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

KEYLESS LICENSING LLC, Plaintiff, v. **SAMSUNG ELECTRONICS AMERICA, INC. AND SAMSUNG ELECTRONICS CO., LTD.,** Defendants.	**Case No. 2:24-cv-00464-JRG** **JURY TRIAL DEMANDED**

SAMSUNG ELECTRONICS CO., LTD. AND SAMSUNG ELECTRONICS AMERICA, INC.'S ANSWER TO KEYLESS LICENSING LLC'S ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

Defendants Samsung Electronics Co., Ltd. ("SEC") and Samsung Electronics America, Inc. ("SEA") (collectively, "Samsung"), by and through their undersigned counsel, submit their Answer to the Complaint filed by Plaintiff Keyless Licensing LLC ("Keyless") on June 20, 2024 (Dkt. 1). Samsung reserves the right to amend this Answer when and if it becomes appropriate to do so. Except as specifically admitted below, Samsung denies the allegations of the Complaint.

NATURE OF THE ACTION

1. Samsung admits that this is an action for patent infringement arising under the patent laws of the United States, 35 U.S.C. §§ 1, et seq., involving U.S. Patent Nos. 9,304,602 ("the '602 patent"), 10,976,922 ("the '922 patent"), and 11,503,144 ("the '144 patent) (collectively, the "Patents-in-Suit"). Samsung admits that Exhibits 1, 2, and 3 purport to be copies of the '602, '922, and '144 patents, respectively. Samsung denies the remaining allegations in paragraph 1.

2. Samsung admits that Keyless's Complaint seeks damages and other relief. Samsung denies the remaining allegations in paragraph 2.

BACKGROUND

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

4. Samsung lacks sufficient knowledge or information to form a belief about the truth of the allegations in paragraph 4 and, therefore, denies them.

5. Samsung lacks sufficient knowledge or information to form a belief about the truth of the allegations in paragraph 5 and, therefore, denies them.

6. Samsung admits that Benjamin Firooz Ghassabian is identified on the face of the Patents-In-Suit as an inventor and that the '144 patent identifies a provisional application filed on

April 18, 2003. Samsung lacks sufficient knowledge or information to form a belief about the truth of the remaining allegations in paragraph 6 and, therefore, denies them.

7. Samsung lacks sufficient knowledge or information to form a belief about the truth of the allegations in paragraph 7 and, therefore, denies them.

THE PARTIES

8. Samsung lacks sufficient knowledge or information to form a belief about the truth of the allegations in paragraph 8 and, therefore, denies them.

9. Samsung admits SEA is a corporation organized under the laws of New York, with its principal place of business at 85 Challenger Rd., Ridgefield Park, New Jersey 07660. Samsung admits that SEA has a corporate office at 6625 Excellence Way, Plano, Texas 75023. Samsung admits that SEA is registered to do business in Texas under File Number 0011028006 and that June 10, 1996 is the effective registration date. Samsung admits that SEA has designated a registered agent as CT Corporation System, 28 Liberty Street, New York, New York 10005. Samsung admits that SEA may be served with process through its registered agent CT Corporation System, 1999 Bryan Street, Suite 900, Dallas, Texas 75201. Samsung denies any remaining allegations in paragraph 9.

10. Samsung admits SEC is a company organized and existing under the laws of the Republic of Korea, with its principal place of business at 129, Samsung-ro, Maetan-3dong, Yeongtong-gu, Suwon-si, Gyeonggi-do, 16677, Republic of Korea. Samsung admits that SEC may be served by process under the Hague convention. Samsung denies that SEC may be served via its domestic entities. Samsung denies the remaining allegations in paragraph 10.

JURISDICTION AND VENUE

11. Samsung restates and incorporates by reference their answers to paragraphs 1 through 10 as if fully set forth herein.

12. Paragraph 12 contains legal conclusions to which no response is required. To the extent a response is required, Samsung does not contest jurisdiction and venue for purposes of this action only. Samsung denies any remaining allegations of paragraph 12.

13. Samsung admits that this action arises under the patent laws of the United States, 35 U.S.C. §§ 1, et seq. Samsung admits, for purposes of this action only, that this Court has subject matter jurisdiction over the allegations as pleaded under 28 U.S.C. §§ 1331 and 1338(a). Samsung denies any remaining allegations of paragraph 13.

14. Paragraph 14 contains legal conclusions to which no response is required. To the extent a response is required, Samsung does not contest, for purposes of this action only, that this Court has personal jurisdiction over it. Samsung denies the remaining allegations of paragraph 14.

15. Paragraph 15 contains legal conclusions to which no response is required. To the extent a response is required, Samsung does not contest, for purposes of this action only, that this Court has personal jurisdiction over it. Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies that it has committed any acts of patent infringement, including in this District. Samsung denies the remaining allegations of paragraph 15.

16. Paragraph 16 contains legal conclusions to which no response is required. To the extent a response is required, Samsung does not contest, for purposes of this action only, that venue is proper in this District but denies that this venue is either convenient or in the interests of justice under 38 U.S.C. § 1404(a). Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies that

it has committed any acts of patent infringement, including in this District. Samsung denies the remaining allegations of paragraph 16.

17. Paragraph 17 contains legal conclusions to which no response is required. To the extent a response is required, Samsung admits that SEA maintains an office at 6625 Excellence Way, Plano, Texas 75023. Samsung denies that SEC maintains regular and established places of business and a permanent and continuous physical presence in the Eastern District of Texas. Samsung denies any remaining allegations of paragraph 17.

18. Samsung denies the allegations of paragraph 18.

19. Samsung denies the allegations of paragraph 19.

20. Samsung admits that its answer in *Secure Wi-Fi LLC v. Samsung Electronics Co. Ltd. And Samsung Electronics America, Inc.*, Civil Action No. 2:24-cv-00047 (May 21, 2024), states that "for purposes of this action only, Samsung does not contest that venue is proper in this District." Samsung denies the remaining allegations of paragraph 20.

21. Samsung admits that the website https://www.samsung.com/global/business/networks/insights/blog/0613-samsung-networks-innovation-center-opens-its-doors-offering-a-close-look-at-advanced-network-connectivity/ contains content as shown therein. Samsung admits that the website https://www.samsung.com/us/galaxytexas/cheer-for-texas/ contains content as shown therein. Samsung admits that the website https://news.samsung.com/us/samsung-in-texas/ contains content as shown therein. Samsung denies the remaining allegations of paragraph 21.

22. Paragraph 22 contains legal conclusions to which no response is required. To the extent a response is required, Samsung does not contest venue for purposes of this action only. Samsung denies the remaining allegations of paragraph 22.

23. Paragraph 23 contains legal conclusions to which no response is required. To the extent a response is required, Samsung does not contest, for purposes of this action only, that joinder is proper under 35 U.S.C. § 299(a). Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies that it has committed any acts of patent infringement. Samsung denies the remaining allegations of paragraph 23.

24. Samsung incorporates by reference their answers to paragraphs 25 through 130 as if fully set forth herein.

PATENTS-IN-SUIT

U.S. Patent No. 11,503,144

25. Samsung admits that the '144 patent is titled "Systems to enhance data entry in mobile and fixed environment," identifies Benjamin F. Ghassabian as the named inventor, and identifies November 15, 2022, as the date it issued. Samsung admits that Exhibit 1 appears to be a copy of the '144 patent. Samsung lacks knowledge or information sufficient to form a belief about the truth of whether Keyless is the lawful owner of all rights, title, and interest in the '144 patent, including the right to sue and to recover for infringement thereof, and therefore denies this allegation. Samsung denies the remaining allegations of paragraph 25.

26. Samsung admits that paragraph 26 purports to describe the '144 patent but refers to the '144 patent itself for a true and complete statement of its contents. Samsung denies that the '144 patent contains inventions, solves technical problems, discloses numerous improvements over the prior art, claims a non-conventional approach to mobile phone design, recites configurations grounded in technology and improved over existing mobile phone user interfaces, and addresses technical problems. Samsung denies any remaining allegations of paragraph 26.

27. Paragraph 27 contains legal conclusions to which no response is required. To the extent a response is required, Samsung denies the allegations of paragraph 27.

28. Paragraph 28 contains legal conclusions to which no response is required. To the extent a response is required, Samsung denies the allegations of paragraph 28.

29. Paragraph 29 contains legal conclusions to which no response is required. To the extent a response is required, Samsung admits that the ’144 patent does not preempt all systems for the physical design and user interface of a mobile device. Samsung admits that paragraph 29 purports to describe the ’144 patent but refers to the ’144 patent itself for a true and complete statement of its contents. Samsung denies any remaining allegations of paragraph 29.

30. Paragraph 30 contains legal conclusions to which no response is required. To the extent a response is required, Samsung denies the allegations of paragraph 30.

U.S. Patent No. 9,304,602

31. Samsung admits that the ’602 patent is titled “System for capturing event provided from edge of touch screen,” identifies Benjamin F. Ghassabian as the named inventor, and identifies April 5, 2016, as the date it issued. Samsung admits that Exhibit 2 appears to be a copy of the ’602 patent. Samsung lacks knowledge or information sufficient to form a belief about the truth of whether Keyless is the lawful owner of all rights, title, and interest in the ’602 patent, including the right to sue and to recover for infringement thereof, and therefore denies this allegation. Samsung denies the remaining allegations of paragraph 31.

32. Samsung denies the allegations of paragraph 32.

33. Samsung admits that paragraph 33 purports to describe the ’602 patent but refers to the ’602 patent itself for a true and complete statement of its contents. Samsung denies that the ’602 patent is directed to an unconventional approach. Samsung denies that the ’602 patent

improves the way that users interact with mobile devices having a limited-size touchscreen. Samsung denies any remaining allegations of paragraph 33.

34. Paragraph 34 contains legal conclusions to which no response is required. To the extent a response is required, Samsung admits that paragraph 34 purports to describe the ’602 patent but refers to the ’602 patent itself for a true and complete statement of its contents. Samsung denies that the ’602 patent recites inventive concepts and features that are grounded in and overcome problems that are not well understood, routine, or conventional. Samsung denies any remaining allegations of paragraph 34.

35. Paragraph 35 contains legal conclusions to which no response is required. To the extent a response is required, Samsung denies the allegations of paragraph 35.

36. Paragraph 36 contains legal conclusions to which no response is required. To the extent a response is required, Samsung admits that the ’602 patent does not preempt all systems for receiving input on a mobile device. Samsung admits that paragraph 36 purports to describe the ’602 patent but refers to the ’602 patent itself for a true and complete statement of its contents. Samsung denies any remaining allegations of paragraph 36.

37. Paragraph 37 contains legal conclusions to which no response is required. To the extent a response is required, Samsung denies the allegations of paragraph 37.

U.S. Patent No. 10,976,922

38. Samsung admits that the ’922 patent is titled “Data entry systems,” identifies Benjamin F. Ghassabian as the named inventor, and identifies April 13, 2021, as the date it issued. Samsung admits that Exhibit 3 appears to be a copy of the ’922 patent. Samsung lacks knowledge or information sufficient to form a belief about the truth of whether Keyless is the lawful owner of all rights, title, and interest in the ’922 patent, including the right to sue and to

recover for infringement thereof, and therefore denies this allegation. Samsung denies the remaining allegations of paragraph 38.

39. Samsung admits that paragraph 39 purports to describe the ’922 patent but refers to the ’922 patent itself for a true and complete statement of its contents. Samsung denies that the ’922 patent contains inventions and solves technical problems. Samsung denies any remaining allegations of paragraph 39.

40. Paragraph 40 contains legal conclusions to which no response is required. To the extent a response is required, Samsung admits that paragraph 40 purports to describe the ’922 patent but refers to the ’922 patent itself for a true and complete statement of its contents. Samsung denies the remaining allegations of paragraph 40.

41. Paragraph 41 contains legal conclusions to which no response is required. To the extent a response is required, Samsung denies the allegations of paragraph 41.

42. Paragraph 42 contains legal conclusions to which no response is required. To the extent a response is required, Samsung admits that the ’922 patent does not preempt all systems for receiving input on a mobile device. Samsung admits that paragraph 42 purports to describe the ’922 patent but refers to the ’922 patent itself for a true and complete statement of its contents. Samsung denies any remaining allegations of paragraph 42.

43. Paragraph 43 contains legal conclusions to which no response is required. To the extent a response is required, Samsung denies the allegations of paragraph 43.

COUNT I

Alleged Infringement of the ’144 Patent

44. Samsung incorporates by reference and realleges the foregoing paragraphs as if fully set forth herein.

45. Paragraph 45 contains legal conclusions to which no response is required. To the extent a response is required, Keyless presents in paragraph 45 an infringement allegation. Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the allegations of paragraph 45.

46. Paragraph 46 contains legal conclusions to which no response is required. To the extent a response is required, Keyless presents in paragraph 46 an infringement allegation. Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the allegations of paragraph 46.

47. Paragraph 47 contains legal conclusions to which no response is required. To the extent a response is required, Keyless presents in paragraph 47 an infringement allegation. Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the allegations of paragraph 47.

48. Paragraph 48 contains legal conclusions to which no response is required. To the extent a response is required, Keyless presents in paragraph 48 an infringement allegation. Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the allegations of paragraph 48.

49. Samsung admits that paragraph 49 purports to reproduce claim 1 of the '144 patent but refers to the '144 patent itself for a true and complete statement of its contents.

50. Paragraph 50 contains legal conclusions to which no response is required. To the extent a response is required, Samsung admits that the Samsung Galaxy S23 is a mobile phone. Samsung admits that https://www.samsung.com/us/smartphones/ contains content as shown therein. The remaining allegations in paragraph 50 present an infringement allegation. Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of

infringement by Samsung, and Samsung therefore denies the remaining allegations of paragraph 50.

51. Paragraph 51 contains legal conclusions to which no response is required. To the extent a response is required, Samsung admits that https://www.samsung.com/us/smartphones/galaxy-s23/specs/ contains content as shown therein. The remaining allegations in paragraph 51 present an infringement allegation. Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the remaining allegations of paragraph 51.

52. Paragraph 52 contains legal conclusions to which no response is required. To the extent a response is required, Samsung admits that https://www.samsung.com/us/smartphones/galaxy-s23/ contains content as shown therein. Samsung admits that https://www.samsung.com/us/smartphones/galaxy-s23/specs/ contains content as shown therein. The remaining allegations in paragraph 52 present an infringement allegation. Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the remaining allegations of paragraph 52.

53. Paragraph 53 contains legal conclusions to which no response is required. To the extent a response is required, Samsung admits that https://www.samsung.com/my/support/mobile-devices/how-can-i-improve-the-sound-of-a-voice-call-with-a-galaxy-s23/ contains content as shown therein. Samsung admits that https://www.samsung.com/ie/support/mobile-devices/how-do-i-use-the-call-functions-on-my-device/ contains content as shown therein. Samsung admits that https://www.samsung.com/us/support/troubleshooting/TSG01001240/ contains content as shown therein. The remaining allegations in paragraph 53 present an infringement allegation. Based on the information provided in Keyless's Complaint, Keyless has

not shown any acts of infringement by Samsung, and Samsung therefore denies the remaining allegations of paragraph 53.

54. Paragraph 54 contains legal conclusions to which no response is required. To the extent a response is required, Samsung admits that https://www.samsung.com/us/smartphones/galaxy-s23/ contains content as shown therein. Samsung admits that https://www.samsung.com/us/smartphones/galaxy-s23/specs/ contains content as shown therein. The remaining allegations in paragraph 54 present an infringement allegation. Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the remaining allegations of paragraph 54.

55. Paragraph 55 contains legal conclusions to which no response is required. To the extent a response is required, Samsung admits that https://www.samsung.com/us/smartphones/galaxy-s23/ contains content as shown therein. The remaining allegations in paragraph 55 present an infringement allegation. Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the remaining allegations of paragraph 55.

56. Paragraph 56 contains legal conclusions to which no response is required. To the extent a response is required, Samsung admits that https://www.samsung.com/us/smartphones/galaxy-s23-ultra/ contains content as shown therein. Samsung admits that https://www.samsung.com/us/smartphones/galaxy-s23/ contains content as shown therein. The remaining allegations in paragraph 56 present an infringement allegation. Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the remaining allegations of paragraph 56.

57. Samsung admits that paragraph 57 purports to reproduce claim 9 of the ’144 patent but refers to the ’144 patent itself for a true and complete statement of its contents.

58. Paragraph 58 contains legal conclusions to which no response is required. To the extent a response is required, Samsung admits that the Samsung Galaxy S23 is a mobile phone. Samsung admits that https://www.samsung.com/us/smartphones/ contains content as shown therein. The remaining allegations in paragraph 58 present an infringement allegation. Based on the information provided in Keyless’s Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the remaining allegations of paragraph 58.

59. Paragraph 59 contains legal conclusions to which no response is required. To the extent a response is required, Samsung admits that https://www.samsung.com/us/smartphones/galaxy-s23/specs/ contains content as shown therein. Samsung admits that https://www.samsung.com/us/smartphones/galaxy-s23/ contains content as shown therein. The remaining allegations in paragraph 59 present an infringement allegation. Based on the information provided in Keyless’s Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the remaining allegations of paragraph 59.

60. Paragraph 60 contains legal conclusions to which no response is required. To the extent a response is required, Samsung admits that https://www.samsung.com/my/support/mobile-devices/how-can-i-improve-the-sound-of-a-voice-call-with-a-galaxy-s23/ contains content as shown therein. Samsung admits that https://www.samsung.com/ie/support/mobile-devices/how-do-i-use-the-call-functions-on-my-device/ contains content as shown therein. Samsung admits that https://www.samsung.com/us/support/troubleshooting/TSG01001240/ contains content as shown therein. The remaining allegations in paragraph 60 present an

infringement allegation. Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the remaining allegations of paragraph 60.

61. Paragraph 61 contains legal conclusions to which no response is required. To the extent a response is required, Samsung admits that https://www.samsung.com/us/smartphones/galaxy-s23/ contains content as shown therein. Samsung admits that https://www.samsung.com/us/smartphones/galaxy-s23/specs/ contains content as shown therein. The remaining allegations in paragraph 61 present an infringement allegation. Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the remaining allegations of paragraph 61.

62. Paragraph 62 contains legal conclusions to which no response is required. To the extent a response is required, Samsung admits that https://www.samsung.com/us/support/troubleshoot/TSG10001974/ contains content as shown therein. The remaining allegations in paragraph 62 present an infringement allegation. Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the remaining allegations of paragraph 62.

63. Paragraph 63 contains legal conclusions to which no response is required. To the extent a response is required, the allegations in paragraph 63 present an infringement allegation. Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the allegations of paragraph 63.

64. Paragraph 64 contains legal conclusions to which no response is required. To the extent a response is required, the allegations in paragraph 64 present an infringement allegation.

Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the allegations of paragraph 64.

65. Paragraph 65 contains legal conclusions to which no response is required. To the extent a response is required, Samsung admits that https://www.samsung.com/my/support/mobile-devices/how-can-i-improve-the-sound-of-a-voice-call-with-a-galaxy-s23/ contains content as shown therein. The remaining allegations in paragraph 65 present an infringement allegation. Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the remaining allegations of paragraph 65.

66. Paragraph 66 contains legal conclusions to which no response is required. To the extent a response is required, Samsung admits that https://www.samsung.com/my/support/mobile-devices/how-can-i-improve-the-sound-of-a-voice-call-with-a-galaxy-s23/ contains content as shown therein. Samsung admits that https://downloadcenter.samsung.com/content/UM/202302/20230207045923682/SAM_S911_S916_S918_EN_UM_OS13_020223_FINAL.pdf contains content as shown therein. Samsung admits that https://www.samsung.com/us/smartphones/galaxy-s23/ contains content as shown therein. The remaining allegations in paragraph 66 present an infringement allegation. Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the remaining allegations of paragraph 66.

67. Paragraph 67 contains legal conclusions to which no response is required. To the extent a response is required, Samsung admits that https://www.samsung.com/us/smartphones/galaxy-s23/ contains content as shown therein. The remaining allegations in paragraph 67 present an infringement allegation. Based on the information provided in Keyless's Complaint,

Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the remaining allegations of paragraph 67.

68. Paragraph 68 contains legal conclusions to which no response is required. To the extent a response is required, the allegations in paragraph 68 present an infringement allegation. Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the allegations of paragraph 68.

69. Paragraph 69 contains legal conclusions to which no response is required. To the extent a response is required, Samsung denies the allegations of paragraph 69.

70. Paragraph 70 contains legal conclusions to which no response is required. To the extent a response is required, Samsung denies the allegations of paragraph 70.

71. Samsung denies that it had knowledge of the '144 patent sufficient for either indirect or willful infringement. Samsung admits that U.S. Patent Publication No. 2007/0188472 is referenced in the prosecution of the patent application that corresponds to U.S. Patent Publication No. 2009/0058815, which claims priority to a patent application filed on September 4, 2007, and published March 5, 2009. Samsung admits that U.S. Patent Publication No. 2007/0188472 is referenced in the prosecution of the patent application that corresponds to U.S. Patent Publication No. 2014/0350925, which claims priority to a patent application filed on May 21, 2013, and published November 27, 2014. Samsung admits that U.S. Patent Publication No. 2007/0188472 is referenced in the prosecution of the patent application that corresponds to U.S. Patent Publication No. 2014/0359514, which claims priority to a patent application filed on June 4, 2013, and published December 4, 2014. Samsung admits that U.S. Patent Publication No. 2007/0188472 is referenced in the prosecution of the patent application that corresponds to U.S. Patent Publication No. 2015/0012872, which claims priority to a patent application filed on

November 23, 2007, and published January 8, 2015. Samsung admits that U.S. Patent Publication No. 2007/0188472 is referenced in the prosecution of the patent application that corresponds to U.S. Patent Publication No. 2015/0199553, which claims priority to a patent application filed on January 13, 2014, and published July 16, 2015. Samsung admits that U.S. Patent Publication No. 2007/0188472 is referenced in the prosecution of the patent application that corresponds to U.S. Patent No. 11,630,576, which claims priority to a patent application filed on August 8, 2014, and issued April 18, 2023. Samsung admits that U.S. Patent Publication No. 2016/0005150 is referenced in the prosecution of the patent application that corresponds to U.S. Patent Publication No. 2015/0128082, which claims priority to a patent application filed on November 1, 2013, and published May 7, 2015. Samsung admits that U.S. Patent Publication No. 2016/0005150 is referenced in the prosecution of the patent application that corresponds to U.S. Patent Publication No. 2017/0235373, which claims priority to a patent application filed on February 15, 2016, and published August 17, 2017. Samsung admits that U.S. Patent Publication No. 2016/0005150 is referenced in the prosecution of the patent application that corresponds to European Patent Publication No. 3480813, which claims priority to a patent application filed on August 31, 2016, and published May 8, 2019. Samsung denies the remaining allegations of paragraph 71.

72. Paragraph 72 contains legal conclusions to which no response is required. To the extent a response is required, Samsung denies the allegations of paragraph 72.

73. Paragraph 73 contains legal conclusions to which no response is required. To the extent a response is required, Samsung denies the allegations of paragraph 73.

74. Samsung denies the allegations of paragraph 74.

75. Samsung admits that it has not directly licensed the ’144 patent. Samsung denies any remaining allegations of paragraph 75.

76. Samsung lacks knowledge or information sufficient to form a belief about the truth of whether Keyless has complied with 35 U.S.C. § 287 and therefore denies this allegation.

77. Samsung denies the allegations of paragraph 77.

78. Samsung admits that the ’144 patent is publicly available from the United States Patent Office and Google Patents. Samsung lacks knowledge or information sufficient to form a belief about the truth of any remaining allegations in paragraph 78 and therefore denies them.

COUNT II
Alleged Infringement of the ’602 Patent

79. Samsung incorporates by reference and realleges the foregoing paragraphs as if fully set forth herein.

80. Paragraph 80 contains legal conclusions to which no response is required. To the extent a response is required, Keyless presents in paragraph 80 an infringement allegation. Based on the information provided in Keyless’s Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the allegations of paragraph 80.

81. Paragraph 81 contains legal conclusions to which no response is required. To the extent a response is required, Keyless presents in paragraph 81 an infringement allegation. Based on the information provided in Keyless’s Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the allegations of paragraph 81.

82. Paragraph 82 contains legal conclusions to which no response is required. To the extent a response is required, Keyless presents in paragraph 82 an infringement allegation. Based on the information provided in Keyless’s Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the allegations of paragraph 82.

83. Samsung admits that paragraph 83 purports to reproduce claim 1 of the ’602 patent but refers to the ’602 patent itself for a true and complete statement of its contents.

84. Paragraph 84 contains legal conclusions to which no response is required. To the extent a response is required, Keyless presents in paragraph 84 an infringement allegation. Based on the information provided in Keyless’s Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the allegations of paragraph 84.

85. Paragraph 85 contains legal conclusions to which no response is required. To the extent a response is required, Samsung admits that https://www.samsung.com/us/support/troubleshoot/TSG10001974/ contains content as shown therein. The remaining allegations in paragraph 85 present an infringement allegation. Based on the information provided in Keyless’s Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the remaining allegations of paragraph 85.

86. Paragraph 86 contains legal conclusions to which no response is required. To the extent a response is required, the allegations in paragraph 86 present an infringement allegation. Based on the information provided in Keyless’s Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the allegations of paragraph 86.

87. Paragraph 87 contains legal conclusions to which no response is required. To the extent a response is required, the allegations in paragraph 87 present an infringement allegation. Based on the information provided in Keyless’s Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the allegations of paragraph 87.

88. Paragraph 88 contains legal conclusions to which no response is required. To the extent a response is required, the allegations in paragraph 88 present an infringement allegation.

Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the allegations of paragraph 88.

89. Paragraph 89 contains legal conclusions to which no response is required. To the extent a response is required, the allegations in paragraph 89 present an infringement allegation. Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the allegations of paragraph 89.

90. Paragraph 90 contains legal conclusions to which no response is required. To the extent a response is required, Samsung admits that https://www.samsung.com/us/smartphones/galaxy-s23/specs/ contains content as shown therein. The remaining allegations in paragraph 90 present an infringement allegation. Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the remaining allegations of paragraph 90.

91. Paragraph 91 contains legal conclusions to which no response is required. To the extent a response is required, the allegations in paragraph 91 present an infringement allegation. Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the allegations of paragraph 91.

92. Paragraph 92 contains legal conclusions to which no response is required. To the extent a response is required, the allegations in paragraph 92 present an infringement allegation. Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the allegations of paragraph 92.

93. Paragraph 93 contains legal conclusions to which no response is required. To the extent a response is required, Samsung admits that https://downloadcenter.samsung.com/content/UM/202302/20230207045923682/SAM_S911_S916_S918_EN_UM_OS13_020223_FINAL

.pdf contains content as shown therein. The remaining allegations in paragraph 93 present an infringement allegation. Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the remaining allegations of paragraph 93.

94. Paragraph 94 contains legal conclusions to which no response is required. To the extent a response is required, the allegations in paragraph 94 present an infringement allegation. Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the allegations of paragraph 94.

95. Paragraph 95 contains legal conclusions to which no response is required. To the extent a response is required, Samsung denies the allegations of paragraph 95.

96. Paragraph 96 contains legal conclusions to which no response is required. To the extent a response is required, Samsung denies the allegations of paragraph 96.

97. Samsung denies that it had knowledge of the '602 patent sufficient for either indirect or willful infringement. Samsung admits that the '602 patent is included in a "Notice of References Cited" in the prosecution of U.S. Patent Application No. 16/516,892. Samsung admits that the '602 patent is referenced in the prosecution of the application that corresponds to U.S. Patent No. 11,281,370, which claims priority to a patent application filed on February 28, 2015, was filed on July 19, 2019, and issued on March 22, 2022. Samsung admits that U.S. Patent Publication No. 2011/0141027 was referenced in the prosecution of the patent application that corresponds to European Patent Publication No. 2597561, which claims priority to a patent application filed on November 25, 2011, and published May 29, 2013. Samsung admits that U.S. Patent Publication No. 2011/0141027 was referenced in the prosecution of the patent application that corresponds to U.S. Patent No. 10,402,088, which claims priority to a patent application

filed on May 5, 2012, and published September 3, 2019. Samsung admits that U.S. Patent Publication No. 2011/0291940 was referenced in the prosecution of the application that corresponds to U.S. Patent Publication No. 2012/0162086, which claims priority to a patent application filed on December 27, 2010, and published June 28, 2012. Samsung denies the remaining allegations of paragraph 97.

98. Paragraph 98 contains legal conclusions to which no response is required. To the extent a response is required, Samsung denies the allegations of paragraph 98.

99. Paragraph 99 contains legal conclusions to which no response is required. To the extent a response is required, Samsung denies the allegations of paragraph 99.

100. Samsung denies the allegations of paragraph 100.

101. Samsung admits that it has not directly licensed the ’602 patent. Samsung denies any remaining allegations of paragraph 101.

102. Samsung lacks knowledge or information sufficient to form a belief about the truth of whether Keyless has complied with 35 U.S.C. § 287 and therefore denies this allegation.

103. Samsung denies the allegations of paragraph 103.

104. Samsung admits that the ’602 patent is publicly available from the United States Patent Office and Google Patents. Samsung lacks knowledge or information sufficient to form a belief about the truth of any remaining allegations in paragraph 104 and therefore denies them.

COUNT III
Alleged Infringement of the ’922 Patent

105. Samsung incorporates by reference and realleges the foregoing paragraphs as if fully set forth herein.

106. Paragraph 106 contains legal conclusions to which no response is required. To the extent a response is required, Keyless presents in paragraph 106 an infringement allegation.

Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the allegations of paragraph 106.

107. Paragraph 107 contains legal conclusions to which no response is required. To the extent a response is required, Keyless presents in paragraph 107 an infringement allegation. Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the allegations of paragraph 107.

108. Paragraph 108 contains legal conclusions to which no response is required. To the extent a response is required, Keyless presents in paragraph 108 an infringement allegation. Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the allegations of paragraph 108.

109. Samsung admits that paragraph 109 purports to reproduce claim 1 of the '922 patent but refers to the '922 patent itself for a true and complete statement of its contents.

110. Paragraph 110 contains legal conclusions to which no response is required. To the extent a response is required, Keyless presents in paragraph 110 an infringement allegation. Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the allegations of paragraph 110.

111. Paragraph 111 contains legal conclusions to which no response is required. To the extent a response is required, Keyless presents in paragraph 111 an infringement allegation. Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the allegations of paragraph 111.

112. Paragraph 112 contains legal conclusions to which no response is required. To the extent a response is required, Samsung admits that https://www.samsung.com/us/support/troubleshoot/TSG10001974/ contains content as shown therein. The remaining allegations in

paragraph 112 present an infringement allegation. Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the remaining allegations of paragraph 112.

113. Paragraph 113 contains legal conclusions to which no response is required. To the extent a response is required, the allegations in paragraph 113 present an infringement allegation. Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the allegations of paragraph 113.

114. Paragraph 114 contains legal conclusions to which no response is required. To the extent a response is required, the allegations in paragraph 114 present an infringement allegation. Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the allegations of paragraph 114.

115. Paragraph 115 contains legal conclusions to which no response is required. To the extent a response is required, the allegations in paragraph 115 present an infringement allegation. Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the allegations of paragraph 115.

116. Paragraph 116 contains legal conclusions to which no response is required. To the extent a response is required, the allegations in paragraph 116 present an infringement allegation. Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the allegations of paragraph 116.

117. Paragraph 117 contains legal conclusions to which no response is required. To the extent a response is required, the allegations in paragraph 117 present an infringement allegation. Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the allegations of paragraph 117.

118. Paragraph 118 contains legal conclusions to which no response is required. To the extent a response is required, the allegations in paragraph 118 present an infringement allegation. Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the allegations of paragraph 118.

119. Paragraph 119 contains legal conclusions to which no response is required. To the extent a response is required, the allegations in paragraph 119 present an infringement allegation. Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the allegations of paragraph 119.

120. Paragraph 120 contains legal conclusions to which no response is required. To the extent a response is required, the allegations in paragraph 120 present an infringement allegation. Based on the information provided in Keyless's Complaint, Keyless has not shown any acts of infringement by Samsung, and Samsung therefore denies the allegations of paragraph 120.

121. Paragraph 121 contains legal conclusions to which no response is required. To the extent a response is required, Samsung denies the allegations of paragraph 121.

122. Paragraph 122 contains legal conclusions to which no response is required. To the extent a response is required, Samsung denies the allegations of paragraph 122.

123. Samsung denies that it had knowledge of the '922 patent sufficient for either indirect or willful infringement. Samsung admits that U.S. Patent Publication No. 2016/0132233 is referenced in the prosecution of the application that corresponds to U.S. Patent Publication No. 2015/0248235, which claims priority to a patent application filed on February 28, 2014, and published September 3, 2015. Samsung admits that U.S. Patent Publication No. 2016/0132233 is referenced in the prosecution of the application that corresponds to U.S. Patent No. 10,185,416, which claims priority to a patent application filed on November 20, 2012, and issued January 22,

2019. Samsung admits that U.S. Patent Publication No. 2016/0132233 is referenced in the prosecution of the application that corresponds to U.S. Patent No. 10,194,060, which claims priority to a patent application filed on November 20, 2012, and issued January 29, 2019. Samsung admits that U.S. Patent Publication No. 2016/0132233 is referenced in the prosecution of the application that corresponds to U.S. Patent No. 10,423,214, which claims priority to a patent application filed on November 20, 2012, and issued September 24, 2019. Samsung admits that U.S. Patent Publication No. 2016/0132233 is referenced in the prosecution of the application that corresponds to U.S. Patent No. 10,551,928, which claims priority to a patent application filed on November 20, 2012, and issued February 4, 2020. Samsung admits that U.S. Patent Publication No. 2016/0132233 is referenced in the prosecution of the application that corresponds to U.S. Patent No. 11,157,436, which claims priority to a patent application filed on November 20, 2012, and issued October 26, 2021. Samsung admits that U.S. Patent Publication No. 2016/0132233 is referenced in the prosecution of the application that corresponds to U.S. Patent No. 11,237,719, which claims priority to a patent application filed on November 20, 2012, and issued February 1, 2022. Samsung admits that U.S. Patent Publication No. 2016/0132233 is referenced in the prosecution of the application that corresponds to U.S. Patent No. 11,372,536, which claims priority to a patent application filed on November 20, 2012, and issued June 28, 2022. Samsung admits that U.S. Patent Publication No. 2016/0041965 is referenced in the prosecution of the application that corresponds to U.S. Patent No. 11,481,551, which claims priority to a patent application filed on October 21, 2016, and issued October 25, 2022. Samsung denies the remaining allegations of paragraph 123.

124. Paragraph 124 contains legal conclusions to which no response is required. To the extent a response is required, Samsung denies the allegations of paragraph 124.

125. Paragraph 125 contains legal conclusions to which no response is required. To the extent a response is required, Samsung denies the allegations of paragraph 125.

126. Samsung denies the allegations of paragraph 126.

127. Samsung admits that it has not directly licensed the ’922 patent. Samsung denies any remaining allegations of paragraph 127.

128. Samsung lacks knowledge or information sufficient to form a belief about the truth of whether Keyless has complied with 35 U.S.C. § 287 and therefore denies this allegation.

129. Samsung denies the allegations of paragraph 129.

130. Samsung admits that the ’922 patent is publicly available from the United States Patent Office and Google Patents. Samsung lacks knowledge or information sufficient to form a belief about the truth of any remaining allegations in paragraph 130 and therefore denies them.

PRAYER FOR RELIEF

A response to the prayer for relief is unnecessary. To the extent a response is required, Samsung denies any allegations contained in the prayer for relief and denies that Keyless is entitled to any such judgment or relief, requested or otherwise.

DEMAND FOR JURY TRIAL

To the extent a response is required, Samsung admits that Keyless’s Complaint contains a request for a jury trial.

DEFENSES

Samsung asserts the defenses below with knowledge as to their own actions and on information and belief with respect to the actions of others. By doing so, Samsung does not concede that any of the following must necessarily be pleaded as affirmative defenses or that any of the following is not already at issue by virtue of the forgoing denials. Moreover, Samsung reserves their rights to plead additional defenses as discovery into the facts of the matter warrant.

FIRST DEFENSE
(Noninfringement of the ’144 Patent)

1. Based on the information provided in Keyless’s Complaint, Keyless has not shown any acts of infringement by Samsung, Samsung therefore does not directly infringe, induce the infringement, or contribute to the infringement (either literally or under the doctrine of equivalents) of any valid and/or enforceable claim of the ’144 Patent.

SECOND DEFENSE
(Invalidity of the ’144 Patent)

2. All asserted claims of the ’144 patent are invalid for failure to satisfy one or more of the conditions of patentability under the patent laws of the United States, 35 U.S.C. §§ 100, et seq., including §§ 101, 102, 103, 112, and/or 116.

THIRD DEFENSE
(Noninfringement of the ’602 Patent)

3. Based on the information provided in Keyless’s Complaint, Keyless has not shown any acts of infringement by Samsung, Samsung therefore does not directly infringe, induce the infringement, or contribute to the infringement (either literally or under the doctrine of equivalents) of any valid and/or enforceable claim of the ’602 Patent.

FOURTH DEFENSE
(Invalidity of the ’602 Patent)

4. All asserted claims of the ’602 patent are invalid for failure to satisfy one or more of the conditions of patentability under the patent laws of the United States, 35 U.S.C. §§ 100, et seq., including §§ 101, 102, 103, 112, and/or 116.

FIFTH DEFENSE
(Noninfringement of the ’922 Patent)

5. Based on the information provided in Keyless’s Complaint, Keyless has not shown any acts of infringement by Samsung, Samsung therefore does not directly infringe,

induce the infringement, or contribute to the infringement (either literally or under the doctrine of equivalents) of any valid and/or enforceable claim of the ’922 Patent.

SIXTH DEFENSE
(Invalidity of the ’922 Patent)

6. All asserted claims of the ’922 patent are invalid for failure to satisfy one or more of the conditions of patentability under the patent laws of the United States, 35 U.S.C. §§ 100, et seq., including §§ 101, 102, 103, 112, and/or 116.

SEVENTH DEFENSE
(Failure to State a Claim)

7. Keyless has failed to state any claim upon which relief can be granted.

EIGHTH DEFENSE
(Lack of Standing)

8. To the extent Keyless lacks all substantial rights to bring suit and to exclude others from practicing the claims of one or more of the ’144, ’602, and ’922 patents, Keyless is not entitled to relief because its claims are barred by a lack of standing.

NINTH DEFENSE
(Equitable Doctrines)

9. Keyless’s claims are barred, in whole or in part, by the equitable doctrines of waiver, estoppel, acquiescence, laches, and/or unclean hands.

TENTH DEFENSE
(Prosecution History Estoppel and/or Doctrine of Equivalents)

10. Keyless’s claims are barred, in whole or in part, by prosecution history estoppel and/or prosecution history disclaimer to the extent Keyless sufficiently alleges infringement under the doctrine of equivalents for a limitation for which it surrendered claim scope.

ELEVENTH DEFENSE
(Limitation on Damages Under Section 286)

11. Keyless's claims for damages are barred under 35 U.S.C. § 286 to the extent Keyless seeks damages beyond the applicable statute of limitations.

TWELFTH DEFENSE
(Limitation on Damages Under Section 287)

12. Keyless did not provide notice to Samsung of the '144, '602, or '922 patent prior to the filing of the Complaint (Dkt. 1). Samsung was not notified of any alleged infringement of the '144, '602, or '922 patents prior to the filing of the Complaint (Dkt. 1). Any claims for damages prior to the filing of the Complaint are barred to the extent the requirements of 35 U.S.C. § 287 have not been met.

THIRTEENTH DEFENSE
(Unavailability of Pre-Suit Damages for Indirect Infringement)

13. Samsung lacked knowledge of the '144, '602, and '922 patents and/or the requisite intent for indirect infringement prior to the filing of the Complaint (Dkt. 1). Accordingly, Keyless is not entitled to recover any damages for any alleged indirect infringement based on any alleged acts that transpired prior to the filing of the Complaint. Nor is Keyless entitled to recover for any other alleged indirect infringement because Keyless should not prospectively allege post-filing conduct in an original complaint where Samsung lacked knowledge of the patents and intent.

FOURTEENTH DEFENSE
(Extraterritoriality)

14. Keyless's claims of patent infringement are precluded, in whole or in part, to the extent that any accused functionality or acts are located or performed outside the United States.

FIFTEENTH DEFENSE
(No Exceptional Case)

15. Any claim for an award of fees and/or costs against Samsung pursuant to 35 U.S.C. § 285 has no basis in fact or law and should be denied.

SIXTEENTH DEFENSE
(No Willful Infringement or Enhanced Damages)

16. Samsung has not and does not willfully infringe any claim of any of the Patents-in-Suit, and Keyless is not entitled to any award of enhanced damages pursuant to 35 U.S.C. § 284.

SEVENTEENTH DEFENSE
(No Injunctive Relief)

17. Keyless is not entitled to injunctive relief because Keyless is not likely to prevail on the merits, has not suffered and will not suffer any immediate or irreparable harm, has an adequate remedy at law to compensate any alleged injury, the balance of hardships does not favor an injunction, and the public interest would be disserved by an injunction.

EIGHTEENTH DEFENSE
(Actions of Others)

18. Keyless's claims are barred, in whole or in part, to the extent based on the acts of others for whom Samsung has no control.

NINETEENTH DEFENSE
(Ensnarement)

19. To the extent Keyless sufficiently alleges infringement of the '144, '602, or '922 patent under the doctrine of equivalents, its claims are barred under the ensnarement doctrine to the extent that Keyless's allegation encompasses, or "ensnares," prior art.

TWENTIETH DEFENSE
(License and Exhaustion)

20. Keyless's claims of patent infringement are barred, in whole or in part, to the extent that the alleged infringement is licensed or otherwise authorized. Keyless's claims of patent infringement are also barred, in whole or in part, to the extent that Keyless exhausted its rights and remedies as to the alleged infringement.

TWENTY-FIRST DEFENSE
(Limitations for Sales Covered by Section 1498)

21. Keyless's remedies, if any, are limited under 28 U.S.C. § 1498(a) to the extent that Keyless accuses products that are provided, made, or used by or for the government of the United States of America.

TWENTY-SECOND DEFENSE
(No Costs)

22. Keyless is barred by 35 U.S.C. § 288 from recovering any costs associated with this action.

Dated: October 10, 2024

Respectfully submitted,

/s/ Melissa R. Smith

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that counsel of record who are deemed to have consented to electronic services are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this the 10th day of October 2024.

/s/ Melissa R. Smith
Melissa R. Smith