

1 QUINN EMANUEL URQUHART & SULLIVAN LLP
Zachariah Summers (SBN 255284)
2 zachsummers@quinnemanuel.com
865 S. Figueroa St., 10th Floor
3 Los Angeles, California 90017
4 Telephone: (213) 443-3000
Facsimile: (213) 443-3100

5
6 Raymond N. Nimrod (*pro hac vice*)
raynimrod@quinnemanuel.com
7 Richard W. Erwine (*pro hac vice*)
richarderwine@quinnemanuel.com
8 51 Madison Ave.
New York, NY 10010
9 Telephone: (212) 849-7000
10 Facsimile: (212) 849-7100

11 *Attorneys for Plaintiffs Jiaxing*
Super Lighting Electric Appliance Co., Ltd.,
12 *and Obert, Inc.*

13 UNITED STATES DISTRICT COURT
14 CENTRAL DISTRICT OF CALIFORNIA

15 Jiaxing Super Lighting Electric
Appliance Co., Ltd., and
16 Obert, Inc.

17 Plaintiffs,
18 v.
19 MaxLite, Inc.
20 Defendant.

Case No. 2:19-cv-04047-PSG (MAA)

**PLAINTIFFS' ANSWER TO
DEFENDANT MAXLITE'S
COUNTERCLAIMS**

DEMAND FOR JURY TRIAL

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1 Jiaxing Super Lighting Electric Appliance Co., Ltd. (“Super Lighting”), and
2 Obert, Inc. (“Obert”) (collectively “Plaintiffs”), by and through their counsel, hereby
3 submit their Answer to Counterclaims filed by Defendant MaxLite, Inc. (“Defendant”
4 or “MaxLite”). To the extent not specifically admitted herein, Plaintiffs deny each and
5 every allegation of MaxLite’s Counterclaims.

6 **Parties¹**

7 106. On information and belief, Plaintiffs admit the allegations in paragraph
8 106.

9 107. Admitted.

10 108. Admitted.

11 **Jurisdiction and Venue**

12 109. Plaintiffs admit that MaxLite alleges that these Counterclaims arise under
13 federal law, and that the Court has subject matter jurisdiction pursuant to 28 U.S.C. §§
14 1331 and 1338(a), the Declaratory Judgment Act, 28 U.S.C. §§ 2001 and 2002, and the
15 Patent Laws of the United States, 35 U.S.C. §§ 101, et seq. Plaintiffs state that the
16 remaining allegations of paragraph 109 contain legal conclusions to which no response
17 is required. To the extent that a response is required, Plaintiffs admits that jurisdiction
18 is proper in this Court at this time.

19 110. Plaintiffs admit that, by filing their Complaint, they commenced the
20 underlying patent infringement action and that some of the complained-of acts occurred
21 in this judicial district. Plaintiffs state that the remaining allegations of paragraph 110
22 contain legal conclusions to which no response is required.

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25 ¹ Plaintiffs have adopted the paragraph numbering of MaxLite’s Counterclaims,
26 which continued from its Answer and therefore began at paragraph 106. For ease of
27 reference, Plaintiffs have also used the section headings corresponding to those that
28 MaxLite uses in its Counterclaims. By including these headings, Plaintiffs do not
admit any allegation contained therein, and therefore any such allegation is denied.

1 111. Plaintiffs admit that venue is proper in this district as to the claims in their
2 Complaint. Plaintiffs admit that MaxLite alleges that venue for its counterclaims is
3 proper in this judicial district pursuant to 28 U.S.C. §§ 1391 and 1400(b).

4 112. Admitted.

5 **Pre-Suit Communications**

6 113. Admitted.

7 114. Plaintiffs admit that the quoted statements appear with additional context
8 in Exhibit 1.² Plaintiffs deny any remaining allegations in paragraph 114.

9 115. Plaintiffs admit that the quoted statement appears with additional context
10 in Exhibit 1. Plaintiffs deny that the Notice “did not mention MaxLite’s products, or
11 accuse any MaxLite product of infringing any of Super Lighting’s patents, including
12 the Patents-in-Suit.” Plaintiffs deny any remaining allegations in paragraph 115.

13 116. Admitted.

14 117. Plaintiffs admit that the PowerPoint identified Super Lighting patents and
15 patent publications with additional context. Plaintiffs deny any remaining allegations
16 in paragraph 117.

17 118. Plaintiffs admit that the PowerPoint identified patents related to “Tube
18 LEDs” with additional context. Plaintiffs deny the remaining allegations in paragraph
19 118.

20 119. Plaintiffs admit that the PowerPoint document sent to MaxLite did not
21 expressly identify MaxLite by name, but the context made its application to MaxLite
22 clear. Plaintiffs deny the remaining allegations in paragraph 119.

23
24
25 _____
26 ² MaxLite selectively quotes from an incomplete set of correspondence and
27 communications relevant to the discussion in the “Pre-Suit Communications”
28 section of its Answer and Counterclaims. The documents and communications
speak for themselves.

1 120. Plaintiffs admit that “[t]he PowerPoint included slides on claims 18 and 28
2 of the ‘174 patent” with additional context. Plaintiffs deny the remaining allegations in
3 paragraph 120.

4 121. Admitted.

5 122. Denied.

6 123. Denied.

7 124. Plaintiffs admit that a December 5, 2018 email from counsel for Super
8 Lighting is attached as Exhibit 3. Plaintiffs deny the remaining allegations in paragraph
9 124.

10 125. Plaintiffs admit that Exhibit 3 is referred to as part of the correspondence
11 described in Paragraph 17 of their Complaint. Plaintiffs deny the remaining allegations
12 in paragraph 125.

13 126. Plaintiffs admit that the quoted language appears with additional context in
14 Exhibit 3. Plaintiffs deny the remaining allegations in paragraph 126.

15 127. Denied.

16 128. Plaintiffs admit that the quoted language appears with additional context in
17 Exhibit 3. Plaintiffs deny any remaining allegations in paragraph 128.

18 129. Plaintiffs admit that the quoted language appears with additional context in
19 Exhibit 3. Plaintiffs deny any remaining allegations in paragraph 129.

20 130. Plaintiffs admit that that the quoted language appears with additional
21 context in Exhibit 3. Plaintiffs deny any remaining allegations in paragraph 130.

22 131. Plaintiffs admit that that the quoted language appears with additional
23 context in Exhibit 4. Plaintiffs deny any remaining allegations in paragraph 131.

24 132. Plaintiffs admit that on January 18, 2019, Super Lighting emailed
25 MaxLites’s General Counsel. Plaintiffs deny the remaining allegations in paragraph
26 132, including that the four attachments to the January 18, 2019 email are attached to
27 Exhibit 4 of MaxLite’s Answer and Counterclaims.

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1 133. Plaintiffs admit that Exhibit 4 is referred to as part of the correspondence
2 described in Paragraph 18 of their Complaint. Plaintiffs deny the remaining allegations
3 in paragraph 133.

4 134. Plaintiffs admit that the quoted language appears with additional context in
5 Exhibit 4. Plaintiffs deny any remaining allegations in paragraph 134.

6 135. Plaintiffs admit that the quoted language appears with additional context in
7 Exhibit 4. Plaintiffs deny any remaining allegations in paragraph 135.

8 136. Admitted.

9 137. Denied.

10 138. Plaintiffs admit that the quoted language appears with additional context in
11 Exhibit 5. Plaintiffs deny any remaining allegations in paragraph 138.

12 139. Plaintiffs admit that the quoted language appears with additional context in
13 Exhibit 5. Plaintiffs deny the remaining allegations in paragraph 139.

14 140. Admitted.

15 141. Plaintiffs admit that Exhibit 5 is referred to as part of the correspondence
16 described in Paragraph 19 of their Complaint. Plaintiffs deny any remaining allegations
17 in paragraph 141.

18 142. Plaintiffs admit that Exhibit 5 identified Super Lighting patents including
19 those listed in paragraph 142. Plaintiffs admit that the quoted language appears with
20 additional context in Exhibit 5. Plaintiffs deny the remaining allegations in paragraph
21 142.

22 143. Denied.

23 144. Plaintiffs admit that the quoted language appears with additional context
24 and no emphasis in Exhibit 5 (which contains a Feb. 14, 2019 email, not a Feb. 19,
25 2019 email as stated in paragraph 144). Plaintiffs deny the remaining allegations in
26 paragraph 144.

27 145. Denied.

28 146. Denied.

1 147. Denied.

2 **Count I**

3 **(Declaratory Judgment of Non-Infringement of U.S. Patent No. 9,689,536)**

4 148. Plaintiffs admit that MaxLite purports to incorporate paragraphs of its
5 Answer and Affirmative Defenses and Counterclaims into Count I.

6 149. To the extent MaxLite purports to contest infringement, but without
7 admitting that MaxLite has provided any basis for doing so, admitted.

8 150. Paragraph 150 contains legal conclusions to which no response is required.
9 Plaintiffs deny the remaining allegations in paragraph 150 otherwise. The diagrams
10 and analysis in Exhibit 11 of the Complaint demonstrate MaxLite's infringement and
11 MaxLite provides no contrary analysis in paragraph 150 or elsewhere. The '536
12 Accused Products satisfy each of the limitations of at least one claim of the '536 Patent,
13 as further set forth in Exhibit 11 to Plaintiffs' Complaint and incorporated herein.

14 151. Paragraph 151 contains legal conclusions to which no response is required.
15 Otherwise, to the extent Plaintiffs are in possession of information sufficient to respond
16 to the remaining allegations in paragraph 151, Plaintiffs deny the remaining allegations
17 in paragraph 151.

18 152. Paragraph 152 contains legal conclusions to which no response is required.
19 Otherwise, to the extent Plaintiffs are in possession of information sufficient to respond
20 to the remaining allegations in paragraph 152, Plaintiffs deny the remaining allegations
21 in paragraph 152.

22 153. Paragraph 153 contains legal conclusions to which no response is required.
23 Otherwise, Plaintiffs deny the remaining allegations in paragraph 153.

24 154. Paragraph 154 contains legal conclusions to which no response is required.
25 Otherwise, Plaintiffs deny the remaining allegations in paragraph 154.

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1 **Count II**

2 **(Declaratory Judgment of Non-Infringement of U.S. Patent No. 9,841,174)**

3 155. Plaintiffs admit that MaxLite purports to incorporate paragraphs of its
4 Answer and Affirmative Defenses and Counterclaims into Count II.

5 156. To the extent MaxLite purports to contest infringement, but without
6 admitting that MaxLite has provided any basis for doing so, admitted.

7 157. Paragraph 157 contains legal conclusions to which no response is required.
8 Plaintiffs deny the remaining allegations in paragraph 157 otherwise. The diagrams
9 and analysis in Exhibits 12 and 13 of the Complaint demonstrate MaxLite's
10 infringement and MaxLite provides no contrary analysis in paragraph 157 or elsewhere.
11 The '174 Accused Products satisfy each of the limitations of at least one claim of the
12 '174 Patent, as further set forth in Exhibits 12 and 13 to Plaintiffs' Complaint and
13 incorporated herein.

14 158. Paragraph 158 contains legal conclusions to which no response is required.
15 Otherwise, to the extent Plaintiffs are in possession of information sufficient to respond
16 to the remaining allegations in paragraph 158, Plaintiffs deny the remaining allegations
17 in paragraph 158.

18 159. Paragraph 159 contains legal conclusions to which no response is required.
19 Otherwise, to the extent Plaintiffs are in possession of information sufficient to respond
20 to the remaining allegations in paragraph 159, Plaintiffs deny the remaining allegations
21 in paragraph 159.

22 160. Plaintiffs incorporate paragraph 33 of their Complaint herein. Paragraph
23 160 contains legal conclusions to which no response is required. Otherwise, to the
24 extent Plaintiffs are in possession of information sufficient to respond to the remaining
25 allegations in paragraph 160, Plaintiffs deny the remaining allegations in paragraph
26 160.

27 161. Paragraph 161 contains legal conclusions to which no response is required.
28 Otherwise, Plaintiffs deny the remaining allegations in paragraph 161.

1 162. Paragraph 162 contains legal conclusions to which no response is required.
2 Otherwise, Plaintiffs deny the remaining allegations in paragraph 162.

3 **Count III**

4 **(Declaratory Judgment of Non-Infringement of U.S. Patent No. 9,723,662)**

5 163. Plaintiffs admit that MaxLite purports to incorporate paragraphs of its
6 Answer and Affirmative Defenses and Counterclaims into Count III.

7 164. To the extent MaxLite purports to contest infringement, but without
8 admitting that MaxLite has provided any basis for doing so, admitted.

9 165. Paragraph 165 contains legal conclusions to which no response is required.
10 Plaintiffs deny the remaining allegations in paragraph 165 otherwise. The diagrams
11 and analysis in Exhibits 14 and 15 of the Complaint demonstrate MaxLite's
12 infringement and MaxLite provides no contrary analysis in paragraph 165 or elsewhere.
13 The '662 Accused Products satisfy each of the limitations of at least one claim of the
14 '662 Patent, as further set forth in Exhibits 14 and 15 to Plaintiffs' Complaint and
15 incorporated herein.

16 166. Paragraph 166 contains legal conclusions to which no response is required.
17 Otherwise, to the extent Plaintiffs are in possession of information sufficient to respond
18 to the remaining allegations in paragraph 166, Plaintiffs deny the remaining allegations
19 in paragraph 166.

20 167. Paragraph 167 contains legal conclusions to which no response is required.
21 Otherwise, Plaintiffs deny the remaining allegations in paragraph 167.

22 **Count IV**

23 **(Declaratory Judgment of Non-Infringement of U.S. Patent No. 10,208,897)**

24 168. Plaintiffs admit that MaxLite purports to incorporate paragraphs of its
25 Answer and Affirmative Defenses and Counterclaims into Count IV.

26 169. To the extent MaxLite purports to contest infringement, but without
27 admitting that MaxLite has provided any basis for doing so, admitted.
28

1 170. Paragraph 170 contains legal conclusions to which no response is required.
2 Plaintiffs deny the remaining allegations in paragraph 170 otherwise. The diagrams
3 and analysis in Exhibits 16, 17, and 18 of the Complaint demonstrate MaxLite's
4 infringement and MaxLite provides no contrary analysis in paragraph 170 or elsewhere.
5 The '897 Accused Products satisfy each of the limitations of at least one claim of the
6 '897 Patent, as further set forth in Exhibits 16, 17, and 18 to Plaintiffs' Complaint and
7 incorporated herein.

8 171. Paragraph 171 contains legal conclusions to which no response is required.
9 Otherwise, to the extent Plaintiffs are in possession of information sufficient to respond
10 to the remaining allegations in paragraph 171, Plaintiffs deny the remaining allegations
11 in paragraph 171.

12 172. Paragraph 172 contains legal conclusions to which no response is required.
13 Otherwise, to the extent Plaintiffs are in possession of information sufficient to respond
14 to the remaining allegations in paragraph 172, Plaintiffs deny the remaining allegations
15 in paragraph 172.

16 173. Paragraph 173 contains legal conclusions to which no response is required.
17 Otherwise, Plaintiffs deny the remaining allegations in paragraph 173.

18 174. Paragraph 174 contains legal conclusions to which no response is required.
19 Otherwise, Plaintiffs deny the remaining allegations in paragraph 174.

20 **Count V**

21 **(Declaratory Judgment of Non-Infringement of U.S. Patent No. 9,807,826)**

22 175. Plaintiffs admit that MaxLite purports to incorporate paragraphs of its
23 Answer and Affirmative Defenses and Counterclaims into Count V.

24 176. To the extent MaxLite purports to contest infringement, but without
25 admitting that MaxLite has provided any basis for doing so, admitted.

26 177. Paragraph 177 contains legal conclusions to which no response is required.
27 Plaintiffs deny the remaining allegations in paragraph 177 otherwise. The diagrams
28 and analysis in Exhibit 19 of the Complaint demonstrate MaxLite's infringement and

1 MaxLite provides no contrary analysis in paragraph 177 or elsewhere. The '826
2 Accused Products satisfy each of the limitations of at least one claim of the '826 Patent,
3 as further set forth in Exhibit 19 to Plaintiffs' Complaint and incorporated herein.

4 178. Paragraph 178 contains legal conclusions to which no response is required.
5 Otherwise, to the extent Plaintiffs are in possession of information sufficient to respond
6 to the remaining allegations in paragraph 178, Plaintiffs deny the remaining allegations
7 in paragraph 178.

8 179. Paragraph 179 contains legal conclusions to which no response is required.
9 Otherwise, to the extent Plaintiffs are in possession of information sufficient to respond
10 to the remaining allegations in paragraph 179, Plaintiffs deny the remaining allegations
11 in paragraph 179.

12 180. Paragraph 180 contains legal conclusions to which no response is required.
13 Otherwise, Plaintiffs deny the remaining allegations in paragraph 180.

14 181. Paragraph 181 contains legal conclusions to which no response is required.
15 Otherwise, Plaintiffs deny the remaining allegations in paragraph 181.

16 **Count VI**

17 **(Declaratory Judgment of Non-Infringement of U.S. Patent No. 9,897,265)**

18 182. Plaintiffs admit that MaxLite purports to incorporate paragraphs of its
19 Answer and Affirmative Defenses and Counterclaims into Count VI.

20 183. To the extent MaxLite purports to contest infringement, but without
21 admitting that MaxLite has provided any basis for doing so, admitted.

22 184. Paragraph 184 contains legal conclusions to which no response is required.
23 Plaintiffs deny the remaining allegations in paragraph 184 otherwise. The diagrams
24 and analysis in Exhibits 20 and 21 of the Complaint demonstrate MaxLite's
25 infringement and MaxLite provides no contrary analysis in paragraph 184 or elsewhere.
26 The '265 Accused Products satisfy each of the limitations of at least one claim of the
27 '265 Patent, as further set forth in Exhibits 20 and 21 to Plaintiffs' Complaint and
28 incorporated herein.

1 185. Paragraph 185 contains legal conclusions to which no response is required.
2 Otherwise, to the extent Plaintiffs are in possession of information sufficient to respond
3 to the remaining allegations in paragraph 185, Plaintiffs deny the remaining allegations
4 in paragraph 185.

5 186. Paragraph 186 contains legal conclusions to which no response is required.
6 Otherwise, to the extent Plaintiffs are in possession of information sufficient to respond
7 to the remaining allegations in paragraph 186, Plaintiffs deny the remaining allegations
8 in paragraph 186.

9 187. Paragraph 187 contains legal conclusions to which no response is required.
10 Otherwise, Plaintiffs deny the remaining allegations in paragraph 187.

11 188. Paragraph 188 contains legal conclusions to which no response is required.
12 Otherwise, Plaintiffs deny the remaining allegations in paragraph 188.

13 **Response to MaxLite's Prayer for Relief**

14 Plaintiffs deny that MaxLite is entitled to any of the relief requested in its Prayer
15 for Relief.

16 **Response to MaxLite's Demand for Jury Trial**

17 Plaintiffs admit that MaxLite demands a jury trial.

18 **Affirmative and Other Defenses**

19 Plaintiffs assert the following defenses without assuming any burden that it
20 would not otherwise have.

21 **First Defense**

22 MaxLite fails to state a claim upon which relief can be granted.

23 **Prayer for Relief**

24 WHEREFORE Plaintiffs pray that the Court:

- 25 a. Enter judgment denying all relief requested by MaxLite in its Counterclaims;
26 b. Dismiss MaxLite's Counterclaims with prejudice;
27 c. Declare this case to be an exceptional case and award Plaintiffs their attorneys'
28 fees pursuant to 35 U.S.C. § 285;

1 d. Award Plaintiffs attorneys’ fees, costs, and expenses incurred by Plaintiffs in
2 defending against MaxLite’s Counterclaims, together with pre- and post-judgment
3 interest; and

4 e. Award such other and further relief as the Court deems just and proper.

5 **Demand for Jury Trial**

6 Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Plaintiffs demands a
7 trial by jury on all issues so triable.

8
9 DATED: August 2, 2019

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

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12 By /s/ Zachariah Summers

13
14 Zachariah Summers (SBN 255284)
15 zachsummers@quinnemanuel.com
16 QUINN EMANUEL URQUHART
& SULLIVAN, LLP
17 865 S. Figueroa St., 10th Floor
Los Angeles, California 90017
18 Telephone: (213) 443-3000
Facsimile: (213) 443-3100

19 Raymond N. Nimrod (*pro hac vice*)
20 raynimrod@quinnemanuel.com
21 Richard W. Erwine (*pro hac vice*)
richarderwine@quinnemanuel.com
22 51 Madison Avenue, 22nd Floor
New York, NY 10010
23 Telephone: (212) 849-7000
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25 *Attorneys for Plaintiffs Jiaxing*
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27 *and Obert, Inc.*
28