

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

TECHNO VIEW IP, INC.,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 17-386 (VAC)(CJB)
)	
OCULUS VR, LLC and)	JURY TRIAL DEMANDED
FACEBOOK, INC.,)	
)	
Defendants.)	

**OCULUS VR, LLC, AND FACEBOOK, INC.’S ANSWER
AND DEFENSES TO PLAINTIFF’S FIRST AMENDED COMPLAINT
FOR PATENT INFRINGEMENT**

Defendants Oculus VR, LLC (“Oculus”) and Facebook, Inc. (“Facebook”) (collectively, “Defendants”) answer the First Amended Complaint (D.I. 8) of Plaintiff Techno View IP, Inc. (“TVIP”) as follows. To the extent not expressly admitted herein, Defendants deny all allegations recited in the First Amended Complaint.

PARTIES

1. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 1, and therefore deny them.
2. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 2, and therefore deny them.
3. Oculus admits that it is a limited liability company organized and doing business under the laws of the State of Delaware.
4. Oculus admits that Oculus VR, LLC is the corporate successor of Oculus VR, Inc., a Delaware corporation, and of that corporation’s predecessors, Oculus VR, Inc., a California corporation, and Oculus LLC, a California limited liability company.

5. Oculus admits that it has an agent for service of process through Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, Delaware.

6. Oculus admits that it has a principal place of business at 1601 Willow Road, Menlo Park, California. Facebook admits that it has its corporate headquarters at 1601 Willow Road, Menlo Park, California.

7. Defendants admit that Oculus is a wholly owned subsidiary of Facebook.

8. Facebook admits that it is a corporation organized and doing business under the laws of the State of Delaware.

9. Facebook admits that it has an agent for service of process through Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, Delaware.

10. Facebook admits that it has a principal place of business at 1601 Willow Road, Menlo Park, California 94025.

JURISDICTION AND VENUE

11. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Defendants admit that the First Amended Complaint purports to be an action for patent infringement arising under the patent laws of the United States, 35 U.S.C. § 271 *et seq.* Defendants deny that they have committed any acts of patent infringement, and otherwise deny any remaining allegations of paragraph 11.

12. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Defendants admit that this Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a), provided that standing and other requirements are met. Defendants deny any remaining allegations of paragraph 12.

13. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Defendants admit that this Court has personal jurisdiction over Defendants for purposes of this action as they are Delaware companies.

14. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is deemed to be required, Defendants admit that for purposes of this action venue is proper in this district pursuant to 28 U.S.C. § 1400(b). Except as expressly admitted, Defendants deny the remaining allegations of paragraph 14.

BACKGROUND

15. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is required, Defendants admit that the First Amended Complaint purports to be an action for patent infringement of U.S. Patent Nos. 7,666,096 (the “’096 Patent”) and 8,206,218 (the “’218 Patent”). Defendants deny that they have committed any acts of patent infringement and further state that they are without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of paragraph 15, and therefore deny them.

16. Defendants admit that the ’096 Patent is titled “METHOD FOR GENERATING THE LEFT AND RIGHT PERSPECTIVES IN A 3D VIDEOGAME.” Defendants admit that the First Amended Complaint purports to generally describe the technology of the ’096 and ’218 patents, but Defendants deny that the descriptions are accurate. Defendants admit that, on its face, the ’218 Patent indicates it is part of a patent family that also includes the ’096 Patent. Defendants admit that the ’218 Patent is titled “3D VIDEOGAME SYSTEM.” Defendants admit that U.S. Patent No. 9,503,742 (the “’742 Patent”) is titled “SYSTEM AND METHOD

FOR DECODING 3D STEREOSCOPIIC DIGITAL VIDEO.” Defendants are without knowledge or information sufficient to form a belief as to the truth of the remaining allegations set forth in paragraph 16, and therefore deny them.

17. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is required, Defendants deny, and do not waive any rights or defenses with respect to, the allegations of paragraph 17.

18. Defendants admit that, on its face, the '096 Patent purports to be a continuation of an application originally filed in Mexico as Patent Cooperation Treaty (“PCT”) PCT/MX2003/00112 on December 19, 2003. Defendants admit that, on its face, the '218 Patent purports to be a continuation of the '096 Patent. Defendants are without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of paragraph 18, and therefore deny them.

19. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 19, and therefore deny them.

20. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 20, and therefore deny them.

21. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 21, and therefore deny them.

22. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 22, and therefore deny them.

23. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 23, and therefore deny them.

24. Defendants are without knowledge or information sufficient to form a belief as to

the truth of the allegations set forth in paragraph 24, and therefore deny them.

25. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 25, and therefore deny them.

26. The allegations in this paragraph state a legal conclusion to which no response is required. To the extent a response is required, Defendants admit that the First Amended Complaint does not assert the infringement of the '742 Patent. Defendants deny the remaining allegations of paragraph 26, and do not waive any rights or defenses with respect to, the allegations of paragraph 26.

27. Defendants deny that the overviews and descriptions of the asserted patents purportedly set forth in paragraph 27 are accurate. Defendants further deny that the asserted patents describe systems and methods used in the Gear VR or Oculus Rift products. Defendants are without knowledge or information sufficient to form a belief as to the truth of the remaining allegations set forth in paragraph 27, and therefore deny them.

CAUSES OF ACTION

COUNT I ALLEGED INFRINGEMENT OF U.S. PATENT 7,666,096

28. Defendants admit that, on its face, the '096 Patent states that it issued on February 23, 2010 to Manuel Rafael Gutierrez Novelo. Defendants admit that the '096 Patent is titled "Method for Generating the Left and Right Perspectives in a 3D Videogame" and that Exhibit A attached to the First Amended Complaint appears to be a copy of the '096 Patent. Defendants are without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of paragraph 28, and therefore deny them.

29. Defendants deny the allegations of paragraph 29.

30. Defendants admit that the allegations of paragraph 30 identify claim 16 of the

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