

**UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE AT CHATTANOOGA**

HOLLEY PERFORMANCE
PRODUCTS INC.,

Plaintiff,

v.

ACES FUEL INJECTION, INC.,

Defendant.

Case No. 1:26-cv-59-CEA-CHS

AMENDED ANSWER AND COUNTERCLAIMS OF ACES FUEL INJECTION, INC.

Defendant Aces Fuel Injection, Inc. ("Aces"), by and through counsel, hereby responds to the Complaint filed against it as follows:

I. NATURE OF THE ACTION

1. Aces is without sufficient information to admit or deny the allegations of Paragraph 1 of the Complaint and therefore must deny the same.
2. Aces is without sufficient information to admit or deny the allegations of Paragraph 2 of the Complaint and therefore must deny the same.
3. Responding to Paragraph 3 of the Complaint, Aces denies that it infringes or willfully infringes any valid claim of any asserted patent.
4. Responding to Paragraph 4 of the Complaint, Aces admits that it publicly distributes a manual titled The JOKER Installation and Tuning Manual but denies that said manual is substantially similar to the Holley Manual.
5. Aces denies the allegations of Paragraph 5 of the Complaint.

II. PARTIES

6. Upon information and belief, Aces admits the allegations of Paragraph 6 of the Complaint.

7. Aces admits the allegations of Paragraph 7 of the Complaint.

III. JURISDICTION AND VENUE

8. Aces admits the allegations of Paragraph 8 of the Complaint.

9. Aces admits the allegations of Paragraph 9 of the Complaint.

10. Aces admits that its principal place of business is located in Chattanooga, Tennessee and that this fact supports jurisdiction in this forum. Aces denies the remaining allegations of infringement in Paragraph 10.

11. Aces admits the allegations in Paragraph 11 of the Complaint.

IV. BACKGROUND INFORMATION

12. Aces is without sufficient information to admit or deny the allegations of Paragraph 12 of the Complaint and therefore must deny the same, except that Aces admits that Holley sells EFI systems including in this judicial district.

13. Aces is without sufficient information to admit or deny the allegations of Paragraph 13 of the Complaint and therefore must deny the same.

14. Aces is without sufficient information to admit or deny the allegations of Paragraph 14 of the Complaint and therefore must deny the same.

15. Aces denies the allegations in Paragraph 15 of the Complaint.

V. THE INFRINGED PATENTS

16. Aces is without sufficient information to admit or deny the allegations of Paragraph 16 of the Complaint and therefore must deny the same.

17. Aces is without sufficient information to admit or deny the allegations of Paragraph 17 of the Complaint and therefore must deny the same.

18. Aces is without sufficient information to admit or deny the allegations of Paragraph 18 of the Complaint and therefore must deny the same.

19. Aces is without sufficient information to admit or deny the allegations of Paragraph 19 of the Complaint and therefore must deny the same.

20. Aces admits the allegations in Paragraph 20 of the Complaint.

21. Aces is without sufficient information to admit or deny the allegations of Paragraph 21 of the Complaint and therefore must deny the same.

VI. DEFENDANT'S ACTIONS

22. Responding to Paragraph 22 of the Complaint, Aces had no knowledge of the Holley Patents-in-Suit or any of its claims of infringement until it received a letter from Holley's counsel dated February 11, 2026 that enclosed copies of the asserted Holley Patents-in-Suit and which falsely claimed that it wished to "avoid legal action and resolve this matter amicably."

23. Responding to Paragraph 23 of the Complaint, while Aces had some awareness of Holley, being served with the Complaint has caused Aces to gain greater knowledge of Holley, its business, manuals and products.

24. Aces objects to Paragraph 24 on grounds of vagueness and on that basis denies its averments.

25. Responding to Paragraph 25, Aces denies infringing any valid claim of the Holley Patents-in-Suit. Aces admits that it sells the Killshot Fusion EFI System and the Deuces Wild 2-bbl EFI System, and that images of those systems are reproduced in Paragraph 25.

26. Aces admits the allegations in Paragraph 26 of the Complaint.

27. Aces denies the allegations in Paragraph 27 of the Complaint.

28. Responding to the allegations in Paragraph 28, Aces denies that it infringes any valid claim of any of the Holley Patents-in-Suit.

29. Responding to the allegations in Paragraph 29, Aces denies that it has infringed, induced others to infringe or contributorily infringed any valid claim of any of the Holley Patents-in-Suit.

30. Responding to the allegations in Paragraph 30, Aces only learned of the existence of the Holley Patents-in-Suit less than one month before Holley filed suit, Aces denies that it infringes or willfully infringes any valid claim of any of the Holley Patents-in-Suit, and Aces believes it has a reasonable basis to sell the Aces products that are accused of infringement.

31. Aces denies the allegations contained in Paragraph 31 of the Complaint.

VII. COUNT I – INFRINGEMENT OF U.S. PATENT NO. 11,118,515

32. Aces repeats its responses to each of the above-numbered paragraphs as if fully set forth herein.

33. Aces denies the allegations in Paragraph 33 of the Complaint.

34. Aces denies the allegations in Paragraph 34 of the Complaint.

35. Responding to Paragraph 35, Aces acknowledges that Exhibit E appears to be a claim chart but Aces denies that it shows infringement.

36. Aces denies the allegations in Paragraph 36 of the Complaint.

37. Aces denies the allegations in Paragraph 37 of the Complaint.

38. Responding to Paragraph 38, Aces responds that it does not have, or need, a license or any other authority because it does not practice any technology claimed by the '515 Patent.

39. Aces denies the allegations in Paragraph 39 of the Complaint.

VIII. COUNT II – INFRINGEMENT OF U.S. PATENT NO. 11,333,083

40. Aces repeats its responses to each of the above-numbered paragraphs as if fully set forth herein.

41. Aces denies the allegations in Paragraph 41 of the Complaint.
42. Aces denies the allegations in Paragraph 42 of the Complaint.
43. Responding to Paragraph 43, Aces acknowledges that Exhibit F appears to be a claim chart but Aces denies that it shows infringement.
44. Aces denies the allegations in Paragraph 44 of the Complaint.
45. Aces denies the allegations in Paragraph 45 of the Complaint.
46. Responding to Paragraph 46, Aces responds that it does not have, or need, a license or any other authority because it does not practice any technology claimed by the '083 Patent.
47. Aces denies the allegations in Paragraph 47 of the Complaint.

IX. COUNT III – INFRINGEMENT OF U.S. PATENT NO. 11,409,894

48. Aces repeats its responses to each of the above-numbered paragraphs as if fully set forth herein.
49. Responding to the allegations in Paragraph 49 of the Complaint, Aces denies that it infringes any valid claim of the '894 Patent.
50. Responding to the allegations in Paragraph 50 of the Complaint, Aces denies that it infringes any valid claim of the '894 Patent.
51. Responding to Paragraph 51, Aces acknowledges that Exhibits G and H appear to be claim charts but Aces denies that it shows infringement of any valid claim of the '894 Patent.
52. Responding to the allegations in Paragraph 52 of the Complaint, Aces denies that it infringes any valid claim of the '894 Patent.
53. Responding to the allegations in Paragraph 53 of the Complaint, Aces denies that it infringes or willfully infringes any valid claim of the '894 Patent.

54. Responding to Paragraph 54, Aces responds that it does not have, or need, a license or any other authority because it does not practice any technology validly claimed by the '894 Patent.

55. Aces denies the allegations in Paragraph 55 of the Complaint.

X. COUNT IV – INFRINGEMENT OF U.S. PATENT NO. 12,203,434

56. Aces repeats its responses to each of the above-numbered paragraphs as if fully set forth herein.

57. Responding to the allegations in Paragraph 57 of the Complaint, Aces denies that it infringes any valid claim of the '434 Patent.

58. Responding to the allegations in Paragraph 58 of the Complaint, Aces denies that it infringes any valid claim of the '434 Patent.

59. Responding to Paragraph 59, Aces acknowledges that Exhibits I and J appear to be claim charts but Aces denies that it shows infringement of any valid claim of the '434 Patent.

60. Responding to the allegations in Paragraph 60 of the Complaint, Aces denies that it infringes any valid claim of the '434 Patent.

61. Responding to the allegations in Paragraph 61 of the Complaint, Aces denies that it infringes or willfully infringes any valid claim of the '434 Patent.

62. Responding to Paragraph 62, Aces responds that it does not have, or need, a license or any other authority because it does not practice any technology validly claimed by the '434 Patent.

63. Aces denies the allegations in Paragraph 63 of the Complaint.

XI. COUNT IV – COPYRIGHT INFRINGEMENT

64. Aces repeats its responses to each of the above-numbered paragraphs as if fully set forth herein.

65. Aces is without sufficient information to admit or deny the allegations of Paragraph 65 of the Complaint and therefore must deny the same.

66. Aces is without sufficient information to admit or deny the allegations of Paragraph 66 of the Complaint and therefore must deny the same.

67. Aces denies the allegations in Paragraph 67 of the Complaint.

68. Aces denies the allegations in Paragraph 68 of the Complaint.

69. Aces denies the allegations in Paragraph 69 of the Complaint.

70. Aces denies the allegations in Paragraph 70 of the Complaint.

71. Any allegation in the Complaint that has not yet been admitted, denied, or otherwise explained is denied.

XII. DEMAND FOR RELIEF

Aces denies that Holley is entitled to any relief demanded in the Complaint.

FIRST AFFIRMATIVE DEFENSE

(Non-infringement of the Holley Patents)

Aces has not infringed or induced infringement of any valid and enforceable claim of the Holley Patents-in-Suit including each and every one of the claims asserted thereunder.

SECOND AFFIRMATIVE DEFENSE

(Invalidity of Holley Patents)

The Holley Patents-in-Suit and each claim thereof are invalid for failing to comply with the requirements generally of the patent laws of the United States, including one or more of the requirements specified in Section 101, 102, 103, 111, 112, 116, 132, 251, and 252 of Title 35 of the United States Code. Specifically, by way of example and not limitation:

1. The '894 Patent (US 11,409,894) is invalid as obvious under 35 U.S.C. § 103 over U.S. Patent No. 7,735,475 to Farrell et al. ("Farrell") in view of U.S. Patent No.

9,303,578 to Wittkopf et al. ("Wittkopf") and/or U.S. Patent No. 9,115,671 to Benoit ("Benoit"). While each reference relates to a fuel injection throttle body designed to replace carburetors, none was cited or substantively considered during the prosecution of the '894 Patent.

2. The '515 Patent (US 11,118,515), the '083 Patent (US 11,333,083), and the '434 Patent (US 12,203,434) are invalid as obvious under 35 U.S.C. § 103 over Farrell in view of Wittkopf and/or Benoit.
3. Additional prior art and invalidity theories, including but not limited to anticipation under 35 U.S.C. § 102 and lack of enablement or written description under 35 U.S.C. § 112, are being investigated and will be disclosed in accordance with the Federal Rules of Civil Procedure, the Local Rules of this Court, and any scheduling order entered by the Court.

THIRD AFFIRMATIVE DEFENSE

(No Recovery of Costs)

Holley is barred in whole or in part from recovering any costs associated with this action by failing to disclaim invalid claims under 35 U.S.C. § 288.

FOURTH AFFIRMATIVE DEFENSE

(No Entitlement to Injunctive Relief)

Holley is not entitled to injunctive relief as it has, at a minimum, no irreparable injury and may have an adequate remedy at law for Aces' alleged infringement of the Holley Patents-in-Suit.

FIFTH AFFIRMATIVE DEFENSE

(Failure to Mark)

Any damages for alleged infringement of the Holley Patents-in-Suit are barred in whole or in part to the extent that Holley failed to satisfy the requirements under 35 U.S.C. § 287 for the asserted Patents.

SIXTH AFFIRMATIVE DEFENSE

(Prosecution History Estoppel of the Subject Patents)

By reason of statements made and/or responses given to USPTO office actions by Holley and/or by reason of claim amendments made by or on behalf of the applicants during the prosecution of the applications that led to the issuance of the Holley Patents-in-Suit (or related patents or applications), Holley is estopped from asserting a scope for the claims of the Holley Patents-in-Suit that would cover Aces' allegedly infringing products.

SEVENTH AFFIRMATIVE DEFENSE

(No Recovery of Statutory Damages or Attorneys' Fees Under Copyright Act)

Holley is barred from recovering statutory damages or attorneys' fees under 17 U.S.C. § 412 by failing to obtain a copyright registration within three (3) months of first publication.

EIGHTH AFFIRMATIVE DEFENSE

(Invalidity of Copyright Registration and Non-Infringement)

U.S. Copyright Registration No. TX-9-500-485 is invalid for at least the reason that the underlying content does not reflect sufficient original expression to qualify for copyright protection. Additionally, or in the alternative, any original content of the Holley Manual—which is denied—that is excerpted in Paragraph 15 of the Complaint is *de minimus* and is not copied by Aces, and therefore Aces does not infringe.

COUNTERCLAIMS

Aces, assuming the role of counter-plaintiff, for its cause of action against Holley Performance Products Inc., states as follows:

1. Aces adopts by reference each and every response to the foregoing allegations in the preceding paragraphs and each of its Affirmative Defenses as if verbatim.

I. PARTIES

2. Aces Fuel Injection, Inc. ("Aces") is a Tennessee corporation with principal place of business located at 1215 Latta Street, Chattanooga, Tennessee 37406.

3. Upon information and belief, Holley Performance Products, Inc. ("Holley") is a Delaware corporation with principal place of business located at 1A Burton Hills, Nashville, Tennessee 37215.

II. JURISDICTION AND VENUE

4. This is an action for patent infringement arising under the Patent Laws of the United States, Title 35, United States Code.

5. Subject matter jurisdiction is founded upon 28 U.S.C. § 1338 and 28 U.S.C. § 1331.

6. Holley has submitted itself to the jurisdiction of this Court by filing the Complaint in this judicial district and on information and belief, resides in Tennessee and has offered to sell and has sold infringing products in this judicial district.

7. Holley has submitted itself to the venue of this Court by filing the Complaint in this matter, and therefore venue is proper in this judicial district.

III. BACKGROUND FACTS

8. Aces is a leading innovator and seller of high quality electronic fuel injection ("EFI") products for automobiles. It owns numerous United States patents and patent

applications directed to fuel injection systems and related products, including without limitation U.S. Patent Nos. 7,735,475, 11,674,458, and 12,258,920.

9. Aces is the owner of all right, title and interest, including the right to recover for infringement, of United States Patent No. 7,735,475 ("the '475 Patent") titled "Fuel Injection Body Sized to Replace Carburetor Body", which duly and legally issued from the United States Patent Office on June 15, 2010. A copy of the '475 Patent is attached as **Exhibit A**.

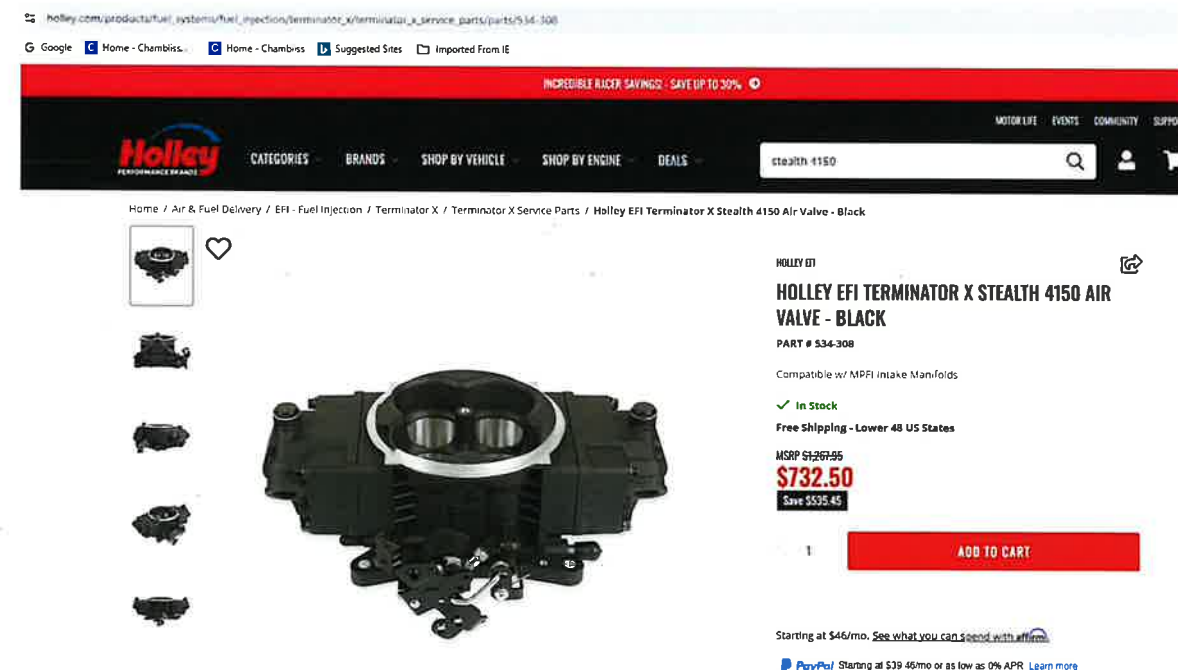
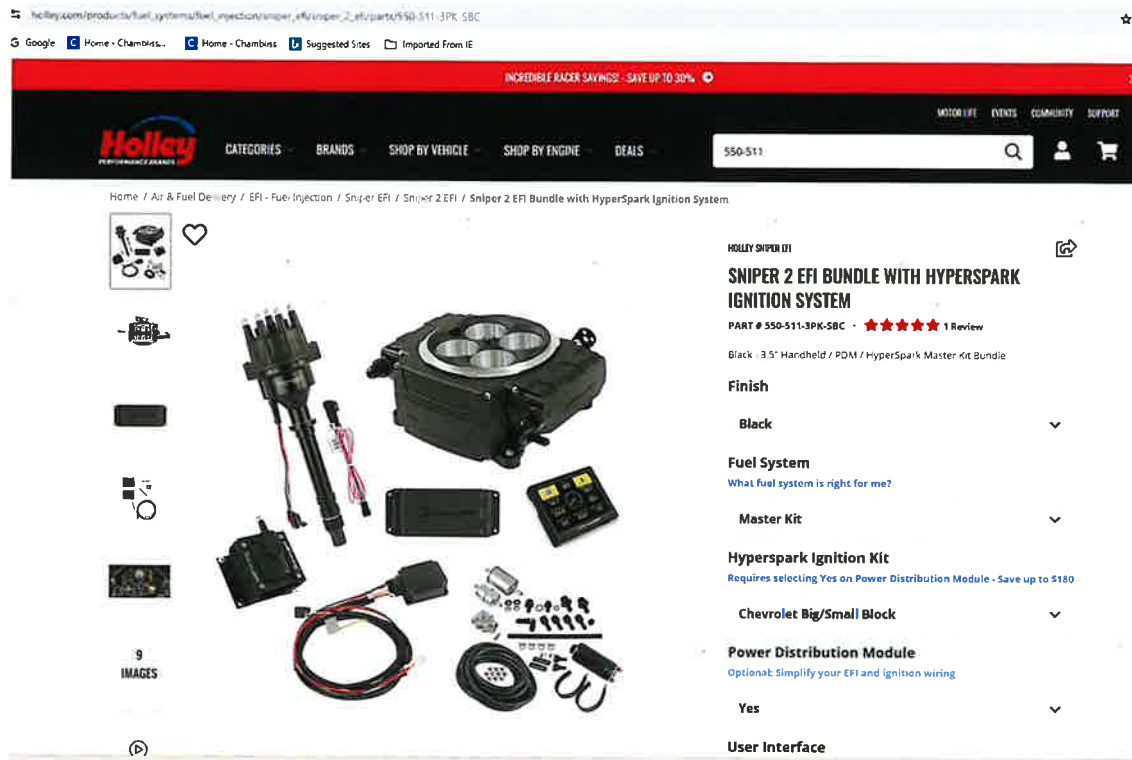
10. For many years, Holley has had actual knowledge of the '475 Patent because the application for the '475 Patent, U.S. 2009/0145406 A1, June 11, 2009, was cited as material prior art during the prosecution of at least Holley's asserted U.S. Patent No. 11,118,515 ("the '515 Patent") [see citation to U.S. 2009/0145406 A1 at Doc. 1-1 at PageID # 21], and again during the prosecution of Holley's U.S. Patent No. 11,333,083 ("the '083 Patent") [see citation to U.S. 2009/0145406 A1 at Doc. 1-2 at PageID # 45].

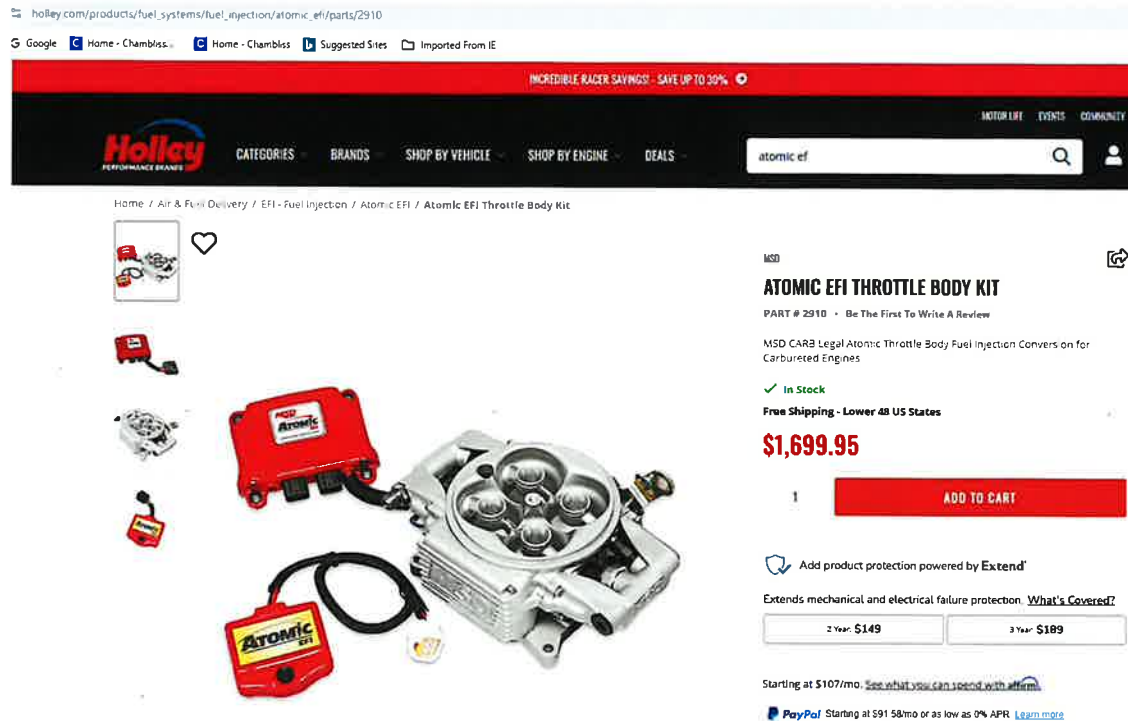
11. The '475 Patent, which issued June 15, 2010, is prior art to the asserted Holley Patents-in-Suit.

12. Holley has not obtained a license or other permission from Aces to practice any of the inventions claimed in the '475 Patent.

13. Despite having this actual knowledge of the '475 Patent, Holley has offered to sell and sold numerous EFI System products that infringe at least one claim of the '475 Patent, including without limitation the Holley Sniper 2 EFI, the Holley EFI Terminator X Stealth and the Holley Atomic EF (collectively, with all other Holley products that infringe at least one claim of the '475 Patent, "Holley Accused Products").

14. Holley sells the Holley Accused Products in channels of trade that include without limitation on its website, www.holley.com, examples of which are shown below.





15. Exemplary claim charts that demonstrate the infringement of the '475 Patent by the Holley Accused Products are attached as **Exhibits B, C, and D**.

16. Holley's Accused Products unfairly compete with Aces' EFI products in the marketplace that practice the claims of the '475 Patent.

17. Holley has directly infringed the '475 Patent and has induced others to infringe and/or contributorily infringed the '475 Patent.

18. Due at least to Holley's long-standing knowledge of the '475 Patent and its offers to sell and sales of Holley Accused Products despite such knowledge, Holley's infringement has been and continues to be willful.

19. As a direct and proximate result of Holley's infringement of the '475 Patent, Aces has suffered damage and will continue to suffer damage until Holley's infringing activities cease.

IV. COUNT I – INFRINGEMENT OF U.S. PATENT NO. 7,735,475

20. Aces repeats its allegations in the above-numbered paragraphs as if fully set forth herein.

21. Holley has been infringing the '475 Patent, literally and/or under the doctrine of equivalents, by making, using, offering to sell and/or selling within the United States, and/or importing into the United States its EFI systems including without limitation the Holley Sniper 2 EFI, the Holley EFI Terminator X Stealth and the Holley Atomic EF.

22. By way of example and not limitation, Holley's Sniper 2 EFI infringes at least Claim 1 of the '475 Patent. See exemplary claim chart at **Exhibit B**.

23. By way of example and not limitation, Holley's EFI Terminator X Stealth infringes at least Claim 1 of the '475 Patent. See exemplary claim chart at **Exhibit C**.

24. By way of example and not limitation, Holley's Atomic EF infringes at least Claim 1 of the '475 Patent. See exemplary claim chart at **Exhibit D**.

25. At least one of the Holley Accused Products also infringes other claims of the '475 Patent.

26. On information and belief, other Holley products besides the Sniper 2 EFI, EFI Terminator X Stealth and the Atomic EF infringe at least one claim of the '475 Patent.

27. For many years, Holley has had actual knowledge of the '475 Patent.

28. Holley's infringement of the '475 Patent is and has been willful.

29. Holley does not have a license or any other authority to practice any of the inventions claimed in the '475 Patent.

30. As a proximate result of Holley's direct and indirect infringement of the '475 Patent, Aces has suffered, and will continue to suffer damages and irreparable injury unless and until this Court enjoins Holley's infringing activities.

V. COUNT II – DECLARATION OF INVALIDITY OF HOLLEY PATENTS

31. Aces repeats its allegations in the above-numbered paragraphs as if fully set forth herein.

32. Holley's Complaint alleges that Aces is infringing the Holley Patents-in-Suit.

33. Aces has not infringed, nor is it infringing, literally or by equivalents, directly or indirectly, any valid claim of any of the Holley Patents-in-Suit as alleged.

34. The Holley Patents-in-Suit are invalid, in whole or in part, as not satisfying the requirements for patentability set forth in 35 U.S.C. § 103.

35. By way of example and not limitation, at least Claim 1 of the '894 Patent (US 11,409,894) is invalid as obvious under 35 U.S.C. § 103 over U.S. Patent No. 7,735,475 to Farrell et al. ("Farrell") in view of U.S. Patent No. 9,303,578 to Wittkopf et al. ("Wittkopf") and/or U.S. Patent No. 9,115,671 to Benoit ("Benoit"). While each reference relates to a fuel injection throttle body designed to replace carburetors, none was cited or substantively considered during the prosecution of the '894 Patent.

36. By way of further example and not limitation, at least Claim 1 of each of the '515 Patent (US 11,118,515), the '083 Patent (US 11,333,083), and the '434 Patent (US 12,203,434) is invalid as obvious under 35 U.S.C. § 103 over Farrell in view of Wittkopf and/or Benoit.

37. An actual controversy exists between the parties relative to the validity of the Holley Patents-in-Suit and the alleged infringement by Aces of such patents and therefore, Aces seeks a judicial determination and declaration of the respective rights and duties of the parties based on the disputes herein and on the Holley Patents-in-Suit.

38. Aces therefore requests under 28 U.S.C. § 2201, et seq. that the Court declare that the Holley Patents-in-Suit in whole or in relevant part are invalid.

39. Likewise, Aces requests that the Court declare that Aces has not infringed any valid claim of the Holley Patents-in-Suit.

40. Aces reserves the right to amend its counterclaim to request a declaration of patent invalidity of any or all of the Holley Patents-in-Suit under 35 U.S.C. § 101, 102, 111, 112, 116, 132, 251, and/or 252.

41. Aces further requests that this Court deem Holley's prosecution of invalid and non-infringed patent claims against Aces to constitute an exceptional case under 35 U.S.C. § 285 and accordingly to award Aces its attorneys' fees, costs and expenses.

VI. DEMAND FOR RELIEF

In accordance with the foregoing, Aces respectfully demands that the Court enter judgment:

- A. Declaring that Aces has not infringed any valid claim of any of the Holley Patents-in-Suit;
- B. Declaring in the alternative that, if Aces is found to have infringed one or more valid claims of any of the Holley Patents-in-Suit, Holley may not recover any patent infringement damages prior to the date Aces received actual notice of the Holley Patents-in-Suit;
- C. Declaring the Holley Patents-in-Suit, in whole or in part, to be invalid;
- D. Declaring the Holley Copyright Registration to be invalid and/or not infringed by Aces;
- E. Declaring that Holley has infringed one or more claims of the Aces '475 Patent and that such infringement has been and continues to be willful;

- F. Awarding Aces its damages, together with prejudgment interest and costs, and increasing those damages to three times the amount found or assessed as provided by 35 U.S.C. § 284 arising from Holley's willful infringement of the '475 Patent;
- G. Permanently enjoining Holley, and its respective officers, agents, servants, employees, attorneys, and all persons in active concert or participation with any of them directly or indirectly, from making, using, importing, offering for sale, and/or selling within the United States, the Holley Accused Products and any other products that infringe the '475 Patent;
- H. Declaring this an exceptional case within the meaning of 35 U.S.C. § 285 and awarding Aces its reasonable attorneys' fees, costs and expenses; and
- I. Granting to Aces such other and further relief as the Court deems reasonable.

Respectfully submitted,

CHAMBLISS, BAHNER & STOPHEL, P.C.

By: /s/ John G. Jackson

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Fuel Injection, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that I filed a copy of the foregoing pleading electronically. Notices of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt and mailed to all parties listed on the attached mailing matrix. Parties may access this filing through the Court's electronic system.

This 8th day of May, 2026.

/s/ John G. Jackson

John G. Jackson