

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

PARKERVISION, INC.,

Plaintiff,

v.

INTEL CORPORATION,

Defendant.

Case No. 6:20-cv-00108-ADA

JURY TRIAL DEMANDED

**PLAINTIFF PARKERVISION, INC.'S ANSWER
TO DEFENDANT INTEL CORPORATION'S COUNTERCLAIMS
TO SECOND AMENDED COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff ParkerVision, Inc. ("ParkerVision") hereby answers the counterclaims asserted by Defendant Intel Corporation ("Intel") on April 30, 2021 (D.I. 87), in Intel's Answer, Affirmative Defenses and Counterclaims to Second Amended Complaint for Patent Infringement.

GENERAL DENIAL

Pursuant to Fed. R. Civ. P. 8(b)(3), ParkerVision denies all allegations in Intel's counterclaims except for those specifically admitted below.

THE PARTIES

1. Admitted.
2. Admitted.

JURISDICTION AND VENUE

3. ParkerVision admits that this Court has subject matter jurisdiction over Intel's counterclaims.

4. Admitted.

5. ParkerVision admits that venue is proper in this district.

FACTUAL BACKGROUND

6. Admitted.

7. Admitted.

8. ParkerVision admits that Intel denied ParkerVision's infringement allegations, but otherwise denies the allegations in this paragraph.

9. ParkerVision admits that an actual and justiciable controversy exists between ParkerVision and Intel with regard to the validity and infringement of the '518, '902, '444, '474, '725, '513, '528, '736, and '673 patents.

10. Denied.

FIRST COUNTERCLAIM

(Declaratory Judgment of Non-Infringement of U.S. Patent No. 6,266,518)

11. ParkerVision incorporates by references its responses to the preceding paragraphs of its Answer to Defendant's counterclaims as if fully set forth here.

12. Admitted.

13. Admitted.

14. ParkerVision admits that an actual controversy exists between ParkerVision and Intel by virtue of the allegations in ParkerVision's Second Amended Complaint and Intel's Answer as to the validity and infringement of the '518 patent.

15. Denied.
16. Denied.
17. Denied.
18. Denied.
19. Denied.

SECOND COUNTERCLAIM

(Declaratory Judgment of Invalidity of U.S. Patent No. 6,266,518)

20. ParkerVision incorporates by references its responses to the preceding paragraphs of its Answer to Defendant's counterclaims as if fully set forth here.

21. Admitted.
22. Admitted.

23. ParkerVision admits that an actual controversy exists between ParkerVision and Intel by virtue of the allegations in ParkerVision's Second Amended Complaint and Intel's Answer as to the validity and infringement of the '518 patent.

24. Denied.
25. Denied.
26. Denied.
27. Denied.
28. Denied.

THIRD COUNTERCLAIM

(Declaratory Judgment of Non-Infringement of U.S. Patent No. 6,580,902)

29. ParkerVision incorporates by references its responses to the preceding paragraphs of its Answer to Defendant's counterclaims as if fully set forth here.

30. Admitted.

31. Admitted.

32. ParkerVision admits that an actual controversy exists between ParkerVision and Intel by virtue of the allegations in ParkerVision's Second Amended Complaint and Intel's Answer as to the validity and infringement of the '902 patent.

33. Denied.

34. Denied.

35. Denied.

36. Denied.

37. Denied.

FOURTH COUNTERCLAIM

(Declaratory Judgment of Invalidity of U.S. Patent No. 6,580,902)

38. ParkerVision incorporates by references its responses to the preceding paragraphs of its Answer to Defendant's counterclaims as if fully set forth here.

39. Admitted.

40. Admitted.

41. ParkerVision admits that an actual controversy exists between ParkerVision and Intel by virtue of the allegations in ParkerVision's Second Amended Complaint and Intel's Answer as to the validity and infringement of the '902 patent.

42. Denied.

43. Denied.

44. Denied.

45. Denied.

FIFTH COUNTERCLAIM

(Declaratory Judgment of Non-Infringement of U.S. Patent No. 7,110,444)

46. ParkerVision incorporates by references its responses to the preceding paragraphs of its Answer to Defendant's counterclaims as if fully set forth here.

47. Admitted.

48. Admitted.

49. ParkerVision admits that an actual controversy exists between ParkerVision and Intel by virtue of the allegations in ParkerVision's Second Amended Complaint and Intel's Answer as to the validity and infringement of the '444 patent.

50. Denied.

51. Denied.

52. Denied.

53. Denied.

54. Denied.

SIXTH COUNTERCLAIM

(Declaratory Judgment of Invalidity of U.S. Patent No. 7,110,444)

55. ParkerVision incorporates by references its responses to the preceding paragraphs of its Answer to Defendant's counterclaims as if fully set forth here.

56. Admitted.

57. Admitted.

58. ParkerVision admits that an actual controversy exists between ParkerVision and Intel by virtue of the allegations in ParkerVision's Second Amended Complaint and Intel's Answer as to the validity and infringement of the '444 patent.

59. Denied.

60. Denied.

61. Denied.

62. Denied.

SEVENTH COUNTERCLAIM

(Declaratory Judgment of Non-Infringement of U.S. Patent No. 7,539,474)

63. ParkerVision incorporates by references its responses to the preceding paragraphs of its Answer to Defendant's counterclaims as if fully set forth here.

64. Admitted.

65. Admitted.

66. ParkerVision admits that an actual controversy exists between ParkerVision and Intel by virtue of the allegations in ParkerVision's Second Amended Complaint and Intel's Answer as to the validity and infringement of the '474 patent.

67. Denied.

68. Denied.

69. Denied.

70. Denied.

71. Denied.

EIGHTH COUNTERCLAIM

(Declaratory Judgment of Invalidity of U.S. Patent No. 7,539,474)

72. ParkerVision incorporates by references its responses to the preceding paragraphs of its Answer to Defendant's counterclaims as if fully set forth here.

73. Admitted.

74. Admitted.

75. ParkerVision admits that an actual controversy exists between ParkerVision and Intel by virtue of the allegations in ParkerVision's Second Amended Complaint and Intel's Answer as to the validity and infringement of the '474 patent.

76. Denied.

77. Denied.

78. Denied.

79. Denied.

NINTH COUNTERCLAIM

(Declaratory Judgment of Non-Infringement of U.S. Patent No. 8,588,725)

80. ParkerVision incorporates by references its responses to the preceding paragraphs of its Answer to Defendant's counterclaims as if fully set forth here.

81. Admitted.

82. Admitted.

83. ParkerVision admits that an actual controversy exists between ParkerVision and Intel by virtue of the allegations in ParkerVision's Second Amended Complaint and Intel's Answer as to the validity and infringement of the '725 patent.

84. Denied.

85. Denied.

86. Denied.

87. Denied.

88. Denied.

TENTH COUNTERCLAIM

(Declaratory Judgment of Invalidity of U.S. Patent No. 8,588,725)

89. ParkerVision incorporates by references its responses to the preceding paragraphs of its Answer to Defendant's counterclaims as if fully set forth here.

90. Admitted.

91. Admitted.

92. ParkerVision admits that an actual controversy exists between ParkerVision and Intel by virtue of the allegations in ParkerVision's Second Amended Complaint and Intel's Answer as to the validity and infringement of the '725 patent.

93. Denied.

94. Denied.

95. Denied.

96. Denied.

ELEVENTH COUNTERCLAIM

(Declaratory Judgment of Non-Infringement of U.S. Patent No. 8,660,513)

97. ParkerVision incorporates by references its responses to the preceding paragraphs of its Answer to Defendant's counterclaims as if fully set forth here.

98. Admitted.

99. Admitted.

100. ParkerVision admits that an actual controversy exists between ParkerVision and Intel by virtue of the allegations in ParkerVision's Second Amended Complaint and Intel's Answer as to the validity and infringement of the '513 patent.

101. Denied.

102. Denied.

103. Denied.

104. Denied.

105. Denied.

TWELFTH COUNTERCLAIM

(Declaratory Judgment of Invalidity of U.S. Patent No. 8,660,513)

106. ParkerVision incorporates by references its responses to the preceding paragraphs of its Answer to Defendant's counterclaims as if fully set forth here.

107. Admitted.

108. Admitted.

109. ParkerVision admits that an actual controversy exists between ParkerVision and Intel by virtue of the allegations in ParkerVision's Second Amended Complaint and Intel's Answer as to the validity and infringement of the '513 patent.

110. Denied.

111. Denied.

112. Denied.

113. Denied.

THIRTEENTH COUNTERCLAIM

(Declaratory Judgment of Non-Infringement of U.S. Patent No. 9,118,528)

114. ParkerVision incorporates by references its responses to the preceding paragraphs of its Answer to Defendant's counterclaims as if fully set forth here.

115. Admitted.

116. Admitted.

117. ParkerVision admits that an actual controversy exists between ParkerVision and Intel by virtue of the allegations in ParkerVision's Second Amended Complaint and Intel's Answer as to the validity and infringement of the '528 patent.

118. Denied.

119. Denied.

120. Denied.

121. Denied.

122. Denied.

FOURTEENTH COUNTERCLAIM

(Declaratory Judgment of Invalidity of U.S. Patent No. 9,118,528)

123. ParkerVision incorporates by references its responses to the preceding paragraphs of its Answer to Defendant's counterclaims as if fully set forth here.

124. Admitted.

125. Admitted.

126. ParkerVision admits that an actual controversy exists between ParkerVision and Intel by virtue of the allegations in ParkerVision's Second Amended Complaint and Intel's Answer as to the validity and infringement of the '528 patent.

127. Denied.

128. Denied.

129. Denied.

130. Denied.

FIFTEENTH COUNTERCLAIM

(Declaratory Judgment of Non-Infringement of U.S. Patent No. 9,246,736)

131. ParkerVision incorporates by references its responses to the preceding paragraphs of its Answer to Defendant's counterclaims as if fully set forth here.

132. Admitted.

133. Admitted.

134. ParkerVision admits that an actual controversy exists between ParkerVision and Intel by virtue of the allegations in ParkerVision's Second Amended Complaint and Intel's Answer as to the validity and infringement of the '736 patent.

135. Denied.

136. Denied.

137. Denied.

138. Denied.

139. Denied.

140. Denied.

SIXTEENTH COUNTERCLAIM

(Declaratory Judgment of Invalidity of U.S. Patent No. 9,246,736)

141. ParkerVision incorporates by references its responses to the preceding paragraphs of its Answer to Defendant's counterclaims as if fully set forth here.

142. Admitted.

143. Admitted.

144. ParkerVision admits that an actual controversy exists between ParkerVision and Intel by virtue of the allegations in ParkerVision's Second Amended Complaint and Intel's Answer as to the validity and infringement of the '736 patent.

145. Denied.

146. Denied.

147. Denied.

148. Denied.

SEVENTEENTH COUNTERCLAIM

(Declaratory Judgment of Non-Infringement of U.S. Patent No. 9,444,673)

149. ParkerVision incorporates by references its responses to the preceding paragraphs of its Answer to Defendant's counterclaims as if fully set forth here.

150. Admitted.

151. Admitted.

152. ParkerVision admits that an actual controversy exists between ParkerVision and Intel by virtue of the allegations in ParkerVision's Second Amended Complaint and Intel's Answer as to the validity and infringement of the '673 patent.

153. Denied.

154. Denied.

155. Denied.

156. Denied.

157. Denied.

EIGHTEENTH COUNTERCLAIM

(Declaratory Judgment of Invalidity of U.S. Patent No. 9,444,673)

158. ParkerVision incorporates by references its responses to the preceding paragraphs of its Answer to Defendant's counterclaims as if fully set forth here.

159. Admitted.

160. Admitted.

161. ParkerVision admits that an actual controversy exists between ParkerVision and Intel by virtue of the allegations in ParkerVision's Second Amended Complaint and Intel's Answer as to the validity and infringement of the '673 patent.

162. Denied.

163. Denied.

164. Denied.

165. Denied.

PRAYER FOR RELIEF

WHEREFORE, ParkerVision prays for judgment in its favor and against Defendant as follows:

- a. That Defendant take nothing by its counterclaims;
- b. That the Court enter judgment against Defendant and in favor of Parkervision and that the Defendant's counterclaims be dismissed in their entirety, with prejudice;

- c. That the Court declare that Defendant does infringe and has infringed the claims of the '518, '902, '444, '474, '725, '513, '528, '736, and '673 patents;
- d. That the Court declare that the claims of the '518, '902, '444, '474, '725, '513, '528, '736, and '673 patents are valid;
- e. A declaratory judgment that the patents-in-suit are enforceable;
- f. That the Court deem this an exceptional case under 35 U.S.C. § 285 and award ParkerVision its costs and reasonable attorneys' fees;
- g. That the Court grant ParkerVision the relief requested in ParkerVision's Second Amended Complaint for Patent Infringement; and
- h. That the Court grant ParkerVision any and all other further relief that the Court deems just and proper.

Dated: May 21, 2021

Respectfully submitted,

THE MORT LAW FIRM, PLLC

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