COUNTERCLAIMS IN PENDING LAWSUITS

SEEKING INVALIDATION OF

ALL CLAIMS OF

U.S. PATENT NO. 9,057,546

AND ALL CLAIMS OF

U.S. PATENT NO. 9,917,546

EXHIBIT A

COUNTERCLAIMS IN

CIVIL ACTION NO. 1:22-cv-01109 (M.D.N.C.)

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

ROVSHAN SADE, Plaintiff, vs. NORTH STAR SOLAR LLC, Defendant.	)))))))))	Case No. 1:22-cv-01109-LCB-JLW

DEFENDANT NORTH STAR SOLAR LLC ANSWER AND AFFIRMATIVE DEFENSES; COUNTERCLAIMS TO COMPLAINT;
DEMAND FOR JURY TRIAL

Defendant North Star Solar LLC ("North Star"), by and through its attorneys, submits this Answer to Plaintiff Rovshan Sade's ("Sade") Original Complaint.

INTRODUCTION

1. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 1 of the Complaint and they are therefore denied.

2. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 2 of the Complaint.

3. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 3 of the Complaint.

4. Defendant admits that it has not licensed any patents from Plaintiff. Defendant denies the remaining allegations in paragraph 4 of the Complaint.

103. Sade is entitled to no relief for any claim of alleged infringement of the ’17546 Patent.

COUNT III

(Declaratory Judgment of Invalidity of the ’57546 Patent)

104. North Star incorporates by reference the above paragraphs above as through fully stated herein.

105. Sade filed a Complaint against North Star alleging that North Star has infringed claims 5 and 6 of the ’57546 Patent.

106. In its Complaint, Sade contends that the asserted claim of the ’57546 Patent is valid.

107. As a result of Sade’s Complaint and allegations, North Star has a reasonable apprehension that Sade will continue to assert claims 5 and 6 of the ’57546 Patent against North Star.

108. Accordingly, Sade has created a substantial, immediate, and real controversy between the parties as to the invalidity of the asserted claims of the ’57546 Patent.

109. Each asserted claim of the ’57546 Patent is invalid for failure to comply with one or more provisions of 35 U.S.C. §§ 101, 102, 103, and 112.

110. For example, numerous prior art references, alone or in combination, render at least asserted claims 5 and 6 of the ’57546 patent invalid under 35 U.S.C. §§ 102 and 103. A non-exhaustive list of prior art references that invalidate asserted claims 5 and 6 of the ’57546 patent under 35 U.S.C. §§ 102 and/or 103 includes, but is not limited to, the following prior art: U.S. Patent No. 7,958,886, U.S. Patent Publication No. 2010/0243827,

Spanish Utility Model Publication No. 1066825, Spanish Utility Model Publication No. 1068808, and Spanish Patent No. 2320964.[2]

111. To the extent North Star understands Sade's apparent interpretation of asserted claim 5 of the '57546 patent, at least, by way of example but without limitation, the "a mounting assembly for rotatably mounting the panel assembly to the support frame, the mounting assembly comprising a mounting member rotatably connected to the support frame and a slot in said mounting member configured to receive the spine of the panel assembly;" limitations of claim 5 of the '57546 patent lacks written description, is not enabled, and is indefinite.

112. Sade is entitled to no relief for any claim related to the invalidity of the asserted claims of the '57546 Patent.

COUNT IV

(Declaratory Judgment of Invalidity of the '17546 Patent)

113. North Star incorporates by reference the above paragraphs above as through fully stated herein.

114. Sade filed a Complaint against North Star alleging that North Star has infringed claim 1 of the '17546 Patent.

115. In its Complaint, Sade contends that the asserted claim of the '17546 Patent is valid.

[2] This list of prior art is non-exhaustive and non-limiting. North Star expressly reserves the right to rely on additional prior art in support of its invalidity counterclaim related to the '57546 patent.

116. As a result of Sade's Complaint and allegations, North Star has a reasonable apprehension that Sade will continue to assert claim 1 of the '17546 Patent against North Star.

117. Accordingly, Sade has created a substantial, immediate, and real controversy between the parties as to the invalidity of the asserted claims of the '17546 Patent.

118. Each asserted claim of the '17546 Patent is invalid for failure to comply with one or more provisions of 35 U.S.C. §§ 101, 102, 103, and 112.

119. For example, numerous prior art references, alone or in combination, render at least asserted claim 1 of the '17546 patent invalid under 35 U.S.C. §§ 102 and 103. A non-exhaustive list of prior art references that invalidate asserted claim 1 of the '17546 patent under 35 U.S.C. §§ 102 and/or 103 includes, but is not limited to, the following prior art: U.S. Patent No. 7,958,886, U.S. Patent Publication No. 2010/0243827, Spanish Utility Model Publication No. 1066825, Spanish Utility Model Publication No. 1068808, and Spanish Patent No. 2320964..[3]

120. To the extent North Star understands Sade's apparent interpretation of asserted claim 1 of the '17546 patent, at least, by way of example but without limitation, the "a mounting assembly for rotatably mounting the panel assembly to the support frame, said mounting assembly comprising: a mounting member configured to be rotatably connected to said support frame; and an open-ended slot in said mounting member

[3] This list of prior art is non-exhaustive and non-limiting. North Star expressly reserves the right to rely on additional prior art in support of its invalidity counterclaim related to the '17546 patent.

configured to receive the central spine of the panel assembly." limitation of claim 1 of the '17546 patent lacks written description, is not enabled, and is indefinite.

121. Sade is entitled to no relief for any claim related to the invalidity of the asserted claims of the '17546 Patent.

PRAYER FOR RELIEF

WHEREFORE, North Star prays for relief as follows:

A. That the Court deny all relief to Sade requested in its Complaint;

B. A declaration that North Star is not infringing, and has not infringed, either directly, contributorily, or by inducement, any valid and enforceable claim of the '57546 and '17546 Patents, either literally, or by application of the doctrine of equivalents;

C. A declaration that the '57546 and '17546 Patents are invalid and unenforceable;

D. A finding that this is an exceptional case and award to North Star its reasonable attorneys' fees, expenses, and costs under 35 U.S.C. § 285; and

E. An award of such other and further relief as the Court may deem just and proper.

DEMAND FOR JURY TRIAL

In accordance with Federal Rule of Civil Procedure 38(d), North Star Solar LLC demands a jury trial on all issues triable by a jury.

EXHIBIT B

COUNTERCLAIMS IN

CIVIL ACTION NO. 1:22-cv-01110 (M.D.N.C.)

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

ROVSHAN SADE, Plaintiff, vs. SP DECATUR PARKWAY SOLAR LLC, Defendant.	)	Case No. 1:22-cv-01110-LCB-JLW

DEFENDANT SP DECATUR PARKWAY SOLAR LLC ANSWER AND AFFIRMATIVE DEFENSES; COUNTERCLAIMS TO COMPLAINT; DEMAND FOR JURY TRIAL

Defendant SP Decatur Parkway Solar LLC ("SP Decatur"), by and through its attorneys, submits this Answer to Plaintiff Rovshan Sade's ("Sade") Original Complaint.

INTRODUCTION

1. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 1 of the Complaint and they are therefore denied.

2. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 2 of the Complaint.

3. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 3 of the Complaint.

4. Defendant admits that it has not licensed any patents from Plaintiff. Defendant denies the remaining allegations in paragraph 4 of the Complaint.

103. Sade is entitled to no relief for any claim of alleged infringement of the ’17546 Patent.

COUNT III

(Declaratory Judgment of Invalidity of the ’57546 Patent)

104. SP Decatur incorporates by reference the above paragraphs above as through fully stated herein.

105. Sade filed a Complaint against SP Decatur alleging that SP Decatur has infringed claims 5 and 6 of the ’57546 Patent.

106. In its Complaint, Sade contends that the asserted claim of the ’57546 Patent is valid.

107. As a result of Sade’s Complaint and allegations, SP Decatur has a reasonable apprehension that Sade will continue to assert claims 5 and 6 of the ’57546 Patent against SP Decatur.

108. Accordingly, Sade has created a substantial, immediate, and real controversy between the parties as to the invalidity of the asserted claims of the ’57546 Patent.

109. Each asserted claim of the ’57546 Patent is invalid for failure to comply with one or more provisions of 35 U.S.C. §§ 101, 102, 103, and 112.

110. For example, numerous prior art references, alone or in combination, render at least asserted claims 5 and 6 of the ’57546 patent invalid under 35 U.S.C. §§ 102 and 103. A non-exhaustive list of prior art references that invalidate asserted claims 5 and 6 of the ’57546 patent under 35 U.S.C. §§ 102 and/or 103 includes, but is not limited to, the following prior art: U.S. Patent No. 7,958,886, U.S. Patent Publication No. 2010/0243827,

Spanish Utility Model Publication No. 1066825, Spanish Utility Model Publication No. 1068808, and Spanish Patent No. 2320964.[2]

111. To the extent SP Decatur understands Sade's apparent interpretation of asserted claim 5 of the '57546 patent, at least, by way of example but without limitation, the "a mounting assembly for rotatably mounting the panel assembly to the support frame, the mounting assembly comprising a mounting member rotatably connected to the support frame and a slot in said mounting member configured to receive the spine of the panel assembly;" limitations of claim 5 of the '57546 patent lacks written description, is not enabled, and is indefinite.

112. Sade is entitled to no relief for any claim related to the invalidity of the asserted claims of the '57546 Patent.

COUNT IV

(Declaratory Judgment of Invalidity of the '17546 Patent)

113. SP Decatur incorporates by reference the above paragraphs above as through fully stated herein.

114. Sade filed a Complaint against SP Decatur alleging that SP Decatur has infringed claim 1 of the '17546 Patent.

115. In its Complaint, Sade contends that the asserted claim of the '17546 Patent is valid.

[2] This list of prior art is non-exhaustive and non-limiting. SP Decatur expressly reserves the right to rely on additional prior art in support of its invalidity counterclaim related to the '57546 patent.

116. As a result of Sade's Complaint and allegations, SP Decatur has a reasonable apprehension that Sade will continue to assert claim 1 of the '17546 Patent against SP Decatur.

117. Accordingly, Sade has created a substantial, immediate, and real controversy between the parties as to the invalidity of the asserted claims of the '17546 Patent.

118. Each asserted claim of the '17546 Patent is invalid for failure to comply with one or more provisions of 35 U.S.C. §§ 101, 102, 103, and 112.

119. For example, numerous prior art references, alone or in combination, render at least asserted claim 1 of the '17546 patent invalid under 35 U.S.C. §§ 102 and 103. A non-exhaustive list of prior art references that invalidate asserted claim 1 of the '17546 patent under 35 U.S.C. §§ 102 and/or 103 includes, but is not limited to, the following prior art: U.S. Patent No. 7,958,886, U.S. Patent Publication No. 2010/0243827, Spanish Utility Model Publication No. 1066825, Spanish Utility Model Publication No. 1068808, and Spanish Patent No. 2320964..[3]

120. To the extent SP Decatur understands Sade's apparent interpretation of asserted claim 1 of the '17546 patent, at least, by way of example but without limitation, the "a mounting assembly for rotatably mounting the panel assembly to the support frame, said mounting assembly comprising: a mounting member configured to be rotatably connected to said support frame; and an open-ended slot in said mounting member

[3] This list of prior art is non-exhaustive and non-limiting. SP Decatur expressly reserves the right to rely on additional prior art in support of its invalidity counterclaim related to the '17546 patent.

configured to receive the central spine of the panel assembly." limitation of claim 1 of the '17546 patent lacks written description, is not enabled, and is indefinite.

121. Sade is entitled to no relief for any claim related to the invalidity of the asserted claims of the '17546 Patent.

PRAYER FOR RELIEF

WHEREFORE, SP Decatur prays for relief as follows:

A. That the Court deny all relief to Sade requested in its Complaint;

B. A declaration that SP Decatur is not infringing, and has not infringed, either directly, contributorily, or by inducement, any valid and enforceable claim of the '57546 and '17546 Patents, either literally, or by application of the doctrine of equivalents;

C. A declaration that the '57546 and '17546 Patents are invalid and unenforceable;

D. A finding that this is an exceptional case and award to SP Decatur its reasonable attorneys' fees, expenses, and costs under 35 U.S.C. § 285; and

E. An award of such other and further relief as the Court may deem just and proper.

DEMAND FOR JURY TRIAL

In accordance with Federal Rule of Civil Procedure 38(d), SP Decatur Parkway Solar LLC. demands a jury trial on all issues triable by a jury.

EXHIBIT C

COUNTERCLAIMS IN

CIVIL ACTION NO. 1:22-cv-01111 (M.D.N.C.)

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

ROVSHAN SADE, Plaintiff, vs. BLACKWELL SOLAR LLC, Defendant.	)))))))))	Case No. 1:22-cv-01111-LCB-JLW

DEFENDANT BLACKWELL SOLAR LLC ANSWER AND AFFIRMATIVE DEFENSES; COUNTERCLAIMS TO COMPLAINT;
DEMAND FOR JURY TRIAL

Defendant Blackwell Solar LLC ("Blackwell"), by and through its attorneys, submits this Answer to Plaintiff Rovshan Sade's ("Sade") Original Complaint.

INTRODUCTION

1. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 1 of the Complaint and they are therefore denied.

2. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 2 of the Complaint.

3. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 3 of the Complaint.

4. Defendant admits that it has not licensed any patents from Plaintiff. Defendant denies the remaining allegations in paragraph 4 of the Complaint.

103. Sade is entitled to no relief for any claim of alleged infringement of the ’17546 Patent.

COUNT III

(Declaratory Judgment of Invalidity of the ’57546 Patent)

104. Blackwell incorporates by reference the above paragraphs above as through fully stated herein.

105. Sade filed a Complaint against Blackwell alleging that Blackwell has infringed claims 5 and 6 of the ’57546 Patent.

106. In its Complaint, Sade contends that the asserted claim of the ’57546 Patent is valid.

107. As a result of Sade’s Complaint and allegations, Blackwell has a reasonable apprehension that Sade will continue to assert claims 5 and 6 of the ’57546 Patent against Blackwell.

108. Accordingly, Sade has created a substantial, immediate, and real controversy between the parties as to the invalidity of the asserted claims of the ’57546 Patent.

109. Each asserted claim of the ’57546 Patent is invalid for failure to comply with one or more provisions of 35 U.S.C. §§ 101, 102, 103, and 112.

110. For example, numerous prior art references, alone or in combination, render at least asserted claims 5 and 6 of the ’57546 patent invalid under 35 U.S.C. §§ 102 and 103. A non-exhaustive list of prior art references that invalidate asserted claims 5 and 6 of the ’57546 patent under 35 U.S.C. §§ 102 and/or 103 includes, but is not limited to, the following prior art: U.S. Patent No. 7,958,886, U.S. Patent Publication No. 2010/0243827,

Spanish Utility Model Publication No. 1066825, Spanish Utility Model Publication No. 1068808, and Spanish Patent No. 2320964.[2]

111. To the extent Blackwell understands Sade's apparent interpretation of asserted claim 5 of the '57546 patent, at least, by way of example but without limitation, the "a mounting assembly for rotatably mounting the panel assembly to the support frame, the mounting assembly comprising a mounting member rotatably connected to the support frame and a slot in said mounting member configured to receive the spine of the panel assembly;" limitations of claim 5 of the '57546 patent lacks written description, is not enabled, and is indefinite.

112. Sade is entitled to no relief for any claim related to the invalidity of the asserted claims of the '57546 Patent.

COUNT IV

(Declaratory Judgment of Invalidity of the '17546 Patent)

113. Blackwell incorporates by reference the above paragraphs above as through fully stated herein.

114. Sade filed a Complaint against Blackwell alleging that Blackwell has infringed claim 1 of the '17546 Patent.

115. In its Complaint, Sade contends that the asserted claim of the '17546 Patent is valid.

[2] This list of prior art is non-exhaustive and non-limiting. Blackwell expressly reserves the right to rely on additional prior art in support of its invalidity counterclaim related to the '57546 patent.

116. As a result of Sade's Complaint and allegations, Blackwell has a reasonable apprehension that Sade will continue to assert claim 1 of the '17546 Patent against Blackwell.

117. Accordingly, Sade has created a substantial, immediate, and real controversy between the parties as to the invalidity of the asserted claims of the '17546 Patent.

118. Each asserted claim of the '17546 Patent is invalid for failure to comply with one or more provisions of 35 U.S.C. §§ 101, 102, 103, and 112.

119. For example, numerous prior art references, alone or in combination, render at least asserted claim 1 of the '17546 patent invalid under 35 U.S.C. §§ 102 and 103. A non-exhaustive list of prior art references that invalidate asserted claim 1 of the '17546 patent under 35 U.S.C. §§ 102 and/or 103 includes, but is not limited to, the following prior art: U.S. Patent No. 7,958,886, U.S. Patent Publication No. 2010/0243827, Spanish Utility Model Publication No. 1066825, Spanish Utility Model Publication No. 1068808, and Spanish Patent No. 2320964..[3]

120. To the extent Blackwell understands Sade's apparent interpretation of asserted claim 1 of the '17546 patent, at least, by way of example but without limitation, the "a mounting assembly for rotatably mounting the panel assembly to the support frame, said mounting assembly comprising: a mounting member configured to be rotatably connected to said support frame; and an open-ended slot in said mounting member

[3] This list of prior art is non-exhaustive and non-limiting. Blackwell expressly reserves the right to rely on additional prior art in support of its invalidity counterclaim related to the '17546 patent.

configured to receive the central spine of the panel assembly." limitation of claim 1 of the '17546 patent lacks written description, is not enabled, and is indefinite.

121. Sade is entitled to no relief for any claim related to the invalidity of the asserted claims of the '17546 Patent.

PRAYER FOR RELIEF

WHEREFORE, Blackwell prays for relief as follows:

A. That the Court deny all relief to Sade requested in its Complaint;

B. A declaration that Blackwell is not infringing, and has not infringed, either directly, contributorily, or by inducement, any valid and enforceable claim of the '57546 and '17546 Patents, either literally, or by application of the doctrine of equivalents;

C. A declaration that the '57546 and '17546 Patents are invalid and unenforceable;

D. A finding that this is an exceptional case and award to Blackwell its reasonable attorneys' fees, expenses, and costs under 35 U.S.C. § 285; and

E. An award of such other and further relief as the Court may deem just and proper.

DEMAND FOR JURY TRIAL

In accordance with Federal Rule of Civil Procedure 38(d), Blackwell Solar LLC demands a jury trial on all issues triable by a jury.

EXHIBIT D

COUNTERCLAIMS IN

CIVIL ACTION NO. 1:22-cv-01112 (M.D.N.C.)

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

ROVSHAN SADE, Plaintiff, vs. SP SANDHILLS SOLAR LLC, Defendant.	)))))))))	Case No. 1:22-cv-01112-LCB-JLW

DEFENDANT SP SANDHILLS SOLAR LLC ANSWER AND AFFIRMATIVE DEFENSES; COUNTERCLAIMS TO COMPLAINT;
DEMAND FOR JURY TRIAL

Defendant SP Sandhills Solar LLC ("SP Sandhills"), by and through its attorneys, submits this Answer to Plaintiff Rovshan Sade's ("Sade") Original Complaint.

INTRODUCTION

1. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 1 of the Complaint and they are therefore denied.

2. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 2 of the Complaint.

3. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 3 of the Complaint.

4. Defendant admits that it has not licensed any patents from Plaintiff. Defendant denies the remaining allegations in paragraph 4 of the Complaint.

103. Sade is entitled to no relief for any claim of alleged infringement of the ’17546 Patent.

COUNT III

(Declaratory Judgment of Invalidity of the ’57546 Patent)

104. SP Sandhills incorporates by reference the above paragraphs above as through fully stated herein.

105. Sade filed a Complaint against SP Sandhills alleging that SP Sandhills has infringed claims 5 and 6 of the ’57546 Patent.

106. In its Complaint, Sade contends that the asserted claim of the ’57546 Patent is valid.

107. As a result of Sade’s Complaint and allegations, SP Sandhills has a reasonable apprehension that Sade will continue to assert claims 5 and 6 of the ’57546 Patent against SP Sandhills.

108. Accordingly, Sade has created a substantial, immediate, and real controversy between the parties as to the invalidity of the asserted claims of the ’57546 Patent.

109. Each asserted claim of the ’57546 Patent is invalid for failure to comply with one or more provisions of 35 U.S.C. §§ 101, 102, 103, and 112.

110. For example, numerous prior art references, alone or in combination, render at least asserted claims 5 and 6 of the ’57546 patent invalid under 35 U.S.C. §§ 102 and 103. A non-exhaustive list of prior art references that invalidate asserted claims 5 and 6 of the ’57546 patent under 35 U.S.C. §§ 102 and/or 103 includes, but is not limited to, the following prior art: U.S. Patent No. 7,958,886, U.S. Patent Publication No. 2010/0243827,

Spanish Utility Model Publication No. 1066825, Spanish Utility Model Publication No. 1068808, and Spanish Patent No. 2320964.[2]

111. To the extent SP Sandhills understands Sade's apparent interpretation of asserted claim 5 of the '57546 patent, at least, by way of example but without limitation, the "a mounting assembly for rotatably mounting the panel assembly to the support frame, the mounting assembly comprising a mounting member rotatably connected to the support frame and a slot in said mounting member configured to receive the spine of the panel assembly;" limitations of claim 5 of the '57546 patent lacks written description, is not enabled, and is indefinite.

112. Sade is entitled to no relief for any claim related to the invalidity of the asserted claims of the '57546 Patent.

COUNT IV

(Declaratory Judgment of Invalidity of the '17546 Patent)

113. SP Sandhills incorporates by reference the above paragraphs above as through fully stated herein.

114. Sade filed a Complaint against SP Sandhills alleging that SP Sandhills has infringed claim 1 of the '17546 Patent.

115. In its Complaint, Sade contends that the asserted claim of the '17546 Patent is valid.

[2] This list of prior art is non-exhaustive and non-limiting. SP Sandhills expressly reserves the right to rely on additional prior art in support of its invalidity counterclaim related to the '57546 patent.

116. As a result of Sade's Complaint and allegations, SP Sandhills has a reasonable apprehension that Sade will continue to assert claim 1 of the '17546 Patent against SP Sandhills.

117. Accordingly, Sade has created a substantial, immediate, and real controversy between the parties as to the invalidity of the asserted claims of the '17546 Patent.

118. Each asserted claim of the '17546 Patent is invalid for failure to comply with one or more provisions of 35 U.S.C. §§ 101, 102, 103, and 112.

119. For example, numerous prior art references, alone or in combination, render at least asserted claim 1 of the '17546 patent invalid under 35 U.S.C. §§ 102 and 103. A non-exhaustive list of prior art references that invalidate asserted claim 1 of the '17546 patent under 35 U.S.C. §§ 102 and/or 103 includes, but is not limited to, the following prior art: U.S. Patent No. 7,958,886, U.S. Patent Publication No. 2010/0243827, Spanish Utility Model Publication No. 1066825, Spanish Utility Model Publication No. 1068808, and Spanish Patent No. 2320964..[3]

120. To the extent SP Sandhills understands Sade's apparent interpretation of asserted claim 1 of the '17546 patent, at least, by way of example but without limitation, the "a mounting assembly for rotatably mounting the panel assembly to the support frame, said mounting assembly comprising: a mounting member configured to be rotatably connected to said support frame; and an open-ended slot in said mounting member

[3] This list of prior art is non-exhaustive and non-limiting. SP Sandhills expressly reserves the right to rely on additional prior art in support of its invalidity counterclaim related to the '17546 patent.

configured to receive the central spine of the panel assembly." limitation of claim 1 of the '17546 patent lacks written description, is not enabled, and is indefinite.

121. Sade is entitled to no relief for any claim related to the invalidity of the asserted claims of the '17546 Patent.

PRAYER FOR RELIEF

WHEREFORE, SP Sandhills prays for relief as follows:

A. That the Court deny all relief to Sade requested in its Complaint;

B. A declaration that SP Sandhills is not infringing, and has not infringed, either directly, contributorily, or by inducement, any valid and enforceable claim of the '57546 and '17546 Patents, either literally, or by application of the doctrine of equivalents;

C. A declaration that the '57546 and '17546 Patents are invalid and unenforceable;

D. A finding that this is an exceptional case and award to SP Sandhills its reasonable attorneys' fees, expenses, and costs under 35 U.S.C. § 285; and

E. An award of such other and further relief as the Court may deem just and proper.

DEMAND FOR JURY TRIAL

In accordance with Federal Rule of Civil Procedure 38(d), SP Sandhills Solar, LLC. demands a jury trial on all issues triable by a jury.

EXHIBIT E

COUNTERCLAIMS IN

CIVIL ACTION NO. 1:22-cv-01113 (M.D.N.C.)

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

ROVSHAN SADE, Plaintiff, vs. SP BUTLER SOLAR LLC, Defendant.	)))))))))	Case No. 1:22-cv-01113-LCB-JLW

DEFENDANT SP BUTLER SOLAR LLC ANSWER AND AFFIRMATIVE DEFENSES; COUNTERCLAIMS TO COMPLAINT;
DEMAND FOR JURY TRIAL

Defendant SP Butler Solar LLC ("SP Butler"), by and through its attorneys, submits this Answer to Plaintiff Rovshan Sade's ("Sade") Original Complaint.

INTRODUCTION

1. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 1 of the Complaint and they are therefore denied.

2. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 2 of the Complaint.

3. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 3 of the Complaint.

4. Defendant admits that it has not licensed any patents from Plaintiff. Defendant denies the remaining allegations in paragraph 4 of the Complaint.

103. Sade is entitled to no relief for any claim of alleged infringement of the ’17546 Patent.

COUNT III

(Declaratory Judgment of Invalidity of the ’57546 Patent)

104. SP Butler incorporates by reference the above paragraphs above as through fully stated herein.

105. Sade filed a Complaint against SP Butler alleging that SP Butler has infringed claims 5 and 6 of the ’57546 Patent.

106. In its Complaint, Sade contends that the asserted claim of the ’57546 Patent is valid.

107. As a result of Sade’s Complaint and allegations, SP Butler has a reasonable apprehension that Sade will continue to assert claims 5 and 6 of the ’57546 Patent against SP Butler.

108. Accordingly, Sade has created a substantial, immediate, and real controversy between the parties as to the invalidity of the asserted claims of the ’57546 Patent.

109. Each asserted claim of the ’57546 Patent is invalid for failure to comply with one or more provisions of 35 U.S.C. §§ 101, 102, 103, and 112.

110. For example, numerous prior art references, alone or in combination, render at least asserted claims 5 and 6 of the ’57546 patent invalid under 35 U.S.C. §§ 102 and 103. A non-exhaustive list of prior art references that invalidate asserted claims 5 and 6 of the ’57546 patent under 35 U.S.C. §§ 102 and/or 103 includes, but is not limited to, the following prior art: U.S. Patent No. 7,958,886, U.S. Patent Publication No. 2010/0243827,

Spanish Utility Model Publication No. 1066825, Spanish Utility Model Publication No. 1068808, and Spanish Patent No. 2320964.[2]

111. To the extent SP Butler understands Sade's apparent interpretation of asserted claim 5 of the '57546 patent, at least, by way of example but without limitation, the "a mounting assembly for rotatably mounting the panel assembly to the support frame, the mounting assembly comprising a mounting member rotatably connected to the support frame and a slot in said mounting member configured to receive the spine of the panel assembly;" limitations of claim 5 of the '57546 patent lacks written description, is not enabled, and is indefinite.

112. Sade is entitled to no relief for any claim related to the invalidity of the asserted claims of the '57546 Patent.

COUNT IV

(Declaratory Judgment of Invalidity of the '17546 Patent)

113. SP Butler incorporates by reference the above paragraphs above as through fully stated herein.

114. Sade filed a Complaint against SP Butler alleging that SP Butler has infringed claim 1 of the '17546 Patent.

115. In its Complaint, Sade contends that the asserted claim of the '17546 Patent is valid.

[2] This list of prior art is non-exhaustive and non-limiting. SP Butler expressly reserves the right to rely on additional prior art in support of its invalidity counterclaim related to the '57546 patent.

116. As a result of Sade's Complaint and allegations, SP Butler has a reasonable apprehension that Sade will continue to assert claim 1 of the '17546 Patent against SP Butler.

117. Accordingly, Sade has created a substantial, immediate, and real controversy between the parties as to the invalidity of the asserted claims of the '17546 Patent.

118. Each asserted claim of the '17546 Patent is invalid for failure to comply with one or more provisions of 35 U.S.C. §§ 101, 102, 103, and 112.

119. For example, numerous prior art references, alone or in combination, render at least asserted claim 1 of the '17546 patent invalid under 35 U.S.C. §§ 102 and 103. A non-exhaustive list of prior art references that invalidate asserted claim 1 of the '17546 patent under 35 U.S.C. §§ 102 and/or 103 includes, but is not limited to, the following prior art: U.S. Patent No. 7,958,886, U.S. Patent Publication No. 2010/0243827, Spanish Utility Model Publication No. 1066825, Spanish Utility Model Publication No. 1068808, and Spanish Patent No. 2320964..[3]

120. To the extent SP Butler understands Sade's apparent interpretation of asserted claim 1 of the '17546 patent, at least, by way of example but without limitation, the "a mounting assembly for rotatably mounting the panel assembly to the support frame, said mounting assembly comprising: a mounting member configured to be rotatably connected to said support frame; and an open-ended slot in said mounting member

[3] This list of prior art is non-exhaustive and non-limiting. SP Butler expressly reserves the right to rely on additional prior art in support of its invalidity counterclaim related to the '17546 patent.

configured to receive the central spine of the panel assembly." limitation of claim 1 of the '17546 patent lacks written description, is not enabled, and is indefinite.

121. Sade is entitled to no relief for any claim related to the invalidity of the asserted claims of the '17546 Patent.

PRAYER FOR RELIEF

WHEREFORE, SP Butler prays for relief as follows:

A. That the Court deny all relief to Sade requested in its Complaint;

B. A declaration that SP Butler is not infringing, and has not infringed, either directly, contributorily, or by inducement, any valid and enforceable claim of the '57546 and '17546 Patents, either literally, or by application of the doctrine of equivalents;

C. A declaration that the '57546 and '17546 Patents are invalid and unenforceable;

D. A finding that this is an exceptional case and award to SP Butler its reasonable attorneys' fees, expenses, and costs under 35 U.S.C. § 285; and

E. An award of such other and further relief as the Court may deem just and proper.

DEMAND FOR JURY TRIAL

In accordance with Federal Rule of Civil Procedure 38(d), SP Butler Solar LLC. demands a jury trial on all issues triable by a jury.

EXHIBIT F

COUNTERCLAIMS IN

CIVIL ACTION NO. 3:22-cv-00677 (W.D.N.C.)

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA

ROVSHAN SADE, Plaintiff, vs. SEVILLE SOLAR ONE LLC, Defendant.	)))))))))	Case No. 3:22-cv-00677-KDB-DCK

DEFENDANT SEVILLE SOLAR ONE LLC ANSWER AND AFFIRMATIVE DEFENSES; COUNTERCLAIMS TO COMPLAINT; DEMAND FOR JURY TRIAL

Defendant Seville Solar One LLC ("Seville One"), by and through its attorneys, submits this Answer to Plaintiff Rovshan Sade's ("Sade") Original Complaint.

INTRODUCTION

1. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 1 of the Complaint and they are therefore denied.

2. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 2 of the Complaint.

3. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 3 of the Complaint.

4. Defendant admits that it has not licensed any patents from Plaintiff. Defendant denies the remaining allegations in paragraph 4 of the Complaint.

NATURE OF THE CASE

5. Defendant admits that the Complaint includes allegations the Defendant infringes U.S. Patent Nos. 9,057,546 ("the '57546 patent") and 9,917,546 ("the '17546 patent") under 35 U.S.C. § 271. Defendant denies the remaining allegations in paragraph 5 of the Complaint.

COUNT III

(Declaratory Judgment of Invalidity of the ’57546 Patent)

104. Seville One incorporates by reference the above paragraphs above as through fully stated herein.

105. Sade filed a Complaint against Seville One alleging that Seville One has infringed claims 5 and 6 of the ’57546 Patent.

106. In its Complaint, Sade contends that the asserted claim of the ’57546 Patent is valid.

107. As a result of Sade’s Complaint and allegations, Seville One has a reasonable apprehension that Sade will continue to assert claims 5 and 6 of the ’57546 Patent against Seville One.

108. Accordingly, Sade has created a substantial, immediate, and real controversy between the parties as to the invalidity of the asserted claims of the ’57546 Patent.

109. Each asserted claim of the ’57546 Patent is invalid for failure to comply with one or more provisions of 35 U.S.C. §§ 101, 102, 103, and 112.

110. For example, numerous prior art references, alone or in combination, render at least asserted claims 5 and 6 of the ’57546 patent invalid under 35 U.S.C. §§ 102 and 103. A non-exhaustive list of prior art references that invalidate asserted claims 5 and 6 of the ’57546 patent under 35 U.S.C. §§ 102 and/or 103 includes, but is not limited to, the following prior art: U.S. Patent No. 7,958,886, U.S. Patent Publication No. 2010/0243827, Spanish Utility Model Publication No. 1066825, Spanish Utility Model Publication No. 1068808, and Spanish Patent No. 2320964.[2]

[2] This list of prior art is non-exhaustive and non-limiting. Seville One expressly reserves the right to rely on additional prior art in support of its invalidity counterclaim related to the ’57546 patent.

111. To the extent Seville One understands Sade's apparent interpretation of asserted claim 5 of the '57546 patent, at least, by way of example but without limitation, the "a mounting assembly for rotatably mounting the panel assembly to the support frame, the mounting assembly comprising a mounting member rotatably connected to the support frame and a slot in said mounting member configured to receive the spine of the panel assembly;" limitations of claim 5 of the '57546 patent lacks written description, is not enabled, and is indefinite.

112. Sade is entitled to no relief for any claim related to the invalidity of the asserted claims of the '57546 Patent.

COUNT IV

(Declaratory Judgment of Invalidity of the '17546 Patent)

113. Seville One incorporates by reference the above paragraphs above as through fully stated herein.

114. Sade filed a Complaint against Seville One alleging that Seville One has infringed claim 1 of the '17546 Patent.

115. In its Complaint, Sade contends that the asserted claim of the '17546 Patent is valid.

116. As a result of Sade's Complaint and allegations, Seville One has a reasonable apprehension that Sade will continue to assert claim 1 of the '17546 Patent against Seville One.

117. Accordingly, Sade has created a substantial, immediate, and real controversy between the parties as to the invalidity of the asserted claims of the '17546 Patent.

118. Each asserted claim of the '17546 Patent is invalid for failure to comply with one or more provisions of 35 U.S.C. §§ 101, 102, 103, and 112.

119. For example, numerous prior art references, alone or in combination, render at least asserted claim 1 of the '17546 patent invalid under 35 U.S.C. §§ 102 and 103. A non-exhaustive list of prior art references that invalidate asserted claim 1 of the '17546 patent under 35 U.S.C. §§

102 and/or 103 includes, but is not limited to, the following prior art: U.S. Patent No. 7,958,886, U.S. Patent Publication No. 2010/0243827, Spanish Utility Model Publication No. 1066825, Spanish Utility Model Publication No. 1068808, and Spanish Patent No. 2320964..[3]

120. To the extent Seville One understands Sade's apparent interpretation of asserted claim 1 of the '17546 patent, at least, by way of example but without limitation, the "a mounting assembly for rotatably mounting the panel assembly to the support frame, said mounting assembly comprising: a mounting member configured to be rotatably connected to said support frame; and an open-ended slot in said mounting member configured to receive the central spine of the panel assembly." limitation of claim 1 of the '17546 patent lacks written description, is not enabled, and is indefinite.

121. Sade is entitled to no relief for any claim related to the invalidity of the asserted claims of the '17546 Patent.

PRAYER FOR RELIEF

WHEREFORE, Seville One prays for relief as follows:

A. That the Court deny all relief to Sade requested in its Complaint;

B. A declaration that Seville One is not infringing, and has not infringed, either directly, contributorily, or by inducement, any valid and enforceable claim of the '57546 and '17546 Patents, either literally, or by application of the doctrine of equivalents;

C. A declaration that the '57546 and '17546 Patents are invalid and unenforceable;

D. A finding that this is an exceptional case and award to Seville One its reasonable attorneys' fees, expenses, and costs under 35 U.S.C. § 285; and

[3] This list of prior art is non-exhaustive and non-limiting. Seville One expressly reserves the right to rely on additional prior art in support of its invalidity counterclaim related to the '17546 patent.

EXHIBIT G

COUNTERCLAIMS IN

CIVIL ACTION NO. 3:22-cv-00678 (W.D.N.C.)

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA

ROVSHAN SADE, Plaintiff, vs. SEVILLE SOLAR TWO LLC, Defendant.	)))))))))	Case No. 3:22-cv-00678-MOC-DSC

DEFENDANT SEVILLE SOLAR TWO LLC ANSWER AND AFFIRMATIVE DEFENSES; COUNTERCLAIMS TO COMPLAINT; DEMAND FOR JURY TRIAL

Defendant Seville Solar Two LLC ("Seville Two"), by and through its attorneys, submits this Answer to Plaintiff Rovshan Sade's ("Sade") Original Complaint.

INTRODUCTION

1. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 1 of the Complaint and they are therefore denied.

2. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 2 of the Complaint.

3. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 3 of the Complaint.

4. Defendant admits that it has not licensed any patents from Plaintiff. Defendant denies the remaining allegations in paragraph 4 of the Complaint.

NATURE OF THE CASE

5. Defendant admits that the Complaint includes allegations the Defendant infringes U.S. Patent Nos. 9,057,546 ("the '57546 patent") and 9,917,546 ("the '17546 patent") under 35 U.S.C. § 271. Defendant denies the remaining allegations in paragraph 5 of the Complaint.

COUNT III

(Declaratory Judgment of Invalidity of the ’57546 Patent)

104. Seville Two incorporates by reference the above paragraphs above as through fully stated herein.

105. Sade filed a Complaint against Seville Two alleging that Seville Two has infringed claims 5 and 6 of the ’57546 Patent.

106. In its Complaint, Sade contends that the asserted claim of the ’57546 Patent is valid.

107. As a result of Sade’s Complaint and allegations, Seville Two has a reasonable apprehension that Sade will continue to assert claims 5 and 6 of the ’57546 Patent against Seville Two.

108. Accordingly, Sade has created a substantial, immediate, and real controversy between the parties as to the invalidity of the asserted claims of the ’57546 Patent.

109. Each asserted claim of the ’57546 Patent is invalid for failure to comply with one or more provisions of 35 U.S.C. §§ 101, 102, 103, and 112.

110. For example, numerous prior art references, alone or in combination, render at least asserted claims 5 and 6 of the ’57546 patent invalid under 35 U.S.C. §§ 102 and 103. A non-exhaustive list of prior art references that invalidate asserted claims 5 and 6 of the ’57546 patent under 35 U.S.C. §§ 102 and/or 103 includes, but is not limited to, the following prior art: U.S. Patent No. 7,958,886, U.S. Patent Publication No. 2010/0243827, Spanish Utility Model Publication No. 1066825, Spanish Utility Model Publication No. 1068808, and Spanish Patent No. 2320964.[2]

[2] This list of prior art is non-exhaustive and non-limiting. Seville One expressly reserves the right to rely on additional prior art in support of its invalidity counterclaim related to the ’57546 patent.

111. To the extent Seville Two understands Sade's apparent interpretation of asserted claim 5 of the '57546 patent, at least, by way of example but without limitation, the "a mounting assembly for rotatably mounting the panel assembly to the support frame, the mounting assembly comprising a mounting member rotatably connected to the support frame and a slot in said mounting member configured to receive the spine of the panel assembly;" limitations of claim 5 of the '57546 patent lacks written description, is not enabled, and is indefinite.

112. Sade is entitled to no relief for any claim related to the invalidity of the asserted claims of the '57546 Patent.

COUNT IV

(Declaratory Judgment of Invalidity of the '17546 Patent)

113. Seville Two incorporates by reference the above paragraphs above as through fully stated herein.

114. Sade filed a Complaint against Seville Two alleging that Seville Two has infringed claim 1 of the '17546 Patent.

115. In its Complaint, Sade contends that the asserted claim of the '17546 Patent is valid.

116. As a result of Sade's Complaint and allegations, Seville Two has a reasonable apprehension that Sade will continue to assert claim 1 of the '17546 Patent against Seville Two.

117. Accordingly, Sade has created a substantial, immediate, and real controversy between the parties as to the invalidity of the asserted claims of the '17546 Patent.

118. Each asserted claim of the '17546 Patent is invalid for failure to comply with one or more provisions of 35 U.S.C. §§ 101, 102, 103, and 112.

119. For example, numerous prior art references, alone or in combination, render at least asserted claim 1 of the '17546 patent invalid under 35 U.S.C. §§ 102 and 103. A non-exhaustive list of prior art references that invalidate asserted claim 1 of the '17546 patent under 35 U.S.C. §§

102 and/or 103 includes, but is not limited to, the following prior art: U.S. Patent No. 7,958,886, U.S. Patent Publication No. 2010/0243827, Spanish Utility Model Publication No. 1066825, Spanish Utility Model Publication No. 1068808, and Spanish Patent No. 2320964..[3]

120. To the extent Seville Two understands Sade's apparent interpretation of asserted claim 1 of the '17546 patent, at least, by way of example but without limitation, the "a mounting assembly for rotatably mounting the panel assembly to the support frame, said mounting assembly comprising: a mounting member configured to be rotatably connected to said support frame; and an open-ended slot in said mounting member configured to receive the central spine of the panel assembly." limitation of claim 1 of the '17546 patent lacks written description, is not enabled, and is indefinite.

121. Sade is entitled to no relief for any claim related to the invalidity of the asserted claims of the '17546 Patent.

PRAYER FOR RELIEF

WHEREFORE, Seville Two prays for relief as follows:

A. That the Court deny all relief to Sade requested in its Complaint;

B. A declaration that Seville Two is not infringing, and has not infringed, either directly, contributorily, or by inducement, any valid and enforceable claim of the '57546 and '17546 Patents, either literally, or by application of the doctrine of equivalents;

C. A declaration that the '57546 and '17546 Patents are invalid and unenforceable;

D. A finding that this is an exceptional case and award to Seville Two its reasonable attorneys' fees, expenses, and costs under 35 U.S.C. § 285; and

[3] This list of prior art is non-exhaustive and non-limiting. Seville One expressly reserves the right to rely on additional prior art in support of its invalidity counterclaim related to the '17546 patent.