

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

GREENTHREAD, LLC	)	
	)	
v.	)	CASE NO. 2:23-cv-00212-JRG
	)	(Lead Case)
OMNIVISION TECHNOLOGIES, INC.	)	

GREENTHREAD, LLC	)	
	)	
v.	)	CASE NO. 2:23-cv-00157-JRG
	)	(Member Case)
TEXAS INSTRUMENTS INCORPORATED	)	
	)	

GREENTHREAD, LLC	)	
	)	
v.	)	CASE NO. 2:23-cv-00179-JRG
	)	(Member Case)
AMS-OSRAM AG, OSRAM GMBH, & AMS	)	
SENSORS USA INC.	)	

**DEFENDANTS AMS-OSRAM AG’S, OSRAM GMBH’S, AND AMS SENSORS USA
INC.’S ANSWER AND COUNTERCLAIMS**

Defendants ams-OSRAM AG, OSRAM GmbH, and ams Sensors USA Inc. (collectively, “ams OSRAM”) submit their answer, defenses and counterclaims to Greenthread, LLC’s (“Plaintiff”) Original Complaint for Patent Infringement. For convenience, ams OSRAM answers Plaintiff’s allegations on a paragraph-by-paragraph basis, and retain the headings used by Plaintiff in its Complaint.

NATURE OF THE ACTION

1. ams OSRAM lacks sufficient knowledge or information to form a belief about the truth of the allegations in paragraph 1, and therefore denies the same.

2. ams OSRAM admits that the Complaint alleges that ams OSRAM has infringed and continues to infringe six patents purported to be owned by Plaintiff: U.S. Patent Nos. 8,421,195 (the “’195 Patent”), 9,190,502 (the “’502 Patent”), 10,510,842 (the “’842 Patent”), 10,734,481 (the “’481 Patent”), 11,121,222 (the “’222 Patent”), and 11,316,014 (the “’014 Patent”), (collectively, the “Asserted Patents”). ams OSRAM admits documents marked as Exhibits 1-6 were attached to the Complaint. ams OSRAM denies the remaining allegations in Paragraph 2.

THE PARTIES

3. ams OSRAM lacks sufficient knowledge or information to form a belief about the truth of the allegations in paragraph 3, and therefore denies the same.

4. ams OSRAM admits that ams-OSRAM AG is a foreign corporation organized and existing under the laws of Austria and has its office located at Tobelbader Strasse 30, 8141 Premstaetten Austria. The remaining allegations in paragraph 4 are legal conclusions to which no response is required. To the extent a response is required, the allegations are denied.

5. ams OSRAM admits that OSRAM GmbH is a foreign corporation organized and existing under the laws of Germany and has its office located at Marcel-Breuer-Strasse 4, 80807 Munich, Germany. The remaining allegations in paragraph 5 are legal conclusions to which no response is required. To the extent a response is required, the allegations are denied.

6. ams OSRAM admits that ams Sensors USA Inc. is organized and exists under the laws of Nevada and has an office located at 5556 Tennyson Parkway, Plano, Texas 75024. ams OSRAM admits that ams Sensors USA Inc. is a wholly-owned indirect subsidiary of ams-OSRAM

AG. ams OSRAM admits that ams Sensors USA Inc. lists the address at 5556 Tennyson Parkway, Plano, Texas 75024 on Nevada's corporate registration. The remaining allegations in paragraph 6 are legal conclusions to which no response is required. To the extent a response is required, the allegations are denied.

7. ams OSRAM admits that ams Sensors USA, Inc. is a wholly-owned indirect subsidiary of ams-OSRAM AG. The remaining allegations in paragraph 7 are legal conclusions to which no response is required. To the extent a response is required, the allegations are denied.

8. With the understanding that the terms "AMS OSRAM enterprise" and "AMS-OSRAM" as used in this paragraph refer collectively to various affiliates of Defendant ams-OSRAM AG, admitted.

SUBJECT MATTER JURISDICTION

9. ams OSRAM admits that the Complaint purports to allege patent infringement. The remaining allegations in paragraph 9 are legal conclusions to which no response is required. To the extent a response is required, the allegations are denied.

10. Denied.

PERSONAL JURISDICTION AND VENUE

11. ams OSRAM admits that ams Sensors USA Inc. is a Nevada corporation and associates the address at 5556 Tennyson Parkway, Plano, Texas 75024 on Nevada's corporate registration with ams Sensors USA Inc.'s officers and directors. The remaining allegations in paragraph 11 are legal conclusions to which no response is required. To the extent a response is required, the allegations are denied.

12. ams OSRAM admits that the complaint cites to <https://ams-osram.com/about-us/locations-distribution/headquarters>. The remaining allegations in paragraph 12 are denied.

13. ams OSRAM admits that ams Sensors USA Inc. sells products manufactured by ams-OSRAM AG. ams OSRAM further admits that ams-OSRAM AG manufactures some of the Accused Products. The remaining allegations in paragraph 13 are denied.

14. ams OSRAM admits that the complaint quotes from ams-osram.com, which speaks for itself. The remaining allegations in paragraph 14 are denied.

15. Denied.

16. Denied.

17. ams OSRAM admits that the complaint attempts to cite https://ams.com/documents/20143/6015057/TMF882X_DS000693_5-00.pdf, which is a broken link and does not open any advertisements. ams OSRAM further admits that the TMF8828 is designed to meet the Class 1 laser safety limits and complies with 21 CFR 1040.10 and 1040.11. The remaining allegations in paragraph 17 are denied.

18. ams OSRAM admits that ams-OSRAM AG owns the www.ams-osram.com domain. The remaining allegations in paragraph 18 are denied.

19. ams OSRAM admits that its website includes links to purchase its products from various distributors, including Mouser Electronics. The remaining allegations in paragraph 19 are denied.

20. ams OSRAM admits that ams Sensors USA Inc. maintains a principal place of business at 5556 Tennyson Parkway, Plano, Texas 75024. The remaining allegations in paragraph 20 are denied.

21. Denied.

22. Denied.

THE GREENTHREAD PATENTS

23. ams OSRAM admits a document marked as Exhibit 1 was attached to the Complaint, U.S. Patent No. 8,421,195 (the “’195 Patent”), which speaks for itself. ams OSRAM denies any remaining allegations in paragraph 23.

24. ams OSRAM admits a document marked as Exhibit 2 was attached to the Complaint, U.S. Patent No. 9,190,502 (the “’502 Patent”), which speaks for itself. ams OSRAM denies any remaining allegations in paragraph 24.

25. ams OSRAM admits a document marked as Exhibit 3 was attached to the Complaint, U.S. Patent No. 10,510,842 (the “’842 Patent”), which speaks for itself. ams OSRAM denies any remaining allegations in paragraph 25.

26. ams OSRAM admits a document marked as Exhibit 4 was attached to the Complaint, U.S. Patent No. 10,734,481 (the “’481 Patent”), which speaks for itself. ams OSRAM denies any remaining allegations in paragraph 26.

27. ams OSRAM admits a document marked as Exhibit 5 was attached to the Complaint, U.S. Patent No. 11,121,222 (the “’222 Patent”), which speaks for itself. ams OSRAM denies any remaining allegations in paragraph 27.

28. ams OSRAM admits a document marked as Exhibit 6 was attached to the Complaint, U.S. Patent No. 11,316,014 (the “’014 Patent”), which speaks for itself. ams OSRAM denies any remaining allegations in paragraph 28.

29. Paragraph 29 does not require a response. To the extent a response is required, the allegations are denied.

30. ams OSRAM admits documents marked as Exhibit 7 were attached to the Complaint, purporting to be an assignment bearing a filing date of May 13, 2015 and an assignment

bearing a filing date of July 22, 2021. ams OSRAM lacks sufficient knowledge or information to form a belief about the truth of the remaining allegations in paragraph 30, and therefore denies the same.

31. ams OSRAM lacks sufficient knowledge or information to form a belief about the truth of the allegations in paragraph 31, and therefore denies the same.

32. Denied.

FACTUAL BACKGROUND

33. ams OSRAM lacks sufficient knowledge or information to form a belief about the truth of the allegations in paragraph 33, and therefore denies the same.

34. ams OSRAM lacks sufficient knowledge or information to form a belief about the truth of the allegations in paragraph 34, and therefore denies the same.

35. ams OSRAM lacks sufficient knowledge or information to form a belief about the truth of the allegations in paragraph 35, and therefore denies the same.

36. ams OSRAM lacks sufficient knowledge or information to form a belief about the truth of the allegations in paragraph 36, and therefore denies the same.

37. ams OSRAM lacks sufficient knowledge or information to form a belief about the truth of the allegations in paragraph 37, and therefore denies the same.

38. ams OSRAM lacks sufficient knowledge or information to form a belief about the truth of the allegations in paragraph 38, and therefore denies the same.

39. ams OSRAM lacks sufficient knowledge or information to form a belief about the truth of the allegations in paragraph 39, and therefore denies the same.

40. ams OSRAM lacks sufficient knowledge or information to form a belief about the truth of the allegations in paragraph 40, and therefore denies the same.

41. ams OSRAM denies that Dr. Rao invented graded dopants to create a “drift layer” to facilitate the movement of carriers, as graded dopants have been used in semiconductor devices long before the priority date of the Asserted Patents. ams OSRAM lacks sufficient knowledge or information to form a belief about the truth of the remaining allegations in paragraph 41, and therefore denies the same.

42. ams OSRAM lacks sufficient knowledge or information to form a belief about the truth of the allegations in paragraph 42, and therefore denies the same.

AMS-OSRAM'S INFRINGEMENT

43. Denied.

44. Denied.

45. Denied.

COUNT I: INFRINGEMENT OF THE U.S. PATENT NO. 8,421,195

46. ams OSRAM repeats and realleges its answers to the preceding paragraphs as if fully set forth herein.

47. Paragraph 47 does not require a response. To the extent a response is required, the allegations are denied.

48. Denied.

49. Denied.

50. Denied.

51. Denied.

52. Denied.

COUNT II: INFRINGEMENT OF U.S. PATENT NO. 9,190,502

53. ams OSRAM repeats and realleges its answers to the preceding paragraphs as if fully set forth herein.

54. Paragraph 54 does not require a response. To the extent a response is required, the allegations are denied.

55. Denied.

56. Denied.

57. Denied.

58. Denied.

COUNT III: INFRINGEMENT OF THE U.S. PATENT NO. 10,510,842

59. ams OSRAM repeats and realleges its answers to the preceding paragraphs as if fully set forth herein.

60. Paragraph 60 does not require a response. To the extent a response is required, the allegations are denied.

61. Denied.

62. Denied.

63. Denied.

64. Denied.

COUNT IV: INFRINGEMENT OF THE U.S. PATENT NO. 10,734,481

65. ams OSRAM repeats and realleges its answers to the preceding paragraphs as if fully set forth herein.

66. Paragraph 66 does not require a response. To the extent a response is required, the allegations are denied.

67. Denied.

68. Denied.

69. Denied.

70. Denied.

COUNT V: INFRINGEMENT OF U.S. PATENT NO. 11,121,222

71. ams OSRAM repeats and realleges its answers to the preceding paragraphs as if fully set forth herein.

72. Paragraph 72 does not require a response. To the extent a response is required, the allegations are denied.

73. Denied.

74. Denied.

75. Denied.

76. Denied.

COUNT VI: INFRINGEMENT OF U.S. PATENT NO. 11,316,014

77. ams OSRAM repeats and realleges its answers to the preceding paragraphs as if fully set forth herein.

78. Paragraph 78 does not require a response. To the extent a response is required, the allegations are denied.

79. Denied.

80. Denied.

81. Denied.

82. Denied.

DAMAGES

83. Denied.

DEMAND FOR JURY TRIAL

The jury demand requires neither admission nor denial.

PRAYER FOR RELIEF

In answer to Plaintiff's Prayer for Relief, ams OSRAM denies that Plaintiff is entitled to any of the relief request in paragraphs A-G, or to any relief whatsoever from ams OSRAM. ams OSRAM specifically denies committing, or being liable for, any act of infringement.

AFFIRMATIVE DEFENSES

84. ams OSRAM asserts the following affirmative and other defenses in response to Plaintiff's claim for patent infringement, without waiving or conceding which party or parties carry the burden of proof with respect to any such affirmative or other defense.

85. ams OSRAM's investigation of its defenses is continuing. Accordingly, ams OSRAM expressly reserves the right to allege and assert any additional affirmative or other defenses under Rule 8 of the Federal Rules of Civil Procedure, the patent laws of the United States, and any other defense, at law or in equity, that may now exist or in the future be available based upon discovery and further investigation in this case.

First Defense: Non-Infringement

86. ams OSRAM has not infringed and does not infringe any of the claims of the '195 Patent literally, under the doctrine of equivalents, directly, contributorily, by inducement, or in any other manner.

87. ams OSRAM has not infringed and does not infringe any of the claims of the '502 Patent literally, under the doctrine of equivalents, directly, contributorily, by inducement, or in any other manner.

88. ams OSRAM has not infringed and does not infringe any of the claims of the '842 Patent literally, under the doctrine of equivalents, directly, contributorily, by inducement, or in any other manner.

89. ams OSRAM has not infringed and does not infringe any of the claims of the '481 Patent literally, under the doctrine of equivalents, directly, contributorily, by inducement, or in any other manner.

90. ams OSRAM has not infringed and does not infringe any of the claims of the '222 Patent literally, under the doctrine of equivalents, directly, contributorily, by inducement, or in any other manner.

91. ams OSRAM has not infringed and does not infringe any of the claims of the '014 Patent literally, under the doctrine of equivalents, directly, contributorily, by inducement, or in any other manner.

Second Defense: Invalidity

92. The claims of the '195 Patent are invalid for failing to comply with the conditions and requirements for patentability as set forth in the United States Patent Laws, Title 35 U.S.C., including for example §§ 102, 103, and/or 112.

93. The claims of the '502 Patent are invalid for failing to comply with the conditions and requirements for patentability as set forth in the United States Patent Laws, Title 35 U.S.C., including for example §§ 102, 103, and/or 112.

94. The claims of the '842 Patent are invalid for failing to comply with the conditions and requirements for patentability as set forth in the United States Patent Laws, Title 35 U.S.C., including for example §§ 102, 103, and/or 112, and the rules, regulations, and laws pertaining thereto.

95. The claims of the '481 Patent are invalid for failing to comply with the conditions and requirements for patentability as set forth in the United States Patent Laws, Title 35 U.S.C., including for example §§ 102, 103, and/or 112, and the rules, regulations, and laws pertaining thereto.

96. The claims of the '222 Patent are invalid for failing to comply with the conditions and requirements for patentability as set forth in the United States Patent Laws, Title 35 U.S.C., including for example §§ 102, 103, and/or 112, and the rules, regulations, and laws pertaining thereto.

97. The claims of the '014 Patent are invalid for failing to comply with the conditions and requirements for patentability as set forth in the United States Patent Laws, Title 35 U.S.C., including for example §§ 102, 103, and/or 112, and the rules, regulations, and laws pertaining thereto.

Third Defense: Failure to State a Claim upon Which Relief Can Be Granted

98. Plaintiff's Complaint fails to state a claim upon which relief may be granted.

Fourth Defense: Limitation on Damages

99. Plaintiff's claim for relief is barred, in whole or in part, by 35 U.S.C. §§ 286, 287, and/or 288.

100. For example, and without limitation, Plaintiff is barred from recovering damages from ams OSRAM prior to the date of the complaint, based on Plaintiff's and its licensees' failure to mark products that practice one or more claims of the Asserted Patents.

Fifth Defense: Equitable Doctrines

101. Plaintiff's claims are barred, in whole or in part, by the doctrines of estoppel, waiver, acquiescence, misuse, and/or unclean hands.

Sixth Defense: Exhaustion

102. Plaintiff's claims are barred, in whole or in part, by the doctrines of patent exhaustion and/or implied license.

Seventh Defense: Adequate Relief at Law

103. To the extent Plaintiff seeks injunctive relief for the alleged infringement, Plaintiff is not entitled to injunctive relief, including because any alleged injury is not immediate or irreparable, and Plaintiff has an adequate remedy at law.

Eighth Defense: No Attorney's Fees

104. Plaintiff is not entitled to attorneys' fees under 35 U.S.C. § 285.

Ninth Defense: No Personal Jurisdiction

105. ams-OSRAM AG is a foreign corporation organized and existing under the laws of Austria and this Court lacks personal jurisdiction over ams-OSRAM AG.

106. OSRAM GmbH is a foreign corporation organized and existing under the laws of Germany and this Court lacks personal jurisdiction over OSRAM GmbH.

Tenth Defense: No Standing

107. Plaintiff lacks constitutional and prudential standing to bring this action because it is not the owner of all right and title to the Patents-in-Suit.

108. On September 30, 2003, G.R. Mohan Rao executed an assignment to GlobiTech Incorporated transferring the entire right, title, and interest in the inventions described in U.S. Patent Application No. 10/664,091, which issued as U.S. Patent No. 6,921,943.

109. As part of the assignment, G.R. Mohan Rao agreed to transfer to GlobiTech Incorporated “any improvements on said invention or inventions now or hereafter made by us during the period of our employment,” as well as “the entire right, title and interest in and to any and all patents or reissues or extensions thereof to be obtained in this or any foreign country upon said invention, inventions, or improvements.”

110. U.S. Patent No. 6,921,943 describes using a graded dopant concentration to aid minority carrier movement down towards and into the substrate.

111. Upon information and belief, the Patents-in-Suit were conceived or reduced to practice during the period of G.R. Mohan Rao’s employment with GlobiTech Incorporated.

112. The Patents-in-Suit are improvements on U.S. Patent No. 6,921,943.

113. GlobiTech Incorporated is the lawful owner of the Patents-in-Suit.

114. Thus, Plaintiff lacks both constitutional and prudential standing to bring this lawsuit.

COUNTERCLAIMS FOR DECLARATORY JUDGMENT

ams Sensors USA Inc. (“ams Sensors USA”) brings the following counterclaims against Greenthread, LLC (“Plaintiff”):

PARTIES

1. ams Sensors USA is a Nevada corporation with a principal place of business at 5556 Tennyson Parkway, Plano, Texas 75024.

2. Upon information and belief, Plaintiff is a Texas limited liability company with a principal place of business at 7424 Mason Dells Drive, Dallas, Texas 75230.

JURISDICTION AND VENUE

3. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331, 1338(a), 2201, and 2202, and the Patent Laws of the United States, 35 U.S.C. § 1, *et seq.*

4. This Court has personal jurisdiction over Plaintiff because Plaintiff has voluntarily submitted to personal jurisdiction in this District by filing the Complaint to which these counterclaims relate.

5. Without waiving ams Sensors USA's own challenge to venue, and assuming this Court determines that venue is proper, ams Sensors USA alternatively asserts venue is also proper in this judicial district because Plaintiff has voluntarily submitted to jurisdiction in this District by filing the Complaint to which these counterclaims relate.

FACTS

6. Plaintiff alleges it owns U.S. Patent Nos. 8,421,195 (the "'195 Patent"), 9,190,502 (the "'502 Patent"), 10,510,842 (the "'842 Patent"), 10,734,481 (the "'481 Patent"), 11,121,222 (the "'222 Patent"), and 11,316,014 (the "'014 Patent"), (collectively, the "Asserted Patents") and that ams Sensors USA infringes one or more claims of the Asserted Patents.

7. ams Sensors USA denies it infringes any valid and enforceable claim of the Asserted Patents and contend that the claims of the Asserted Patents are invalid and not infringed.

COUNT I

DECLARATORY JUDGMENT OF PATENT INVALIDITY

8. ams Sensors USA repeats and incorporates by reference the allegations in the preceding paragraphs as if fully set forth herein.

9. The claims of the '195 Patent are invalid for failing to comply with the conditions and requirements for patentability as set forth in the United States Patent Laws, Title 35 U.S.C., including for example §§ 102, 103, and/or 112, and the rules, regulations, and laws pertaining thereto.

COUNT II

DECLARATORY JUDGMENT OF PATENT INVALIDITY

10. ams Sensors USA repeats and incorporates by reference the allegations in the preceding paragraphs as if fully set forth herein.

11. The claims of the '502 Patent are invalid for failing to comply with the conditions and requirements for patentability as set forth in the United States Patent Laws, Title 35 U.S.C., including for example §§ 102, 103, and/or 112, and the rules, regulations, and laws pertaining thereto.

COUNT III

DECLARATORY JUDGMENT OF PATENT INVALIDITY

12. ams Sensors USA repeats and incorporates by reference the allegations in the preceding paragraphs as if fully set forth herein.

13. The claims of the '842 Patent are invalid for failing to comply with the conditions and requirements for patentability as set forth in the United States Patent Laws, Title 35 U.S.C., including for example §§ 102, 103, and/or 112, and the rules, regulations, and laws pertaining thereto.

COUNT IV

DECLARATORY JUDGMENT OF PATENT INVALIDITY

14. ams Sensors USA repeats and incorporates by reference the allegations in the preceding paragraphs as if fully set forth herein.

15. The claims of the '481 Patent are invalid for failing to comply with the conditions and requirements for patentability as set forth in the United States Patent Laws, Title 35 U.S.C., including for example §§ 102, 103, and/or 112, and the rules, regulations, and laws pertaining thereto.

COUNT V

DECLARATORY JUDGMENT OF PATENT INVALIDITY

16. ams Sensors USA repeats and incorporates by reference the allegations in the preceding paragraphs as if fully set forth herein.

17. The claims of the '222 Patent are invalid for failing to comply with the conditions and requirements for patentability as set forth in the United States Patent Laws, Title 35 U.S.C., including for example §§ 102, 103, and/or 112, and the rules, regulations, and laws pertaining thereto.

COUNT VI

DECLARATORY JUDGMENT OF PATENT INVALIDITY

18. ams Sensors USA repeats and incorporates by reference the allegations in the preceding paragraphs as if fully set forth herein.

19. The claims of the '014 Patent are invalid for failing to comply with the conditions and requirements for patentability as set forth in the United States Patent Laws, Title 35 U.S.C.,

including for example §§ 102, 103, and/or 112, and the rules, regulations, and laws pertaining thereto.

20. Thus, ams Sensors USA seeks a declaratory judgment that all the claims of the Asserted Patents are invalid.

COUNT VII

DECLARATORY JUDGMENT OF NON-INFRINGEMENT

21. ams Sensors USA repeats and incorporates by reference the allegations in the preceding paragraphs as if fully set forth herein.

22. ams Sensors USA has not infringed and does not infringe any of the claims of the '195 Patent literally, under the doctrine of equivalents, directly, contributorily, by inducement, or in any other manner.

COUNT VIII

DECLARATORY JUDGMENT OF NON-INFRINGEMENT

23. ams Sensors USA repeats and incorporates by reference the allegations in the preceding paragraphs as if fully set forth herein.

24. ams Sensors USA has not infringed and does not infringe any of the claims of the '502 Patent literally, under the doctrine of equivalents, directly, contributorily, by inducement, or in any other manner.

COUNT IX

DECLARATORY JUDGMENT OF NON-INFRINGEMENT

25. ams Sensors USA repeats and incorporates by reference the allegations in the preceding paragraphs as if fully set forth herein.

26. ams Sensors USA has not infringed and does not infringe any of the claims of the '842 Patent literally, under the doctrine of equivalents, directly, contributorily, by inducement, or in any other manner.

COUNT X

DECLARATORY JUDGMENT OF NON-INFRINGEMENT

27. ams Sensors USA repeats and incorporates by reference the allegations in the preceding paragraphs as if fully set forth herein.

28. ams Sensors USA has not infringed and does not infringe any of the claims of the '481 Patent literally, under the doctrine of equivalents, directly, contributorily, by inducement, or in any other manner.

COUNT XI

DECLARATORY JUDGMENT OF NON-INFRINGEMENT

29. ams Sensors USA repeats and incorporates by reference the allegations in the preceding paragraphs as if fully set forth herein.

30. ams Sensors USA has not infringed and does not infringe any of the claims of the '222 Patent literally, under the doctrine of equivalents, directly, contributorily, by inducement, or in any other manner.

COUNT XII

DECLARATORY JUDGMENT OF NON-INFRINGEMENT

31. ams Sensors USA repeats and incorporates by reference the allegations in the preceding paragraphs as if fully set forth herein.

32. ams Sensors USA has not infringed and does not infringe any of the claims of the '014 Patent literally, under the doctrine of equivalents, directly, contributorily, by inducement, or in any other manner.

33. Thus, ams Sensors USA seeks a declaratory judgment that ams Sensors USA has not infringed and does not infringe any valid claim of the Asserted Patents.

JURY DEMAND

34. ams Sensors USA demands a trial by jury on all issues so triable.

PRAYER FOR RELIEF

WHEREFORE, ams Sensors USA respectfully requests the following relief:

- A. Dismissal with prejudice of Plaintiff's Complaint;
- B. A judgment declaring that ams Sensors USA has not and does not infringe any of the claims of the Asserted Patents literally, under the doctrine of equivalents, directly, contributorily, by inducement, or in any other manner;
- C. A judgment declaring that all the claims of the Asserted Patents are invalid;
- D. A judgment that this case is exceptional under 35 U.S.C. § 285, and that Plaintiff be required to pay ams Sensors USA its reasonable attorneys' fees, costs, and expenses, and pre- and post-judgment interest; and
- E. Such other relief that the Court may deem just and proper and to which ams Sensors USA is entitled.

Dated: September 7, 2023

Respectfully Submitted,

/s/ Charles S. Baker

Charles S. Baker

Attorney-in-Charge

Texas State Bar No. 01566200

cbaker@lockelord.com

Daniel G. Nguyen

Texas State Bar No. 24025560

dnguyen@lockelord.com

Ryan E. Dornberger

Texas State Bar No. 24121388

ryan.dornberger@lockelord.com

Emma A. Bennett

Texas State Bar No. 24131250

emma.bennett@lockelord.com

LOCKE LORD LLP

600 Travis St., Suite 2800

Houston, Texas 77002

(713) 226-1200 Telephone

(214) 223-3717 Facsimile

Mark Hannemann (*pro hac vice*)

New York State Bar No. 2770709

mark.hannemann@lockelord.com

LOCKE LORD LLP

Brookfield Place

200 Vesey Street, 20th Floor

New York, NY 10281

(212)-415-8600 Telephone

(212)-303-2754 Facsimile

**ATTORNEYS FOR DEFENDANTS, AMS-
OSRAM AG, OSRAM GMBH, AND AMS
SENSORS USA INC.**

CERTIFICATE OF SERVICE

I hereby certify that, on September 7, 2023, a true and correct copy of the foregoing document was served on all counsel of record through the Court's CM/ECF system.

/s/ Charles S. Baker
Charles S. Baker