

UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, DC

The Honorable Clark S. Cheney
Administrative Law Judge

IN THE MATTER OF

CERTAIN LIGHT-EMITTING DIODE
PRODUCTS, SYSTEMS, AND
COMPONENTS THEREOF

Investigation Nos. 337-TA-1163
337-TA-1168

**RESPONSE OF MLS AND LEDVANCE RESPONDENTS TO
THE AMENDED COMPLAINT AND NOTICE OF INVESTIGATION**

Bert C. Reiser
Jamie D. Underwood
Holly K. Victorson
LATHAM & WATKINS LLP
555 Eleventh Street, NW
Suite 1000
Washington, DC 20004
Telephone: (202) 637-2200
Facsimile: (202) 637-2201

Charles H. Sanders
Christopher W. Henry
Nathanial J. McPherson
LATHAM & WATKINS LLP
200 Clarendon Street
Boston, MA 02116
Telephone: (617) 948-6000
Facsimile: (617) 948-6001

Counsel for Respondents
MLS Co., Ltd., LEDVANCE GmbH, and
LEDVANCE LLC

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RESPONSE TO AMENDED COMPLAINT

Pursuant to U.S. International Trade Commission (“ITC” or “Commission”) Rule 210.13 (19 C.F.R. § 210.13), Respondents LEDVANCE GmbH and LEDVANCE LLC (together, “LEDVANCE”) and Respondent MLS Co., Ltd. (“MLS”) (collectively, “MLS/LEDVANCE Respondents”) respond to the Amended Complaint filed on May 20, 2019, by Complainants Lighting Science Group Corporation (“LSG”); Healthe, Inc. (“Healthe”); and Global Value Lighting, LLC (“GVL”) (collectively, “Complainants”), under Section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337) (“Section 337”), and to the Commission’s June 20, 2019, Notice of Investigation.

The MLS/LEDVANCE Respondents deny they have engaged in the unlawful sale for importation into the United States, importation into the United States, and/or sale within the United States after importation of any product accused by Complainants to infringe, literally or under the doctrine of equivalents, directly or indirectly, any asserted claim of U.S. Patent Nos. 7,098,483 (“’483 Patent”), 7,095,053 (“’053 Patent”), 7,528,421 (“’421 Patent”), 8,506,118 (“’118 Patent”), and 8,674,608 (“’608 Patent”) (collectively, “Asserted Patents”). The MLS/LEDVANCE Respondents also deny that claims 11, 14, and 16 of ’483 Patent; claims 7, 11, 14, 22, 26, and 29 of the ’053 Patent; claims 1, 2, 6, 7, and 10 of the ’421 Patent; claims 1, 2, 5, 10, 12, 14, 15, 17, and 18 of the ’118 Patent; and claims 20–22, 24, 28, and 37 of the ’608 Patent (collectively, “Asserted Claims”) are valid and/or enforceable. The MLS/LEDVANCE Respondents also deny that Complainants’ false advertising and infringement claims of U.S. Patent Nos. 8,201,968 (“’968 Patent”) and 8,967,844 (“’844 Patent”) are at issue in these Investigations. (*See Certain Light-Emitting Diode Prods., Sys., and Components Thereof (I)* (“*LED I*”), Inv. No. 337-TA-1163, Order No. 5 (July 11, 2019); *LED I*, Notice of Institution of Investigation (June 20, 2019) (“*LED I* Notice”).) Except as

expressly admitted herein, the MLS/LEDVANCE Respondents deny the allegations of the Amended Complaint.

The MLS/LEDVANCE Respondents have not had sufficient time and opportunity to collect and review all of the information that may be relevant and necessary to respond to the allegations raised in the Amended Complaint. To the extent any allegations therein refer to and/or rely upon such information, the MLS/LEDVANCE Respondents lack sufficient information on which to admit or deny such allegations and, on that basis, deny them. Moreover, the MLS/LEDVANCE Respondents reserve the right to take further positions and raise additional defenses as may become apparent as a result of additional information that may be discovered subsequent to the filing of this response.

ADMISSIONS AND DENIALS OF SPECIFIC ALLEGATIONS

The numbered Paragraphs herein correspond with and respond to the numbered Paragraphs set forth in the Amended Complaint.

I. INTRODUCTION¹

1. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

2. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

3. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

¹ For ease of reference, the MLS/LEDVANCE Respondents respond to the Amended Complaint using the same headings provided by Complainants. Use of these headings, however, does not constitute and should not be interpreted as admissions by MLS/LEDVANCE Respondents as to any facts and/or allegations contained within the Amended Complaint.

4. The MLS/LEDVANCE Respondents deny that they have engaged in the unlawful sale for importation into the United States, importation into the United States, and/or sale within the United States after importation of any product accused by Complainants to infringe, literally or under the doctrine of equivalents, directly or indirectly, any valid and enforceable Asserted Claim. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

5. The MLS/LEDVANCE Respondents admit that Complainants filed an Amended Complaint pursuant to Section 337. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims and infringement claims of the '968 and '844 Patents are at issue in these Investigations. (*LED I* Order No. 5 and Notice.) The MLS/LEDVANCE Respondents deny the remaining allegations of this paragraph.

6. The MLS/LEDVANCE Respondents admit that Complainants in their Amended Complaint proposed as Respondents the entities listed in this paragraph. The MLS/LEDVANCE Respondents further admit that Complainants in their Amended Complaint have accused one or more Respondents of infringement of the enumerated claims in this paragraph. The MLS/LEDVANCE Respondents further admit that the Accused Products in these Investigations are: (1) LED packages and assemblies; (2) LED luminaires; and (3) connected "smart" LED lighting systems and components thereof. (*LED I* Order No. 5 and Notice.) The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 and '844 Patents are at issue in these Investigations. (*Id.*) The MLS/LEDVANCE Respondents further deny "LED downlights, including LED canister retrofits and low-profile LED downlights" are Accused Products in these Investigations. (*Id.*) The MLS/LEDVANCE Respondents further deny that any of their Accused Products directly or indirectly infringes any Asserted Claim. The

MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations contained in this paragraph regarding other Respondents or third parties and, on that basis, deny them. The MLS/LEDVANCE Respondents deny the remaining allegations of this paragraph.

7. The MLS/LEDVANCE Respondents admit that Complainants have accused one or more Respondents of infringement of certain claims of the patents enumerated in this paragraph. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 and '844 Patents are at issue in these Investigations. (*LED I* Order No. 5 and Notice.) The MLS/LEDVANCE Respondents further deny that any of their Accused Products directly or indirectly infringes any Asserted Claim. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations contained in this paragraph regarding Respondents other than MLS/LEDVANCE Respondents and, on that basis, deny them. The MLS/LEDVANCE Respondents further deny the remaining allegations of this paragraph.

8. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 and '844 Patents are at issue in these Investigations. (*LED I* Order No. 5 and Notice.) The MLS/LEDVANCE Respondents admit that U.S. Patent Application Pub. No. US 2018/0084633 A1, assigned to LEDVANCE GmbH, cites to the '421 patent. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

9. The MLS/LEDVANCE Respondents admit that Complainants seek the remedies listed in this paragraph. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims and their infringement claims of the '968 and '844 Patents are at issue in these Investigations. (*LED I* Order No. 5 and Notice.) The MLS/LEDVANCE Respondents further

deny that any of their Accused Products directly or indirectly infringes one or more of the patent claims at issue. The MLS/LEDVANCE Respondents further deny that Complainants are entitled to any of the relief they seek in these Investigations. The MLS/LEDVANCE Respondents deny the remaining allegations of this paragraph.

II. COMPLAINANTS

A. Lighting Science Group Corporation

10. The MLS/LEDVANCE Respondents admit that Lighting Science Group Corporation is a Delaware corporation. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

11. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and on that basis, deny them.

12. The MLS/LEDVANCE Respondents deny that “LSG has been at the frontier of LED technological innovation.” The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

13. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

14. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

15. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

16. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

17. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

18. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

19. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

20. The MLS/LEDVANCE Respondents deny that LSG has “been at the forefront of innovations in the connected lighting space.” The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

21. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

22. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

23. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

24. The MLS/LEDVANCE Respondents deny that “LSG has contributed significantly to the United States economy.” The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

25. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

26. The MLS/LEDVANCE Respondents deny that the “Asserted Patents reflect LSG’s innovative contributions to the LED lighting industry.” The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

B. Healthe Incorporated

27. The MLS/LEDVANCE Respondents admit that Healthe, Inc. is a Delaware corporation. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

28. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

29. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

C. Global Value Lighting, LLC

30. Admitted.

31. The MLS/LEDVANCE Respondents admit that GVL is in the business of selling private-label LED lighting products, that GVL was founded as a majority-owned subsidiary of LSG in 2017, and that GVL is a licensee of the Asserted Patents. The MLS/LEDVANCE Respondents deny the remaining allegations of this paragraph.

III. RESPONDENTS

A. Nichia Respondents

32. The MLS/LEDVANCE Respondents admit that Nichia Corporation is a Japanese company. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

33. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

34. The MLS/LEDVANCE Respondents admit that Nichia America Corporation is a Michigan company. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

35. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

36. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

37. The MLS/LEDVANCE Respondents admit that Complainants refer to Nichia Corporation and Nichia America Corporation as the “Nichia Respondents” in the Amended Complaint.

B. Cree Respondents

38. The MLS/LEDVANCE Respondents admit that Cree, Inc. is a North Carolina corporation. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

39. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

40. The MLS/LEDVANCE Respondents admit that Cree Hong Kong Limited is a Hong Kong company. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

41. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

42. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

43. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

44. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

45. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

46. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

47. The MLS/LEDVANCE Respondents admit that Complainants refer to Cree, Inc.; Cree Hong Kong, Limited; and Cree Huizhou Solid State Lighting Company Limited as the “Cree Respondents” in the Amended Complaint.

C. OSRAM Respondents

48. The MLS/LEDVANCE Respondents admit that OSRAM Licht AG is a German company. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

49. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

50. The MLS/LEDVANCE Respondents admit that OSRAM GmbH is a German company. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

51. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

52. The MLS/LEDVANCE Respondents admit that OSRAM Opto Semiconductors GmbH is a German company. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

53. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

54. The MLS/LEDVANCE Respondents admit that OSRAM Opto Semiconductors Inc. is a Delaware corporation. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

55. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

56. The MLS/LEDVANCE Respondents admit that Complainants refer to OSRAM GmbH; OSRAM Licht AG; OSRAM Opto Semiconductors GmbH; and OSRAM Opto Semiconductors, Inc. as the “OSRAM Respondents” in the Amended Complaint.

57. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

D. Lumileds Respondents

58. The MLS/LEDVANCE Respondents admit that Lumileds Holding B.V. is a company in the Netherlands. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

59. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

60. The MLS/LEDVANCE Respondents admit that Lumileds LLC is a Delaware company. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

61. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

62. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

63. The MLS/LEDVANCE admit that Complainants refer to Lumileds Holding B.V. and Lumileds, LLC as the “Lumileds Respondents” in the Amended Complaint.

E. Signify Respondents

64. The MLS/LEDVANCE Respondents admit that Signify N.V. is a company in the Netherlands. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

65. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

66. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

67. The MLS/LEDVANCE Respondents admit that Signify North America Corporation is a Delaware corporation. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

68. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

69. The MLS/LEDVANCE Respondents admit that Complainants refer to Signify N.V. and Signify North America Corporation as the “Signify Respondents” in the Amended Complaint.

F. MLS Respondents

70. Admitted.

71. The MLS/LEDVANCE Respondents deny that MLS Co., Ltd., directly or through its affiliates, has engaged in the unlawful sale for importation into the United States, importation into the United States, and/or sale within the United States after importation of any product accused by Complainants to infringe, literally or under the doctrine of equivalents, directly or indirectly, any valid and enforceable Asserted Claim. The MLS/LEDVANCE Respondents admit that LEDVANCE LLC has imported into the United States, sold for importation into the United States, and/or sold after importation into the United States certain Accused Products. The MLS/LEDVANCE Respondents deny the remaining allegations of this paragraph.

72. The MLS/LEDVANCE Respondents admit that LEDVANCE GmbH is a privately held German company with its principal place of business at Parkring 29-33, 85748 Garching, Germany. The MLS/LEDVANCE Respondents further admit that LEDVANCE GmbH is wholly owned by MLS Co., Ltd. The MLS/LEDVANCE Respondents further admit that, in March 2017, MLS Co., Ltd. and others acquired LEDVANCE GmbH from OSRAM. The MLS/LEDVANCE Respondents deny the remaining allegations of this paragraph.

73. The MLS/LEDVANCE Respondents deny that LEDVANCE GmbH, directly or through its affiliates, has engaged in the unlawful sale for importation into the United States, importation into the United States, and/or sale within the United States after importation of any product accused by Complainants to infringe, literally or under the doctrine of equivalents, directly or indirectly, any valid and enforceable Asserted Claim. The MLS/LEDVANCE Respondents admit that LEDVANCE LLC has imported into the United States, sold for importation into the

United States, and/or sold after importation into the United States certain Accused Products. The MLS/LEDVANCE Respondents deny the remaining allegations of this paragraph.

74. The MLS/LEDVANCE Respondents admit that LEDVANCE LLC is a privately held U.S. company organized under Delaware law. The MLS/LEDVANCE Respondents admit that LEDVANCE LLC's principal place of business is located at 200 Ballardvale Street, Wilmington, Massachusetts 01887, USA. The MLS/LEDVANCE Respondents admit that LEDVANCE LLC is wholly owned by MLS Co., Ltd.

75. The MLS/LEDVANCE Respondents deny that LEDVANCE LLC, directly or through its affiliates, has engaged in the unlawful sale for importation into the United States, importation into the United States, and/or sale within the United States after importation of any product accused by Complainants to infringe, literally or under the doctrine of equivalents, or by induced or contributory infringement, any valid and enforceable Asserted Claim. The MLS/LEDVANCE Respondents admit that LEDVANCE LLC has imported into the United States, sold for importation into the United States, and/or sold after importation into the United States certain Accused Products, including under the Sylvania brand. The MLS/LEDVANCE Respondents deny the remaining allegations of this paragraph.

76. The MLS/LEDVANCE Respondents admit that MLS Co., Ltd. is a manufacturer of packaged LEDs and sells packaged LED and LED products a participant in the international marketplace. The MLS/LEDVANCE Respondents deny the remaining allegations of this paragraph.

77. The MLS/LEDVANCE Respondents admit that Complainants refer to MLS Co., Ltd.; LEDVANCE GmbH; and LEDVANCE LLC as the "MLS Respondents" in the Amended Complaint.

G. GE Respondents

78. The MLS/LEDVANCE Respondents admit that General Electric Company is a New York corporation. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

79. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

80. The MLS/LEDVANCE Respondents admit that Consumer Lighting (U.S.) LLC is a Delaware company. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

81. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

82. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

83. The MLS/LEDVANCE Respondents admit that Complainants refer to General Electric Company and GE Lighting, LLC as the “GE Respondents” in the Amended Complaint.

H. Current Respondent

84. The MLS/LEDVANCE Respondents admit that Current Lighting Solutions, LLC is a Delaware company. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

85. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

86. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

87. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

88. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

89. The MLS/LEDVANCE Respondents admit that Complainants refer to Current Lighting Solutions, LLC as the “Current Respondent” in the Amended Complaint.

I. Acuity Respondents

90. The MLS/LEDVANCE Respondents admit that Acuity Brands, Inc. is a Delaware corporation. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

91. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

92. The MLS/LEDVANCE Respondents admit that Acuity Brands Lighting, Inc. is a Delaware company. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

93. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

94. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

95. The MLS/LEDVANCE Respondents admit that Complainants refer to Acuity Brands, Inc. and Acuity Brands Lighting as the “Acuity Respondents” in the Amended Complaint.

J. Leedarsen Respondents

96. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

97. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

98. The MLS/LEDVANCE Respondents admit that Leedarson America Inc. is a Georgia corporation. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

99. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

100. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

101. The MLS/LEDVANCE Respondents admit that Complainants refer to Leedarson Lighting Co. and Leedarson America, Inc. as the “Leedarson Respondents” in the Amended Complaint.

IV. THE TECHNOLOGY AND PRODUCTS AT ISSUE

102. Admitted.

103. Admitted.

104. MLS/LEDVANCE Respondents admit that Section V of the Amended Complaint identifies the patents Complainants asserted in their Amended Complaint. The MLS/LEDVANCE Respondents further admit that, pursuant to 19 C.F.R. § 210.10(b)(1), the Accused Products in these Investigations are: (1) LED packages and assemblies; (2) LED luminaires; and (3) connected “smart” LED lighting systems and components thereof. (*LED I* Order No. 5 and Notice.) The MLS/LEDVANCE Respondents deny that Complainants’ infringement claims of the ’968 and ’844 Patents are at issue in these Investigations. (*Id.*) The MLS/LEDVANCE Respondents further deny that “LED downlights, including LED canister retrofits and low-profile LED downlights” are Accused Products in these Investigations. (*Id.*) The MLS/LEDVANCE Respondents lack

sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

105. The MLS/LEDVANCE Respondents deny that they, directly or through its affiliates, have engaged in the unlawful sale for importation into the United States, importation into the United States, and/or sale within the United States after importation of any product accused by Complainants to infringe, literally or under the doctrine of equivalents, or directly or indirectly, any valid and enforceable Asserted Claim. The MLS/LEDVANCE lack sufficient information upon which to admit or deny the allegations of this paragraph, and on that basis, deny them.

V. THE ASSERTED PATENTS

A. U.S. Patent No. 7,098,483

1. Identification of the Patent and Ownership

106. The MLS/LEDVANCE Respondents admit that the '483 Patent is entitled "Light Emitting Diodes Packaged for High Temperature Operation" and issued on August 29, 2006, naming Joseph Mazzochette and Greg Blonder as the inventors. The MLS/LEDVANCE Respondents admit that the '483 Patent purports to be based on U.S. Patent Application No. 10/933,096, filed September 2, 2004, and identifies as related U.S. Patent Application No. 10/933,096 which purports to be a divisional of U.S. Patent Application No. 10/638,579, filed August 11, 2003, which claims priority to U.S. Provisional Application No. 60/467,857, filed May 5, 2003. The MLS/LEDVANCE Respondents admit that the expiration date of the '483 Patent is August 11, 2023. The MLS/LEDVANCE Respondents admit that what appears to be a copy of the '483 Patent is attached to the Amended Complaint as Exhibit 1. The MLS/LEDVANCE Respondents further admit that Appendix A1 to the Amended Complaint contains what appears to be a certified copy of the prosecution history for the '483 Patent. The MLS/LEDVANCE Respondents further admit that Appendix A2 to the Amended Complaint contains what appears to

be copies of the applicable pages of each technical reference mentioned in the prosecution history for the '483 Patent. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

107. The MLS/LEDVANCE Respondents admit that what appears to be a copy of the '483 Patent's assignment record is attached to the Amended Complaint as Exhibits 11-14, 16-17, 20-23, 25, and 28. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

2. Nontechnical Description of the Patent

108. The MLS/LEDVANCE Respondents admit that the '483 patent relates to LED packages/assemblies. The MLS/LEDVANCE Respondents admit that generally LED packages/assemblies can emit visible light efficiency and can be used in many products, including light bulbs, indoor and outdoor light fixtures, roadway lights, automotive lights, and consumer electronics. The MLS/LEDVANCE Respondents deny that the '483 Patent describes novel LED package and assembly designs and their technical features and deny the remaining allegations of this paragraph.

109. The MLS/LEDVANCE Respondents deny that the characterization of the asserted independent claims of the '483 Patent in this paragraph is accurate. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

3. Foreign Counterparts of the Patent

110. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

111. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

4. Licensees

112. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

B. U.S. Patent No. 7,095,053

1. Identification of the Patent and Ownership

113. The MLS/LEDVANCE Respondents admit that the '053 Patent is entitled "Light Emitting Diodes Packaged for High Temperature Operation" and issued on August 22, 2006, naming Joseph Mazzochette and Greg Blonder as the inventors. The MLS/LEDVANCE Respondents admit the '053 Patent purports to be based on U.S. Patent Application No. 10/638,579, filed August 11, 2003, and identifies as related U.S. Provisional Application No. 60/467,857, filed May 5, 2003. The MLS/LEDVANCE Respondents admit that the expiration date of the '053 Patent is no earlier than August 11, 2003. The MLS/LEDVANCE Respondents admit that what appears to be a copy of the '053 Patent is attached to the Amended Complaint as Exhibit 2. The MLS/LEDVANCE Respondents further admit that Appendix B1 to the Amended Complaint contains what appears to be a certified copy of the prosecution history for the '053 Patent. The MLS/LEDVANCE Respondents further admit that Appendix B2 to the Amended Complaint contains what appears to be copies of the applicable pages of each technical reference mentioned in the prosecution history for the '053 Patent. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

114. The MLS/LEDVANCE Respondents admit that what appears to be a copy of the '053 Patent's assignment record is attached to the Amended Complaint as Exhibits 9, 13-14, 16-17, 20-23, 25, and 28-29. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

2. Nontechnical Description of the Patent

115. The MLS/LEDVANCE Respondents admit that the '053 patent relates to LED packages. The MLS/LEDVANCE Respondents admit that generally LED packages/assemblies can emit visible light efficiency and can be used in many products, including light bulbs, indoor and outdoor light fixtures, roadway lights, automotive lights, and consumer electronics. The MLS/LEDVANCE Respondents deny that the '053 Patent describes novel LED package designs and their thermal features and deny the remaining allegations of this paragraph.

116. The MLS/LEDVANCE Respondents deny that the characterization of the asserted independent claims of the '483 Patent in this paragraph is accurate. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

3. Foreign Counterparts of the Patent

117. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

118. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

4. Licensees

119. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

C. U.S. Patent No. 7,528,421

1. Identification of the Patent and Ownership

120. The MLS/LEDVANCE Respondents admit that the '421 Patent is entitled "Surface Mountable Light Emitting Diode Assemblies Packaged for High Temperature Operation" and issued on May 5, 2009, naming Joseph Mazzochette as the inventor. The MLS/LEDVANCE

Respondents admit that the '421 Patent purports to be based on U.S. Patent Application No. 11/179,863, filed July 12, 2005, which is identified as a continuation-in-part of U.S. Patent Application No. 10/638,579 (now U.S. Patent No. 7,095,053), filed August 11, 2003, which claims priority to U.S. Provisional Application No. 60/467,857, filed May 5, 2003. The MLS/LEDVANCE Respondents admit that the expiration date of the '421 Patent is August 11, 2023. The MLS/LEDVANCE Respondents admit that what appears to be a copy of the '421 Patent is attached to the Amended Complaint as Exhibit 3. The MLS/LEDVANCE Respondents further admit that Appendix C1 to the Amended Complaint contains what appears to be a certified copy of the prosecution history for the '421 Patent. The MLS/LEDVANCE Respondents further admit that Appendix C2 to the Amended Complaint contains what appears to be copies of the applicable pages of each technical reference mentioned in the prosecution history for the '421 Patent. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

121. The MLS/LEDVANCE Respondents admit that what appears to be a copy of the '421 Patent's assignment record is attached to the Amended Complaint as Exhibits 10, 13-14, 16-17, 20-23, 25, and 28-29. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

2. Nontechnical Description of the Patent

122. The MLS/LEDVANCE Respondents admit that the '421 patent relates to LED assemblies. The MLS/LEDVANCE Respondents admit that generally LED packages can emit visible light efficiency and can be used in many products, including light bulbs, indoor and outdoor light fixtures, roadway lights, automotive lights, and consumer electronics. The MLS/LEDVANCE Respondents deny that the '421 Patent describes novel LED assemblies and deny the remaining allegations of this paragraph.

123. The MLS/LEDVANCE Respondents deny that the characterization of the asserted independent claims of the '421 Patent in this paragraph is accurate. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

3. Foreign Counterparts of the Patent

124. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

125. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

4. Licensees

126. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

D. U.S. Patent No. 8,506,118

1. Identification of the Patent and Ownership

127. The MLS/LEDVANCE Respondents admit that the '118 Patent is entitled "Light Fixture and Associated LED Board and Monolithic Optic" and issued on August 13, 2013, naming Fredric S. Maxik, Zach Gibler, Eric Bretschneider, David Henderson, and Addy Widjaja as the inventors. The MLS/LEDVANCE Respondents admit that the '118 Patent purports to be based on U.S. Patent Application No. 13/421,910, filed March 16, 2012, which is identified as a continuation of U.S. Patent Application No. 12/687, 710 (now U.S. Patent No. 8,157,413), filed January 14, 2010, which claims priority to U.S. Provisional Application No. 61/147,389, filed January 26, 2009. The MLS/LEDVANCE Respondents admit that the expiration date of the '118 Patent is no later than January 14, 2030. The MLS/LEDVANCE Respondents admit that what appears to be a copy of the '118 Patent is attached to the Amended Complaint as Exhibit 4. The

MLS/LEDVANCE Respondents further admit that Appendix D1 to the Amended Complaint contains what appears to be a certified copy of the prosecution history for the '118 Patent. The MLS/LEDVANCE Respondents further admit that Appendix D2 to the Amended Complaint contains what appears to be copies of the applicable pages of each technical reference mentioned in the prosecution history for the '118 Patent. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

128. The MLS/LEDVANCE Respondents admit that what appears to be a copy of the '118 Patent's assignment record is attached to the Amended Complaint as Exhibits 22-23, 25, and 28-30. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

2. Nontechnical Description of the Patent

129. The MLS/LEDVANCE Respondents admit that the '118 Patent relates to LED lighting fixtures and components thereof. The MLS/LEDVANCE Respondents deny that the characterization of the asserted independent claims of the '118 Patent in this paragraph is accurate and deny the remaining allegations of this paragraph.

3. Foreign Counterparts of the Patent

130. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

131. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

4. Licensees

132. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

E. U.S. Patent No. 8,674,608

1. Identification of the Patent and Ownership

133. The MLS/LEDVANCE Respondents admit that the '608 Patent is entitled "Configurable Environmental Condition Sensing Luminaire, System and Associated Methods," and issued on March 18, 2014, naming Eric Holland, Mark P. Boomgaarden, and Eric Thosteson as the inventors. The MLS/LEDVANCE Respondents admit that the '608 Patent purports to be based on U.S. Patent Application No. 13/403,531, filed February 23, 2012, which claims priority to U.S. Provisional Application Nos. 61/486,316, 61/486,314, and 61/486,322—all filed May 15, 2011. The MLS/LEDVANCE Respondents admit that the expiration date of the '608 Patent is no earlier than February 23, 2012. The MLS/LEDVANCE Respondents admit that what appears to be a copy of the '608 Patent is attached to the Amended Complaint as Exhibit 5. The MLS/LEDVANCE Respondents further admit that Appendix E1 to the Amended Complaint contains what appears to be a certified copy of the prosecution history for the '608 Patent. The MLS/LEDVANCE Respondents further admit that Appendix E2 to the Amended Complaint contains what appears to be copies of the applicable pages of each technical reference mentioned in the prosecution history for the '608 Patent. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

134. The MLS/LEDVANCE Respondents admit that what appears to be a copy of the '608 Patent's assignment record is attached to the Amended Complaint as Exhibits 18, 22-23, 25, and 28-29. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

2. Nontechnical Description of the Patent

135. The MLS/LEDVANCE Respondents admit that the '608 Patent generally relates to luminaires and a "smart" lighting system. The MLS/LEDVANCE Respondents further deny that the characterization of the asserted independent claims of the '608 Patent in this paragraph is accurate and deny the remaining allegations of this paragraph.

3. Foreign Counterparts of the Patent

136. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

137. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

4. Licensees

138. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

F. U.S. Patent No. 8,201,968

1. Identification of the Patent and Ownership

139. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 Patent are at issue in these Investigations. (*LED I* Order No. 5 and Notice.)

140. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 Patent are at issue in these Investigations. (*LED I* Order No. 5 and Notice.)

2. Nontechnical Description of the Patent

141. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 Patent are at issue in these Investigations. (*LED I* Order No. 5 and Notice.)

3. Foreign Counterparts of the Patent

142. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 Patent are at issue in these Investigations. (*LED I* Order No. 5 and Notice.)

143. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

4. Licensees

144. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

G. U.S. Patent No. 8,967,844

1. Identification of the Patent and Ownership

145. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '844 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

146. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '844 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

2. Nontechnical Description of the Patent

147. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '844 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

3. Foreign Counterparts of the Patent

148. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '844 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

149. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '844 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

4. Licensees

150. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '844 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

VI. THE ENERGY STAR PROGRAM

151. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims are at issue in these Investigations. (LED I Order No. 5 and Notice.)

152. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims are at issue in these Investigations. (LED I Order No. 5 and Notice.)

153. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims are at issue in these Investigations. (LED I Order No. 5 and Notice.)

154. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims are at issue in these Investigations. (LED I Order No. 5 and Notice.)

155. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims are at issue in these Investigations. (LED I Order No. 5 and Notice.)

156. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims are at issue in these Investigations. (LED I Order No. 5 and Notice.)

157. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims are at issue in these Investigations. (LED I Order No. 5 and Notice.)

158. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims are at issue in these Investigations. (LED I Order No. 5 and Notice.)

159. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims are at issue in these Investigations. (LED I Order No. 5 and Notice.)

160. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims are at issue in these Investigations. (LED I Order No. 5 and Notice.)

161. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims are at issue in these Investigations. (LED I Order No. 5 and Notice.)

162. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims are at issue in these Investigations. (LED I Order No. 5 and Notice.)

VII. UNLAWFUL AND UNFAIR ACTS OF THE RESPONDENTS

A. Nichia Respondents

1. Patent Infringement

a. Infringement of the '483 Patent

163. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

164. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

165. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

166. The MLS/LEDVANCE Respondents admit that Exhibit 36C to the Amended Complaint appears to be a claim chart comparing certain claims of the '483 Patent to a Nichia product. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

b. Infringement of the '053 Patent

167. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

168. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

169. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

170. The MLS/LEDVANCE Respondents admit that Exhibit 37C to the Amended Complaint appears to be a claim chart comparing certain claims of the '053 Patent to a Nichia product. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

171. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

c. Infringement of the '421 Patent

172. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

173. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

174. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

175. The MLS/LEDVANCE Respondents admit that Exhibit 38C to the Amended Complaint appears to be a claim chart comparing certain claims of the '421 Patent to a Nichia product. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

176. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

B. Cree Respondents

1. Patent Infringement

a. Infringement of the '483 Patent

177. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

178. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

179. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

180. The MLS/LEDVANCE Respondents admit that Exhibit 39C to the Amended Complaint appears to be a claim chart comparing certain claims of the '483 Patent to a Cree product. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

181. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

b. Infringement of the '053 Patent

182. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

183. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

184. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

185. The MLS/LEDVANCE Respondents admit that Exhibit 40C to the Amended Complaint appears to be a claim chart comparing certain claims of the '053 Patent to a Cree product. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

186. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

c. Infringement of the '421 Patent

187. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

188. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

189. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

190. The MLS/LEDVANCE Respondents admit that Exhibit 41C to the Amended Complaint appears to be a claim chart comparing certain claims of the '421 Patent to a Cree product. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

191. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

C. OSRAM Respondents

1. Patent Infringement

a. Infringement of the '483 Patent

192. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

193. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

194. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

195. The MLS/LEDVANCE Respondents admit that Exhibit 42C to the Amended Complaint appears to be a claim chart comparing certain claims of the '483 Patent to an OSRAM

product. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

196. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

b. Infringement of the '053 Patent

197. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

198. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

199. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

200. The MLS/LEDVANCE Respondents admit that Exhibit 43C to the Amended Complaint appears to be a claim chart comparing certain claims of the '053 Patent to an OSRAM product. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

201. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

c. Infringement of the '421 Patent

202. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

203. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

204. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

205. The MLS/LEDVANCE Respondents admit that Exhibit 44C to the Amended Complaint appears to be a claim chart comparing certain claims of the '421 Patent to an OSRAM product. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

206. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

D. Lumileds Respondents

1. Patent Infringement

a. Infringement of the '483 Patent

207. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

208. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

209. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

210. The MLS/LEDVANCE Respondents admit that Exhibit 45C to the Amended Complaint appears to be a claim chart comparing certain claims of the '483 Patent to a Lumileds product. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

211. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

b. Infringement of the '053 Patent

212. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

213. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

214. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

215. The MLS/LEDVANCE Respondents admit that Exhibit 46C to the Amended Complaint appears to be a claim chart comparing certain claims of the '053 Patent to a Lumileds product. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

216. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

c. Infringement of the '421 Patent

217. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

218. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

219. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

220. The MLS/LEDVANCE Respondents admit that Exhibit 47C to the Amended Complaint appears to be a claim chart comparing certain claims of the '421 Patent to a Lumileds product. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

221. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

E. Signify Respondents

1. Patent Infringement

a. Infringement of the '483 Patent

222. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

223. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

224. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

225. The MLS/LEDVANCE Respondents admit that Exhibit 48C to the Amended Complaint appears to be a claim chart comparing certain claims of the '483 Patent to a Philips/Signify product. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

b. Infringement of the '053 Patent

226. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

227. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

228. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

229. The MLS/LEDVANCE Respondents admit that Exhibit 49C to the Amended Complaint appears to be a claim chart comparing certain claims of the '053 Patent to a Philips/Signify product. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

c. Infringement of the '421 Patent

230. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

231. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

232. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

233. The MLS/LEDVANCE Respondents admit that Exhibit 50C to the Amended Complaint appears to be a claim chart comparing certain claims of the '421 Patent to a Philips/Signify product. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

234. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

d. Infringement of the '118 Patent

235. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

236. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

237. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

238. The MLS/LEDVANCE Respondents admit that Exhibit 51C to the Amended Complaint appears to be a claim chart comparing certain claims of the '118 Patent to a Philips/Signify product. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

239. The MLS/LEDVANCE Respondents admit that Exhibit 52C to the Amended Complaint appears to be a claim chart comparing certain claims of the '118 Patent to a Philips/Signify product. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them

e. Infringement of the '608 Patent

240. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

241. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

242. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

243. The MLS/LEDVANCE Respondents admit that Exhibit 53C to the Amended Complaint appears to be a claim chart comparing certain claims of the '608 Patent to a Philips/Signify product. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

f. Infringement of the '968 Patent

244. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

245. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

246. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

247. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

g. Infringement of the '844 Patent

248. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '844 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

249. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '844 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

250. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '844 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

251. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '844 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

F. MLS Respondents

1. Patent Infringement

a. Infringement of the '483 Patent

252. The MLS/LEDVANCE Respondents deny the allegations in this paragraph.

253. The MLS/LEDVANCE Respondents deny the allegations in this paragraph.

254. The MLS/LEDVANCE Respondents deny the allegations in this paragraph.

255. The MLS/LEDVANCE Respondents admit that Exhibit 57C to the Amended Complaint appears to be a claim chart comparing certain claims of the '483 Patent to LED packages from a Sylvania LEDVANCE Garage LED Luminaire. The MLS/LEDVANCE Respondents deny that the product chosen in Complainants' claim chart is representative. The MLS/LEDVANCE Respondents further deny that Complainants' claim chart demonstrates alleged infringement of any claim of the '483 Patent by MLS/LEDVANCE Respondents. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph regarding Physical Exhibit P18 and, on that basis, deny them. The MLS/LEDVANCE Respondents deny any remaining allegations in this paragraph.

256. The MLS/LEDVANCE Respondents deny the allegations in this paragraph.

b. Infringement of the '053 Patent

257. The MLS/LEDVANCE Respondents deny the allegations in this paragraph.

258. The MLS/LEDVANCE Respondents deny the allegations in this paragraph.

259. The MLS/LEDVANCE Respondents deny the allegations in this paragraph.

260. The MLS/LEDVANCE Respondents admit that Exhibit 58C to the Amended Complaint appears to be a claim chart comparing certain claims of the '053 Patent to LED packages from a Sylvania LEDVANCE Garage LED Luminaire. The MLS/LEDVANCE Respondents deny that the product chosen in Complainants' claim chart is representative. The MLS/LEDVANCE Respondents further deny that Complainants' claim chart demonstrates alleged infringement of any claim of the '053 Patent by MLS/LEDVANCE Respondents. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph regarding Physical Exhibit P18 and, on that basis, deny them. The MLS/LEDVANCE Respondents deny any remaining allegations in this paragraph.

261. The MLS/LEDVANCE Respondents deny the allegations in this paragraph.

c. Infringement of the '421 Patent

262. The MLS/LEDVANCE Respondents deny the allegations in this paragraph.

263. The MLS/LEDVANCE Respondents deny the allegations in this paragraph.

264. The MLS/LEDVANCE Respondents deny the allegations in this paragraph.

265. The MLS/LEDVANCE Respondents admit that Exhibit 59C to the Amended Complaint appears to be a claim chart comparing certain claims of the '421 Patent to LED packages from a Sylvania 8.5W (60W Replacement) Non-Dimmable A19 LED Light Bulb (Daylight). The MLS/LEDVANCE Respondents deny that the product chosen in Complainants' claim chart is representative. The MLS/LEDVANCE Respondents further deny that

Complainants' claim chart demonstrates alleged infringement of any claim of the '421 Patent by MLS/LEDVANCE Respondents. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph regarding Physical Exhibit P19 and, on that basis, deny them. The MLS/LEDVANCE Respondents deny any remaining allegations in this paragraph.

266. The MLS/LEDVANCE Respondents deny the allegations in this paragraph.

d. Infringement of the '118 Patent

267. The MLS/LEDVANCE Respondents deny the allegations in this paragraph.

268. The MLS/LEDVANCE Respondents deny the allegations in this paragraph.

269. The MLS/LEDVANCE Respondents deny the allegations in this paragraph.

270. The MLS/LEDVANCE Respondents admit that Exhibit 60C to the Amended Complaint appears to be a claim chart comparing certain claims of the '118 Patent to a Sylvania LEDVANCE Garage LED Luminaire. The MLS/LEDVANCE Respondents deny that the product chosen in Complainants' claim chart is representative. The MLS/LEDVANCE Respondents further deny that Complainants' claim chart demonstrates alleged infringement of any claim of the '118 Patent by MLS/LEDVANCE Respondents. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph regarding Physical Exhibit P18 and, on that basis, deny them. The MLS/LEDVANCE Respondents deny any remaining allegations in this paragraph.

e. Infringement of the '608 Patent

271. The MLS/LEDVANCE Respondents deny the allegations in this paragraph.

272. The MLS/LEDVANCE Respondents deny the allegations in this paragraph.

273. The MLS/LEDVANCE Respondents deny the allegations in this paragraph.

274. The MLS/LEDVANCE Respondents admit that Exhibit 61C to the Amended Complaint appears to be a claim chart comparing certain claims of the '608 Patent to a Sylvania Smart+ System (the Sylvania SMART+ Gateway in conjunction with one or more Sylvania SMART+ luminaires and sensors and the LIGHTIFY App for mobile devices). The MLS/LEDVANCE Respondents deny that the product chosen in Complainants' claim chart is representative. The MLS/LEDVANCE Respondents further deny that Complainants' claim chart demonstrates alleged infringement of any claim of the '608 Patent by MLS/LEDVANCE Respondents. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph regarding Physical Exhibits P20-P25 and, on that basis, deny them. The MLS/LEDVANCE Respondents deny any remaining allegations in this paragraph.

G. GE Respondents

1. Patent Infringement

a. Infringement of the '421 Patent

275. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

276. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

277. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

278. The MLS/LEDVANCE Respondents admit that Exhibit 169C to the Amended Complaint appears to be a claim chart comparing certain claims of the '421 Patent to a GE product. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

279. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

b. Infringement of the '118 Patent

280. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

281. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

282. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

283. The MLS/LEDVANCE Respondents admit that Exhibit 65C to the Amended Complaint appears to be a claim chart comparing certain claims of the '118 Patent to a GE product. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

c. Infringement of the '608 Patent

284. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

285. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

286. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

287. The MLS/LEDVANCE Respondents admit that Exhibit 67C to the Amended Complaint appears to be a claim chart comparing certain claims of the '608 Patent to a GE product. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

2. False and Misleading Advertising

288. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims are at issue in these Investigations. (LED I Order No. 5 and Notice.)

289. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims are at issue in these Investigations. (LED I Order No. 5 and Notice.)

290. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims are at issue in these Investigations. (LED I Order No. 5 and Notice.)

291. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims are at issue in these Investigations. (LED I Order No. 5 and Notice.)

292. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims are at issue in these Investigations. (LED I Order No. 5 and Notice.)

293. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims are at issue in these Investigations. (LED I Order No. 5 and Notice.)

294. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims are at issue in these Investigations. (LED I Order No. 5 and Notice.)

295. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims are at issue in these Investigations. (LED I Order No. 5 and Notice.)

H. Current Respondent

1. Patent Infringement

a. Infringement of the '483 Patent

296. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

297. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

298. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

299. The MLS/LEDVANCE Respondents admit that Exhibit 62C to the Amended Complaint appears to be a claim chart comparing certain claims of the '483 Patent to a GE product. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

300. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

b. Infringement of the '053 Patent

301. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

302. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

303. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

304. The MLS/LEDVANCE Respondents admit that Exhibit 63C to the Amended Complaint appears to be a claim chart comparing certain claims of the '053 Patent to a GE product. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

305. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

c. Infringement of the '421 Patent

306. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

307. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

308. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

309. The MLS/LEDVANCE Respondents admit that Exhibit 165C to the Amended Complaint appears to be a claim chart comparing certain claims of the '421 Patent to a GE product. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

310. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

d. Infringement of the '118 Patent

311. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

312. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

313. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

314. The MLS/LEDVANCE Respondents admit that Exhibit 166C to the Amended Complaint appears to be a claim chart comparing certain claims of the '118 Patent to a GE product. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

e. Infringement of the '608 Patent

315. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

316. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

317. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

318. The MLS/LEDVANCE Respondents admit that Exhibit 170C to the Amended Complaint appears to be a claim chart comparing certain claims of the '608 Patent to a Daintree product. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

I. Acuity Respondents

1. Patent Infringement

a. Infringement of the '483 Patent

319. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

320. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

321. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

322. The MLS/LEDVANCE Respondents admit that Exhibit 68C to the Amended Complaint appears to be a claim chart comparing certain claims of the '483 Patent to a Lithonia Lighting product. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

323. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

b. Infringement of the '053 Patent

324. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

325. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

326. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

327. The MLS/LEDVANCE Respondents admit that Exhibit 69C to the Amended Complaint appears to be a claim chart comparing certain claims of the '053 Patent to a Lithonia Lighting product. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

328. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

c. Infringement of the '421 Patent

329. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

330. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

331. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

332. The MLS/LEDVANCE Respondents admit that Exhibit 70C to the Amended Complaint appears to be a claim chart comparing certain claims of the '421 Patent to a Lithonia

Lighting product. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

333. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

d. Infringement of the '118 Patent

334. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

335. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

336. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

337. The MLS/LEDVANCE Respondents admit that Exhibit 71C to the Amended Complaint appears to be a claim chart comparing certain claims of the '118 Patent to a Lithonia Lighting product. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

e. Infringement of the '608 Patent

338. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

339. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

340. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

341. The MLS/LEDVANCE Respondents admit that Exhibit 72C to the Amended Complaint appears to be a claim chart comparing certain claims of the '608 Patent to a nLight

product. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

f. Infringement of the '968 Patent

342. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

343. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

344. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

345. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

g. Infringement of the '844 Patent

346. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '844 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

347. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '844 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

348. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '844 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

349. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '844 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

J. Leedarson Respondents

1. Patent Infringement

a. Infringement of the '421 Patent

350. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

351. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

352. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

353. The MLS/LEDVANCE Respondents admit that Exhibit 81C to the Amended Complaint appears to be a claim chart comparing certain claims of the '421 Patent to a Leedarson Acuity product. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

354. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

b. Infringement of the '608 Patent

355. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

356. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

357. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

358. The MLS/LEDVANCE Respondents admit that Exhibit 82C to the Amended Complaint appears to be a claim chart comparing certain claims of the '608 Patent to a Leedarson product. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

c. Infringement of the '968 Patent

359. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

360. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

361. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

362. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

d. Infringement of the '844 Patent

363. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '844 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

364. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '844 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

365. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '844 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

366. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '844 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

2. False and Misleading Advertising

367. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims are at issue in these Investigations. (LED I Order No. 5 and Notice.)

368. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims are at issue in these Investigations. (LED I Order No. 5 and Notice.)

369. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims are at issue in these Investigations. (LED I Order No. 5 and Notice.)

370. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims are at issue in these Investigations. (LED I Order No. 5 and Notice.)

371. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims are at issue in these Investigations. (LED I Order No. 5 and Notice.)

372. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims are at issue in these Investigations. (LED I Order No. 5 and Notice.)

373. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims are at issue in these Investigations. (LED I Order No. 5 and Notice.)

VIII. SPECIFIC INSTANCES OF UNLAWFUL IMPORTATION OR SALES

A. Nichia Respondents

374. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

B. Cree Respondents

375. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

C. OSRAM Respondents

376. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

D. Lumileds Respondents

377. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

E. Signify Respondents

378. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

F. MLS Respondents

379. The MLS/LEDVANCE Respondents admit that LEDVANCE LLC sells for importation into the United States, imports into the United States, and/or sells after importation into the United States certain LED lighting products, including those listed in Exhibit 34 (Second Amended Stonedale Declaration) ¶¶ 10, 24-27, 29-32, 34, 98, 105-107, 110, 206-207, and 216-217. The MLS/LEDVANCE Respondents further admit that Exhibit 34 ¶ 10 references documents that purport to be a receipt from Walmart.com showing sale of “Sylvania LED Light Bulbs, 8.5W (60W Equivalent), Daylight, 12-count” and a label reading “Imported by LEDVANCE LLC” and “Made in China.” The MLS/LEDVANCE Respondents further admit that Exhibit 34 ¶ 24 references documents that purport to be a receipt from Amazon.com showing sale of “Sylvania A19 Full Color LED Bulb, Works with Apple HomeKit and Siri Voice Control, No Hub Required, 74484 (Bluetooth Edition)” and a label reading “Imported by: LEDVANCE LLC” and “Made in China.” The MLS/LEDVANCE Respondents further admit that Exhibit 34 ¶ 25 references documents that purport to be a receipt from Amazon.com showing sale of “Sylvania Home Lighting 78101 Sylvania, 100W Equivalent, LED Light Bulb, A19 Lamp, 4 Pack, Efficient 14W, Soft White 1700K” and a label reading “Imported by LEDVANCE LLC” and “Made in China.” The MLS/LEDVANCE Respondents further admit that Exhibit 34 ¶ 26 references documents that purport to be a receipt from Amazon.com showing sale of “Sylvania Home Lighting 78038 A19 Sylvania Ultra 60W Equivalent LED Light Bulb, Dimmable, 60W Equivalent (Efficient 9W), Bright White 3500K” and a label reading “Imported by LEDVANCE LLC” and “Made in China.” The MLS/LEDVANCE Respondents further admit that Exhibit 34 ¶ 27 references documents that purport to be a receipt from Amazon.com showing sale of “Sylvania Home Lighting 78103, Sylvania 100W Equivalent, LED Light Bulb” and a label reading “Imported by LEDVANCE LLC” and “Made in China.” The MLS/LEDVANCE Respondents further admit that Exhibit 34

¶ 29 references documents that purport to be a receipt from Walmart.com showing sale of “Sylvania Value Line LED Light Bulb, A19, Soft White, 60WE” and a label reading “Imported by LEDVANCE LLC” and “Made in China.” The MLS/LEDVANCE Respondents further admit that Exhibit 34 ¶ 30 references documents that purport to be a receipt from Walmart.com showing sale of “Sylvania BR40 Dimmable LED Light Bulbs” and a label reading “Imported by LEDVANCE LLC” and “Made in China.” The MLS/LEDVANCE Respondents further admit that Exhibit 34 ¶ 31 references documents that purport to be a receipt from Walmart.com showing sale of “Sylvania LED Light Bulbs, PAR20, 6W (50W Equivalent) Bright White” and a label reading “Imported by: LEDVANCE LLC” and “Made in China.” The MLS/LEDVANCE Respondents further admit that Exhibit 34 ¶ 32 references documents that purport to be a receipt from Walmart.com showing sale of “Sylvania LED Light Bulb, 100W Equivalent, A19, Soft White” and a label reading “Imported by LEDVANCE LLC” and “Made in China.” The MLS/LEDVANCE Respondents further admit that Exhibit 34 ¶ 34 references documents that purport to be a receipt from Homedepot.com showing sale of “Sylvania SMART+ Bluetooth 65-Watt Equivalent Full Color BR30 LED Light Bulb” and a label reading “Imported by: LEDVANCE LLC” and “Made in China.” The MLS/LEDVANCE Respondents further admit that Exhibit 34 ¶ 98 references documents that purport to be a receipt from Gordon Electric Supply showing sale of “SYLVANIA 74507 GARAG1A/055UNVD740/G5/SV/D LED GARAGE LIGHT FIXTURE” and a label reading “LEDVANCE GARAGE GARAG1A/055UNVD740/G5/SV/D” and “Made in China.” The MLS/LEDVANCE Respondents further admit that Exhibit 34 ¶ 105 references documents that purport to be a receipt from Amazon.com showing sale of “Sylvania LIGHTIFY LED Smart Connection Light Gateway and A19 Bulb Starter Kit” and a label reading “Imported by: LEDVANCE LLC” and “Made in

China.” The MLS/LEDVANCE Respondents further admit that Exhibit 34 ¶ 106 references documents that purport to be a receipt from Amazon.com showing sale of “SYLVANIA 74696 SMART+ A19 OFD Soft White 10 Year LED Bulb, 60W Equivalent On/Off/Dim, works with Amazon Alexa and SmartThings” and a label reading “Imported by: LEDVANCE LLC” and “Made in China.” The MLS/LEDVANCE Respondents further admit that Exhibit 34 ¶ 110 references documents that purport to be a receipt from Amazon.com showing sale of “Sylvania Home Lighting 74765 A19 Efficient 8.5W Soft White 2700K 60W Equivalent A29 LED Light Bulb (24 Pack)” and a label reading “Imported by LEDVANCE LLC” and “Made in China.” The MLS/LEDVANCE Respondents further admit that Exhibit 34 ¶ 206 references documents that purport to be a receipt from Amazon.com showing sale of “SYLVANIA LIGHTIFY ZigBee Motion and Temperature Sensor” and a label reading “Imported by: LEDVANCE LLC” and “Made in China.” The MLS/LEDVANCE Respondents further admit that Exhibit 34 ¶ 207 references documents that purport to be a receipt from Amazon.com showing sale of “SYLVANIA SMART+ ZigBee Full Color A19 LED Light Bulb” and a label reading “Imported by: LEDVANCE LLC” and “Made in China.” The MLS/LEDVANCE Respondents further admit that Exhibit 34 ¶ 216 references documents that purport to be a receipt from Ebay.com showing sale of “SYLVANIA LED VANCE GARAGE Dimmable Motion light GARAG1a/055UNVD740/G5/SV/D” and a label reading “Imported by: LEDVANCE LLC” and “Made in China.” The MLS/LEDVANCE Respondents further admit that Exhibit 34 ¶ 217 references documents that purport to be a receipt from Amazon.com showing sale of “SYLVANIA LIGHTIFY Starter Kit, Includes 2 LIGHTIFY ZigBee Full Color RT 5/6 Recessed Lights, 65W Equivalent, and 1 OSRAM LIGHTIFY Gateway” and a label reading “Imported by: LEDVANCE LLC” and “Made in China.” The MLS/LEDVANCE Respondents deny that the products listed in

Exhibit 34 at ¶¶ 28, 33, and 107 (and purportedly depicted in Exhibits 26, 31, and 105 to Exhibit 34, respectively) identify any MLS/LEDVANCE Respondents and, for that reason, lack sufficient information upon which to admit or deny the allegations of this paragraph with respect to those paragraphs and exhibits. The MLS/LEDVANCE Respondents further admit that it appears that certain MLS Accused Products were purchased in the United States. The MLS/LEDVANCE Respondents further deny they have engaged in the unlawful sale for importation into the United States, importation into the United States, and/or sale within the United States after importation of any product accused by Complainants to infringe, literally or under the doctrine of equivalents, or by induced or contributory infringement, any Asserted Claim of any Asserted Patent. The MLS/LEDVANCE Respondents further deny any remaining allegations in this paragraph.

G. GE Respondents

380. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

H. Current Respondent

381. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

I. Acuity Respondents

382. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

J. Leedarson Respondents

383. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

IX. CLASSIFICATION OF THE ACCUSED PRODUCTS UNDER THE HARMONIZED TARIFF SCHEDULE

384. The MLS/LEDVANCE Respondents admit that at least some of their Accused Products have been classified under the subheadings of the Harmonized Tariff Schedule (“HTS”) set forth in the attached Confidential Exhibit A. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

X. RELATED LITIGATION

385. The MLS/LEDVANCE Respondents admit that LSG filed suit against the MLS/LEDVANCE Respondents in the U.S. District Court for the District of Delaware alleging infringement of the ’483 patent, the ’053 patent, the ’421 patent, the ’118 patent, and the ’608 patent. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

A. District Court Litigation

1. *Lighting Science Group Corporation v. Cree, Inc.*, No. 6:13-cv-00587 (M.D. Fla.)

386. The MLS/LEDVANCE Respondents deny that Complainants’ infringement claims of the ’968 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

2. *Lighting Science Group Corporation v. Cooper Lighting, LLC*, No. 6:14-cv-00195 (M.D. Fla.)

387. The MLS/LEDVANCE Respondents deny that Complainants’ infringement claims of the ’968 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

3. *Lighting Science Group Corporation v. Sea Gull Lighting Products LLC*, No. 6:16-cv-00338 (M.D. Fla.)

388. The MLS/LEDVANCE Respondents deny that Complainants’ infringement claims of the ’968 and ’844 Patents are at issue in these Investigations. (LED I Order No. 5 and Notice.)

4. *Lighting Science Group Corporation v. Hyperikon, Inc.*, No. 6:16-cv-00343 (M.D. Fla.)

389. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '844 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

5. *Lighting Science Group Corporation v. U.S.A. Light & Electric, Inc., No. 6:16-cv-00344 (M.D. Fla.)*

390. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 and '844 Patents are at issue in these Investigations. (LED I Order No. 5 and Notice.)

6. *Lighting Science Group Corporation v. Nicor, Inc., No. 6:16-cv-00413 (M.D. Fla.)*

391. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 and '844 Patents are at issue in these Investigations. (LED I Order No. 5 and Notice.)

7. *Lighting Science Group Corporation v. Globalux Lighting LLC, No. 6:16-cv-00681 (M.D. Fla.)*

392. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 and '844 Patents are at issue in these Investigations. (LED I Order No. 5 and Notice.)

8. *Lighting Science Group Corporation v. Sunco Lighting, Inc., No. 6:16-cv-00677 (M.D. Fla.)*

393. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '844 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

9. *Lighting Science Group Corporation v. Panor Corporation d/b/a Maxxima, No. 6:16-cv-00678 (M.D. Fla.)*

394. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '844 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

10. *Lighting Science Group Corporation v. S E L S, Inc., No. 6:16-cv-00679 (M.D. Fla.)*

395. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 and '844 Patents are at issue in these Investigations. (LED I Order No. 5 and Notice.)

11. *Lighting Science Group Corporation v. EEL Company, LTD., No. 6:16-cv-00680 (M.D. Fla.)*

396. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 and '844 Patents are at issue in these Investigations. (LED I Order No. 5 and Notice.)

12. *Lighting Science Group Corporation v. American De Rosa Lamparts, LLC, No. 6:16-cv-01087 (M.D. Fla.)*

397. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 and '844 Patents are at issue in these Investigations. (LED I Order No. 5 and Notice.)

13. *Lighting Science Group Corporation v. Hubbell Incorporated, No. 6:16-cv-01084 (M.D. Fla.)*

398. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 and '844 Patents are at issue in these Investigations. (LED I Order No. 5 and Notice.)

14. *Lighting Science Group Corporation v. Titch Industries, Inc., No. 6:16-cv-01228 (M.D. Fla.)*

399. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '844 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

15. *Lighting Science Group Corporation v. Shenzhen Jiawei Photovoltaic Lighting Co., Ltd., No. 5:16-cv-03886 (N.D. Cal.)*

400. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 and '844 Patents are at issue in these Investigations. (LED I Order No. 5 and Notice.)

16. *Lighting Science Group Corporation v. Satco Products, Inc. d/b/a Nuvo Lighting, No. 6:16-cv-01256 (M.D. Fla.)*

401. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 and '844 Patents are at issue in these Investigations. (LED I Order No. 5 and Notice.)

17. *Lighting Science Group Corporation v. Technical Consumer Products, Inc., No. 6:16-cv-01255 (M.D. Fla.)*

402. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 and '844 Patents are at issue in these Investigations. (LED I Order No. 5 and Notice.)

18. *Lighting Science Group Corporation v. Wangs Alliance Corporation, No. 6:16-cv-01320 (M.D. Fla.)*

403. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

19. *Lighting Science Group Corporation v. Amax Lighting, No. 6:16-cv-01321 (M.D. Fla.)*

404. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 and '844 Patents are at issue in these Investigations. (LED I Order No. 5 and Notice.)

20. *Lighting Science Group Corporation v. Halco Lighting Technologies, Limited Liability Company, No. 6:16-cv-02188 (M.D. Fla.)*

405. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 and '844 Patents are at issue in these Investigations. (LED I Order No. 5 and Notice.)

21. *Lighting Science Group Corporation v. Leedarson Lighting Co. Ltd., No. 6:17-cv-00826 (M.D. Fla.)*

406. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 and '844 Patents are at issue in these Investigations. (LED I Order No. 5 and Notice.)

22. *Lighting Science Group Corporation v. Cree, Inc., No. 1:19-cv-632 (E.D. Wis.)*

407. The MLS/LEDVANCE Respondents admit that on April 30, 2019, LSG Corp. filed an Amended Complaint alleging infringement of the '483, '053, and '421 Patents in the U.S. District Court for the Eastern District of Wisconsin against Cree, Inc. The MLS/LEDVANCE Respondents further admit that on June 25, 2019, this case was stayed pending determination of these Investigations. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny any remaining allegations of this paragraph and, on that basis, deny them.

23. *Lighting Science Group Corporation v. Leedarson Lighting Co., Ltd., No. 1:19-cv-1949 (N.D. Ga.)*

408. The MLS/LEDVANCE Respondents admit that on April 30, 2019, LSG Corp. and GVL filed an Amended Complaint alleging infringement of the '421 and '608 Patents in the U.S. District Court for the Northern District of Georgia against Leedarson America, Inc. and Leedarson Lighting Co., Ltd. The MLS/LEDVANCE Respondents further admit that on July 11, 2019, this case was stayed pending determination of these Investigations. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny any remaining allegations of this paragraph and, on that basis, deny them.

24. *Lighting Science Group Corporation v. Nichia Corporation, No. 1:19-cv-1948 (N.D. Ga.)*

409. The MLS/LEDVANCE Respondents admit that on April 30, 2019, LSG Corp. filed an Amended Complaint alleging infringement of the '483, '053, and '421 Patents in the U.S. District Court for the Northern District of Georgia against Nichia Corporation and Nichia America Corporation. The MLS/LEDVANCE Respondents further admit that Nichia America Corporation filed an answer to the Amended Complaint on May 31, 2019. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny any remaining allegations of this paragraph and, on that basis, deny them.

25. *Lighting Science Group Corporation v. Acuity Brands, Inc., No. 1:19-cv-805 (D. Del.)*

410. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 and '844 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.) The MLS/LEDVANCE Respondents admit that on May 1, 2019, LSG Corp. filed an Amended Complaint alleging infringement of the '483, '053, '421, '118, and '608 Patents in the U.S. District Court for the District of Delaware against Acuity Brands Lighting, Inc. and Acuity Brands, Inc.

The MLS/LEDVANCE Respondents further admit that on July 2, 2019, this case was stayed pending determination of these Investigations. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

26. *Lighting Science Group Corporation v. Eaton Corporation plc*, No. 1: 19-cv-808 (D. Del.)

411. The MLS/LEDVANCE Respondents admit that on May 1, 2019, LSG Corp. filed an Amended Complaint alleging infringement of the '483, '053, '421, '118, and '608 Patents in the U.S. District Court for the District of Delaware against Eaton Corporation plc, Cooper Lighting LLC, and Cooper Industries, LLC. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

27. *Lighting Science Group Corporation v. General Electric Company*, No. 1: 19-cv-806 (D. Del.)

412. The MLS/LEDVANCE Respondents admit that on May 1, 2019, LSG Corp. filed an Amended Complaint alleging infringement of the '483, '053, '421, '118, and '608 Patents in the U.S. District Court for the District of Delaware against General Electric Company and Consumer Lighting (U.S.), LLC. The MLS/LEDVANCE Respondents further admit that LSG Corp. filed a first Amended Complaint on May 23, 2019 adding Current Lighting Solutions, LLC as a defendant. The MLS/LEDVANCE Respondents further admit that defendants filed answers in this case on June 27, 2019. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

28. *Lighting Science Group Corporation v. Lumileds Holdings B. V.*, No. 1:19-cv-809 (D. Del.)

413. The MLS/LEDVANCE Respondents admit that on May 1, 2019, LSG Corp. filed an Amended Complaint alleging infringement of the '483, '053, and '421 Patents in the U.S. District Court for the District of Delaware against Lumileds Holdings B.V. and Lumileds, LLC. The MLS/LEDVANCE Respondents further admit that Lumileds LLC filed an answer in this case on July 8, 2019. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

29. *Lighting Science Group Corporation v. MLS Co., Ltd.*, No. 1:19-cv-798 (D. Del.)

414. The MLS/LEDVANCE Respondents admit that on April 30, 2019, LSG Corp. filed an Amended Complaint alleging infringement of the '483, '053, '421, '118, and '608 Patents in the U.S. District Court for the District of Delaware against LEDVANCE GmbH, LEDVANCE LLC, and MLS Co., Ltd. The MLS/LEDVANCE Respondents further admit that on July 8, 2019, this case was stayed pending determination of these Investigations. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

30. *Lighting Science Group Corporation v. OSRAM GmbH*, No. 1:19-cv-797 (D. Del.)

415. The MLS/LEDVANCE Respondents admit that on April 30, 2019, LSG Corp. filed an Amended Complaint alleging infringement of the '483, '053, and '421 Patents in the U.S. District Court for the District of Delaware against OSRAM GmbH, OSRAM Licht AG, OSRAM Opto Semiconductors GmbH, and OSRAM Opto Semiconductors Inc. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

31. *Lighting Science Group Corporation v. Signify N. V. (f/k/a Philip Lighting N. V.)*, No. 1:19-cv-807 (D. Del.)

416. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 and '844 Patents are at issue in these Investigations. (LED I Order No. 5 and Notice.) The MLS/LEDVANCE Respondents admit that on May 1, 2019, LSG Corp. filed an Amended Complaint alleging infringement of the '483, '053, '421, '118, and '608 Patents in the U.S. District Court for the District of Delaware against Signify N.V. and Signify North America Corporation. The MLS/LEDVANCE Respondents further admit that defendants filed an unopposed motion to stay on July 10, 2019. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

B. Patent Office Proceedings

1. U.S. Patent No. 8,201,968

417. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

2. U.S. Patent No. 8,967,844

418. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '844 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

XI. DOMESTIC INDUSTRY

A. Domestic Industry Under 19 U.S.C. §§ 1337(a)(2) and 1337(a)(3)

419. To the extent paragraph 419 contains conclusions of law, no response is necessary. To the extent a response is necessary, the MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

1. Technical Prong

420. To the extent paragraph 420 contains conclusions of law, no response is necessary. To the extent a response is necessary, the MLS/LEDVANCE Respondents lack sufficient

information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

421. To the extent paragraph 421 contains conclusions of law, no response is necessary. To the extent a response is necessary, the MLS/LEDVANCE Respondents admit that Complainants have purported to provide claim charts for LSG/Healthe products in Confidential Exhibits 86C – 95C. The MLS/LEDVANCE Respondents further admit that Complainants have purported to provide claim charts for licensee products in Confidential Exhibits 96C–98C. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

422. To the extent paragraph 422 contains conclusions of law, no response is necessary. To the extent a response is necessary, the MLS/LEDVANCE Respondents admit that Complainants have purported to provide a claim chart for the Series A+™ Par30 LED Gimbal Lamp regarding certain claims of the '483 Patent in Confidential Exhibit 86C. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

423. To the extent paragraph 423 contains conclusions of law, no response is necessary. To the extent a response is necessary, the MLS/LEDVANCE Respondents admit that Complainants have purported to provide a claim chart for the Series A+™ Par30 LED Gimbal Lamp regarding certain claims of the '053 Patent in Confidential Exhibit 87C. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

424. To the extent paragraph 424 contains conclusions of law, no response is necessary. To the extent a response is necessary, the MLS/LEDVANCE Respondents admit that

Complainants have purported to provide a claim chart for the GoodNight® A19 LED Bulb regarding certain claims of the '421 Patent in Confidential Exhibit 88C. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

425. To the extent paragraph 425 contains conclusions of law, no response is necessary. To the extent a response is necessary, the MLS/LEDVANCE Respondents admit that Complainants have purported to provide a claim chart for the Sleepy Baby® P15 LED Bulb regarding certain claims of the '421 Patent in Confidential Exhibit 89C. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

426. To the extent paragraph 426 contains conclusions of law, no response is necessary. To the extent a response is necessary, the MLS/LEDVANCE Respondents admit that Complainants have purported to provide a claim chart for the Journi™ Mobile LED Task Light regarding certain claims of the '421 Patent in Confidential Exhibit 90C. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

427. To the extent paragraph 427 contains conclusions of law, no response is necessary. To the extent a response is necessary, the MLS/LEDVANCE Respondents admit that Complainants have purported to provide a claim chart for the Cleanse™ Air-Sanitizing LED Troffer regarding certain claims of the '118 Patent in Confidential Exhibit 91C. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

428. To the extent paragraph 428 contains conclusions of law, no response is necessary. To the extent a response is necessary, the MLS/LEDVANCE Respondents admit that Complainants have purported to provide a claim chart for the FreeLED® Solar LED Street Light regarding certain claims of the '118 Patent in Confidential Exhibit 92C. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

429. To the extent paragraph 429 contains conclusions of law, no response is necessary. To the extent a response is necessary, the MLS/LEDVANCE Respondents admit that Complainants have purported to provide a claim chart for the GoodNight® A19 LED Bulb regarding certain claims of the '118 Patent in Confidential Exhibit 93C. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

430. To the extent paragraph 430 contains conclusions of law, no response is necessary. To the extent a response is necessary, the MLS/LEDVANCE Respondents admit that Complainants have purported to provide a claim chart for the Genesis DynaSpectrum® LED Luminaire and Genesis App regarding certain claim 20 of the '608 Patent in Confidential Exhibit 94C. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

431. To the extent paragraph 431 contains conclusions of law, no response is necessary. To the extent a response is necessary, the MLS/LEDVANCE Respondents admit that Complainants have purported to provide a claim chart for the Good Day&Night™ LED Downlight, SunLync™ Wireless Control Device, and SunTrac™ App regarding certain claims of the '608 Patent in Confidential Exhibit 95C. The MLS/LEDVANCE Respondents lack sufficient

information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

432. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

433. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

434. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '844 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.)

435. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '844 Patent are at issue in these Investigations. (LED I Order No. 5 and Notice.) The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph and, on that basis, deny them.

2. Economic Prong

436. To the extent paragraph 436 contains conclusions of law, no response is necessary. To the extent a response is necessary, the MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

a. Significant Investment in Plant and Equipment Expenditures Related to the Asserted Patents

437. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

438. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

439. To the extent paragraph 439 contains conclusions of law, no response is necessary. To the extent a response is necessary, the MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

b. Significant Employment of Labor or Capital

440. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

441. To the extent paragraph 441 contains conclusions of law, no response is necessary. To the extent a response is necessary, the MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

c. Substantial Investment in the Exploitation of the Asserted Patents

442. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

443. The MLS/LEDVANCE Respondents deny that Complainants' infringement claims of the '968 and '844 Patents are at issue in these Investigations. (LED I Order No. 5 and Notice.)

444. To the extent paragraph 444 contains conclusions of law, no response is necessary. To the extent a response is necessary, the MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

445. To the extent paragraph 445 contains conclusions of law, no response is necessary. To the extent a response is necessary, the MLS/LEDVANCE Respondents lack sufficient

information upon which to admit or deny the allegations of this paragraph and, on that basis, deny them.

B. Domestic Industry Under 19 U.S.C. § 1337(a)(1)(A)

446. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims are at issue in these Investigations. (LED I Order No. 5 and Notice.)

447. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims are at issue in these Investigations. (LED I Order No. 5 and Notice.)

448. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims are at issue in these Investigations. (LED I Order No. 5 and Notice.)

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453. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims are at issue in these Investigations. (LED I Order No. 5 and Notice.)

XII. SUBSTANTIAL INJURY

454. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims are at issue in these Investigations. (LED I Order No. 5 and Notice.)

455. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims are at issue in these Investigations. (LED I Order No. 5 and Notice.)

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464. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims are at issue in these Investigations. (LED I Order No. 5 and Notice.)

465. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims are at issue in these Investigations. (LED I Order No. 5 and Notice.)

XIII. RELIEF REQUESTED

466. The MLS/LEDVANCE Respondents deny that Complainants' false advertising claims and infringement claims of the '968 and '844 Patents are at issue in these Investigations. (LED I Order No. 5 and Notice.) The MLS/LEDVANCE Respondents further deny that

Complainants are entitled to any relief in these Investigations, or that granting Complainants any relief would be consistent with the public interest. The MLS/LEDVANCE further deny they have engaged in the unlawful sale for importation into the United States, importation into the United States, and/or sale within the United States after importation of any product accused by Complainants to infringe, literally or under the doctrine of equivalents, directly or indirectly, any Asserted Claim of the Asserted Patents. The MLS/LEDVANCE Respondents lack sufficient information upon which to admit or deny the remaining allegations of this paragraph regarding Respondents other than MLS/LEDVANCE Respondents and, on that basis, deny them. The MLS/LEDVANCE Respondents further deny the remaining allegations of this paragraph.

467. The MLS/LEDVANCE Respondents deny that Complainants are entitled to any relief in these Investigations, or that granting Complainants any relief would be consistent with the public interest. The MLS/LEDVANCE further deny they have engaged in the unlawful sale for importation into the United States, importation into the United States, and/or sale within the United States after importation of any product accused by Complainants to infringe, directly or indirectly, or by induced or contributory infringement, any Asserted Claim of the Asserted Patents. The MLS/LEDVANCE Respondents further deny the remaining allegations of this paragraph.

RESPONSE TO NOTICE OF INVESTIGATION

The MLS/LEDVANCE Respondents deny any violation of Section 337 through the unlawful sale for importation into the United States, importation into the United States, and/or sale within the United States after importation of any product accused by Complainants to infringe, literally or under the doctrine of equivalents, or by induced or contributory infringement, any Asserted Claim of the Asserted Patents. The MLS/LEDVANCE Respondents lack knowledge or information sufficient to form a belief as to the truth of Complainants' allegations that a domestic industry exists, as required by 19 U.S.C. § 1337(a)(2) and defined by 19 U.S.C. § 1337(a)(3), and,

on that basis, deny those allegations. The MLS/LEDVANCE Respondents deny that Complainants are entitled to any relief in this proceeding.

MLS/LEDVANCE RESPONDENTS' STATEMENT UNDER 19 C.F.R. § 210.13(b)

Pursuant to Commission Rule 210.13(b) (19 C.F.R. § 210.13(b)), the MLS/LEDVANCE Respondents provide certain information regarding the Accused Products in Confidential Exhibit A attached hereto. Such information includes the quantity and value of imports of MLS/LEDVANCE Accused Products, HTS item number(s) for importations of the Accused Products, the capacity of the MLS/LEDVANCE Respondents to produce the Accused Products, and the importance of the U.S. market to the MLS/LEDVANCE Respondents vis-à-vis the Accused Products.

Respondents MLS/LEDVANCE Respondents provide this information for the sole purpose of complying with Rule 210.13(b) and specifically deny that any of the supplied data refers or relates to any unlawful act under Section 337, or otherwise. The MLS/LEDVANCE Respondents further specifically deny that their products infringe any of the Asserted Claims of the Asserted Patents. In addition, the MLS/LEDVANCE Respondents note that the information in Confidential Exhibit A is preliminary, and discovery is ongoing. Thus, the MLS/LEDVANCE Respondents reserve the right to amend and/or supplement such information, as appropriate.

AFFIRMATIVE DEFENSES

Without altering the burdens of proof, the MLS/LEDVANCE Respondents assert the following affirmative and other defenses. The MLS/LEDVANCE Respondents reserve the right to modify and/or expand these defenses and raise additional defenses as these Investigations proceeds. These Investigations are in their early stages, and discovery has just begun.

FIRST AFFIRMATIVE DEFENSE: NON-INFRINGEMENT

The MLS/LEDVANCE Respondents have not infringed and do not infringe, literally or under the doctrine of equivalents, directly or indirectly, any valid and enforceable Asserted Claim of the Asserted Patents. The MLS/LEDVANCE Respondents have not otherwise committed any acts in violation of Section 337.

SECOND AFFIRMATIVE DEFENSE: INVALIDITY

The Asserted Claims of the Asserted Patents are invalid and/or unenforceable for failure to meet the requirements of 35 U.S.C. §§ 101, 102, 103, and/or 112. In particular with regard to § 101, the Asserted Claims of the '608 Patent are directed to unpatentable subject matter.

THIRD AFFIRMATIVE DEFENSE: LICENSE/PATENT EXHAUSTION

Certain products of the MLS/LEDVANCE Respondents are subject to express or implied licenses and/or patent exhaustion including, for example, products imported, sold for importation, and/or sold after importation by or on behalf of a Complainant. The agreements among LSG (the majority owner of GVL), MLS (the minority owner of GVL), and GVL restrict Complainants' ability to pursue infringement claims against products of the MLS/LEDVANCE Respondents. The MLS/LEDVANCE Respondents also are entitled to the benefit of certain licenses originally granted to OSRAM entities as successors-in-interest.

FOURTH AFFIRMATIVE DEFENSE: STANDING

The Amended Complaint improperly includes Healthe and GVL as Complainants. These parties are only non-exclusive licensees of the Asserted Patents, and thus lack standing. Complainants also lack standing to assert the '118 Patent because, on information and belief, Complainants are not the sole owner of the '118 Patent.

FIFTH AFFIRMATIVE DEFENSE: NO DOMESTIC INDUSTRY

Complainants have not adequately alleged and cannot prove that a domestic industry, as required by 19 U.S.C. § 1337(a)(2) and defined by Section 337(a)(3), in connection with any of the Asserted Patents. LSG cannot establish that any of its products, or its licensees' products, practices at least one valid claim of each of the Asserted Patents. LSG cannot establish that it, or any of its licensees, has made a significant investment in plant and equipment with respect to articles protected by the Asserted Patents. LSG cannot establish that it, or any of its licensees, has made a significant investment in labor or capital with respect to articles protected by the Asserted Patents. LSG cannot establish that it, or any of its licensees, has made a substantial investment in exploitation of the Asserted Patents through engineering and/or research and development.

SIXTH AFFIRMATIVE DEFENSE: UNCLEAN HANDS

Complainants are not entitled to any relief as a result of their unclean hands, including, but not limited to, misrepresenting that GVL was required to be a plaintiff, failing to disclose that GVL would be a complainant in an ITC complainant, and maintaining GVL as a complainant in these investigations.

SEVENTH AFFIRMATIVE DEFENSE: PROSECUTION HISTORY ESTOPPEL AND/OR DISCLAIMER

On information and belief, Complainants demands for relief are barred, in whole or in part, by the doctrines of prosecution history estoppel and/or disclaimer.

EIGHTH AFFIRMATIVE DEFENSE: OTHER DEFENSES

The MLS/LEDVANCE Respondents provide notice that they intend to rely upon any additional defenses that become available or apparent during discovery and reserve the right to amend this response and to assert such additional defenses or, if appropriate, withdraw any of the above-delineated defenses as discovery proceeds.

PRAYER FOR RELIEF

WHEREFORE, the MLS/LEDVANCE Respondents respectfully request that the Commission:

- A. Deny all relief requested by Complainants;
- B. Find that the MLS/LEDVANCE Respondents have not infringed any Asserted Claim;
- C. Find that the Asserted Claims are invalid;
- D. Find that Complainants lack a domestic industry in the Asserted Patents;
- E. Find that Complainants cannot pursue patent infringement claims, in whole or in part, due to license/patent exhaustion;
- F. Find that Complainants, in whole or in part, lack standing;
- G. Find that Complainants' request for relief should be denied due to Complainants' unclean hands;
- H. Find that Complainants' infringement claims are barred, in whole or in part, by prosecution history estoppel or disclaimer'
- I. Find no violation of Section 337 by the MLS/LEDVANCE Respondents;
- J. Issue an order terminating the Investigation; and
- K. Award the MLS/LEDVANCE Respondents such other and further relief as the Commission deems appropriate.

Dated: July 15, 2019

Respectfully submitted,

/s/ Jamie D. Underwood

Bert C. Reiser
Jamie D. Underwood
Holly Victorson
LATHAM & WATKINS LLP

555 Eleventh Street, NW
Suite 1000
Washington, DC 20004
Telephone: (202) 637-2200
Facsimile: (202) 637-2201

Charles H. Sanders
Christopher W. Henry
Nathanial J. McPherson
LATHAM & WATKINS LLP
200 Clarendon Street
Boston, MA 02116
Telephone: (617) 948-6000
Facsimile: (617) 948-6001

Counsel for Respondents
MLS Co., Ltd.
LEDVANCE GmbH
LEDVANCE LLC

**VERIFICATION OF THE MLS/LEDVANCE RESPONDENTS' RESPONSE TO
COMPLAINT AND NOTICE OF INVESTIGATION**

I, Andrew Martin, on behalf of Respondents MLS Co., Ltd., LEDVANCE GmbH, and LEDVANCE LLC (collectively "MLS/LEDVANCE"), declare:

1. I am the VP & General Counsel, Americas Region, at LEDVANCE LLC, and I am duly authorized to make this verification on behalf of MLS/LEDVANCE.
2. I have read the Response to the Complaint and Notice of Investigation, and I am familiar with its contents.
3. To the best of my knowledge, information and belief, founded after reasonable inquiry, the Response and statements made therein:
 - a) are not being made for any improper purpose;
 - b) are well-grounded in fact and are warranted by existing law or by a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law;
 - c) have evidentiary support or are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery; and
 - d) to the extent that they deny factual contentions, are warranted on the evidence or are reasonably based on a lack of information or belief.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge, information and belief.

Executed at Wilmington, MA, on July 15, 2019.



Andrew Martin
VP & General Counsel
Americas Region

CERTIFICATE OF SERVICE

It is hereby certified that copies of **RESPONSE OF MLS AND LEDVANCE RESPONDENTS TO THE AMENDED COMPLAINT AND NOTICE OF INVESTIGATION** were served on July 15, 2019 as follows:

The Honorable Lisa R. Barton Secretary to the Commission U.S. International Trade Commission 500 E Street, SW, Room 112 Washington, DC 20436	By EDIS
The Honorable Clark S. Cheney Administrative Law Judge U.S. International Trade Commission 500 E Street, S.W., Room 317 Washington, DC 20436	By Email: cheney337@usitc.gov
Kayvan B. Noroozi NOROOZI PC 11601 Wilshire Blvd., Suite 2170 Los Angeles, CA 90025 <i>Counsel for Complainants Lighting Science Group Corporation and Healthe Inc.</i>	By Email: lsg@caldwellcc.com LSG@noroozipc.com FM-LSG-1163@fostermurphy.com
Kenneth G. Parker HAYNES AND BOONE, LLP 600 Anton Blvd., Suite 700 Costa Mesa, CA 92626 <i>Counsel for Complainant Global Value Lighting, LLC</i>	By Email and Overnight Delivery: GVL-HB@haynesboone.com
Matthew S. Yungwirth DUANE MORRIS LLP 1075 Peachtree Street NE, Suite 2000 Atlanta, GA 30309-3929 <i>Counsel for Respondents Acuity Brands, Inc. and Acuity Brands Lighting, Inc.</i>	By Email: DM_LSG_ITC1163@duanemorris.com

S. Alex Lasher QUINN EMANUEL URQUHART & SULLIVAN, LLP 1300 I Street, NW, Suite 900 Washington, D.C. 20005 <i>Counsel for Respondents Cree, Inc., Cree Hong Kong, Ltd., and Cree Huizhou Solid State Lighting Co. Ltd.</i>	By Email: qe-creevlsg@quinnemanuel.com
Steven E. Adkins MCGUIREWOODS LLP 2001 K Street N.W., Suite 400 Washington, D.C. 20006-1040 Telephone: (202) 857-1704 <i>Counsel for Respondent Current Lighting Solutions, LLC</i>	By Email: CurrentLightingITC1163@mcguirewoods.com
Eric S. Namrow MORGAN, LEWIS & BOCKIUS LLP 1111 Pennsylvania Ave, N.W. Washington, D.C. 20004 <i>Counsel for Respondents General Electric Company and Consumer Lighting (U.S.), LLC (d/b/a GE Lighting, LLC)</i>	By Email: MLB-GeneralElectricITC@morganlewis.com
John Caracappa STEPTOE & JOHNSON, LLP 1330 Connecticut Avenue, NW Washington, DC 20036 <i>Counsel for Respondents Leedarson Lighting Co., Ltd. and Leedarson America, Inc.</i>	By Email: SJLeedarsonITC@Steptoe.com
Bryan A. Kohm FENWICK & WEST LLP 555 California Street San Francisco, CA 94104 <i>Counsel for Respondents Lumileds Holding B.V. and Lumileds LLC</i>	By Email: LumiledsITC@fenwick.com

Thomas R. Makin SHEARMAN & STERLING LLP 599 Lexington Avenue New York, NY 10022 <i>Counsel for Respondents Nichia Corporation and Nichia America Corporation</i>	By Email: Nichia-LightingScience@Shearman.com
Paul M. Bartkowski ADDUCI MASTRIANI & SCHAUMBERG, LLP 1133 Connecticut Avenue, NW, 12th Floor Washington, D.C. 20036 <i>Counsel for Respondents OSRAM GmbH, OSRAM Licht AG, OSRAM Opto Semiconductors GmbH, and OSRAM Opto Semiconductors, Inc.</i>	By Email: OSRAM-AMS@adduci.com OSRAM_-_Lighting_Science@Shearman.com
Adam D. Swain ALSTON & BIRD LLP 950 F Street, NW Washington, D.C. 20004 <i>Counsel for Respondents Signify N.V. and Signify North America Corporation</i>	By Email: Signify-ITC@alston.com

/s/ Erika J. Weinstein

Erika J. Weinstein
Litigation Anaylist
LATHAM & WATKINS LLP