United States Court of Appeals for the Federal Circuit issued an opinion in *Ancora Techs., Inc. v. Apple, Inc.*, 744 F.3d 732 (Fed. Cir. 2014). To the

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