Case 2	::14-cv-03113-JAK-JEM [	Document 44	Filed 10/06/14	Page 1 of 67	Page ID #:454
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13	U	NITED STA	TES DISTRIC	T COURT	
14	CENTRAL DISTRICT OF CALIFORNIA WESTERN DIVISION – LOS ANGELES				
15					
16	SIGNAL IP, INC.,				
- I	Plaintif	ff,	Case No.	. CV 14-0311	3 JAK(JEMx)
17					
17 18	v.		DEFENI PLAINT	DANTS' ANS	SWER TO
		UP OF	DEFENI PLAINI COMPL	<b>IFF'S FIRS</b>	
18	VOLKSWAGEN GRO		PLAINT COMPL THE HO	'IFF'S FIRST AINT DNORABLE	SWER TO F AMENDED
18 19			PLAINT COMPL THE HO KRONS	'IFF'S FIRST AINT DNORABLE TADT	SWER TO F AMENDED JOHN A.
18 19 20	VOLKSWAGEN GRO AMERICA, INC., d/b/a AMERICA, INC., and	a. AUDI OF BENTLEY	PLAINT COMPL THE HO KRONS	'IFF'S FIRST AINT DNORABLE	SWER TO F AMENDED JOHN A.
18 19 20 21	VOLKSWAGEN GRO AMERICA, INC., d/b/a AMERICA, INC., and MOTORS, INC.,	a. AUDI OF BENTLEY	PLAINT COMPL THE HO KRONS	'IFF'S FIRST AINT DNORABLE TADT	SWER TO F AMENDED JOHN A.
18 19 20 21 22	VOLKSWAGEN GRO AMERICA, INC., d/b/a AMERICA, INC., and MOTORS, INC.,	a. AUDI OF BENTLEY	PLAINT COMPL THE HO KRONS	'IFF'S FIRST AINT DNORABLE TADT	SWER TO F AMENDED JOHN A.
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<ol> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> <li>23</li> <li>24</li> <li>25</li> </ol>	VOLKSWAGEN GRO AMERICA, INC., d/b/a AMERICA, INC., and MOTORS, INC.,	a. AUDI OF BENTLEY	PLAINT COMPL THE HO KRONS	'IFF'S FIRST AINT DNORABLE TADT	SWER TO F AMENDED JOHN A.
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1	Defendants Volkswagen Group of America, Inc. and Bentley Motors, Inc.				
2	("VWGoA" and "Bentley") through their attorneys, answer the First Amended				
3	Complaint for Patent Infringement (D.E. 34, the "First Amended Complaint") of				
4	plaintiff Signal IP, Inc. ("Signal") as follows:				
5	plaintiff Signal II, me. (Signal ) as follows.				
6	PARTIES				
7	1. Plaintiff Signal IP is a California corporation with its principal place of				
8	business at 11100 Santa Monica Blvd., Suite 380, Los Angeles, CA 90025.				
9	Response to Paragraph 1:				
10	Admitted.				
11					
12	2. On information and belief, Defendant Volkswagen Group of America,				
13	Inc., d/b/a Audi of America, Inc. is a New Jersey corporation with its principal				
14	place of business at 2200 Ferdinand Porsche Drive, Herndon, VA 20171.				
15	Response to Paragraph 2:				
16	Admitted that Audi of America, Inc. is a registered trade name of				
17	Volkswagen Group of America, Inc., which is a New Jersey corporation having its				
18	principal place of business at 2200 Ferdinand Porsche Drive, Herndon, Virginia				
19	20171.				
20					
21	3. On information and belief, Defendant Bentley Motors, Inc. is a				
22	Delaware corporation with its principal place of business at 2200 Ferdinand				
23	Porsche Drive, Herndon, VA 20171.				
24	<b>Response to Paragraph 3:</b>				
25	Admitted.				
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1 4. On information and belief, Defendants are part of an integrated 2 automotive group that manufactures and distributes cars under brand names 3 including "Audi", "Volkswagen", and "Bentley." 4 **Response to Paragraph 4:** 5 Admitted that VWGoA and Bentley, respectively, import Volkswagen 6 and Audi, and Bentley, brand automobiles into the United States, and respectively 7 sell Volkswagen and Audi, and Bentley, brand automobiles to dealers in the United 8 States; otherwise denied. 9 10 JURISDICTION VENUE AND JOINDER 11 5. This action arises under the patent laws of the United States, Title 35 12 of the United States Code. This Court has subject matter jurisdiction pursuant to 28 13 U.S.C. §§ 1331 and 1338(a). 14 **Response to Paragraph 5:** 15 Admitted. 16 17 6. This Court has personal jurisdiction over Defendants. Defendants 18 have conducted extensive commercial activities and continue to conduct extensive 19 commercial activities within the State of California. Defendants are registered to 20 do business in California. Additionally, on information and belief, Defendants, 21 directly and/or through intermediaries (including Defendants' entities, subsidiaries, 22 distributors, sales agents, partners and others), distribute, offer for sale, sell, and/or 23 advertise their products (including but not limited to the products and services that 24 are accused of infringement in this lawsuit) in the United States, in the State of 25 California, and in this judicial district, under the "Audi", "Volkswagen", and 26 "Bentley" brand names. Defendants have purposefully and voluntarily placed one 27 or more of their infringing products and services into the stream of commerce with 28

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1	the expectation that the products and services will be purchased or used by				
2	customers in California and within this judicial district. Accordingly, Defendants				
3	have infringed Signal IP's patents within the State of California and in this judicial				
4	district as alleged in more detail below.				
5	Response to Paragraph 6:				
6	Denied.				
7					
8	7. Venue is proper in this district under 28 U.S.C. §§ 1391 and 1400(b).				
9	<b>Response to Paragraph 7:</b>				
10	Denied.				
11					
12	BACKGROUND				
13	8. Signal IP, Inc. is a California corporation with a principal place of				
14	business at 11100 Santa Monica Blvd., Suite 380, Los Angeles, CA 90025. It is the				
15	owner of the entire right, title and interest in and to U.S. Patent Nos. 5,714,927;				
16	5,732,375; 5,954,775; 6,012,007; 6,434,486; and 6,775,601 (the "Patents-in-Suit"),				
17	including the right to recover for past, present and future infringement.				
18	<b>Response to Paragraph 8:</b>				
19	Admitted that plaintiff Signal IP, Inc. is a California corporation with a				
20	principal place of business at 11100 Santa Monica Blvd., Suite 380, Los Angeles,				
21	CA 90025; otherwise denied.				
22					
23	9. On information and belief, Defendants are direct or indirect				
24	subsidiaries of global car manufacturer and distributor Volkswagen AG, which is				
25	headquartered in Germany. Volkswagen AG manufactures and distributes cars				
26	under brand names including "Audi", "Volkswagen", and "Bentley."				
27					
28					

### **Response to Paragraph 9:**

Admitted that VWGoA is a subsidiary of Volkswagen AG of Wolfsburg, Germany, that Bentley is a subsidiary of VWGoA, and that subsidiaries of Volkswagen AG manufacture and distribute Volkswagen, Audi, and Bentley brand vehicles; otherwise denied.

10. Defendants have knowledge of each of the Patents-in-Suit, and have had the specific knowledge that their products and services described below infringe the Patents-in-Suit, since at least the filing of the complaint in this action on April 23, 2014, which was served on Defendants on April 30, 2014. Signal IP gives and has given Defendants notice of its infringement of the Patents-in-Suit.

#### **Response to Paragraph 10:**

Admitted that Signal filed a Complaint for infringement of the Patentsin-Suit against VWGoA and Bentley on April 23, 2014, which was served on VWGoA and Bentley on April 30, 2014; otherwise denied.

17 11. Signal IP has also already served Defendants with its Asserted Claims 18 and Infringement Contentions pursuant to Standing Patent Rule §§ 2.1 and 2.2 (the 19 "Infringement Contentions"), on July 8, 2014. The Infringement Contentions 20 provide Defendants with notice of each claim of each patent in suit that is infringing [sic], and separately for each asserted claim, identify each accused 22 instrumantality [sic] in a manner that is as specific as is reasonably possible. The 23 Infringement Contentions also identify specifically where each limitation of each 24 asserted claim is found within each accused instrumentality, and identify the basis 25 for Signal IP's allegations of willful infringement. The Infringement Contentions 26 set forth Signal IP's allegations of infringement in this matter.

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