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7

8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

10

11 SONOS, INC.

12 Plaintiff,

13 vs.

14 GOOGLE LLC,

15 Defendant.

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18 GOOGLE LLC,

19 Counterclaimant,

20 vs.

21 SONOS, INC.

22 Counterclaim-Defendant.

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Case No. 2:20-cv-00169-JAK (DFMx)

**GOOGLE’S ANSWER TO
SONOS’S COMPLAINT**

JURY TRIAL DEMANDED

Judge: Hon. John A. Kronstadt

Complaint Filed: Jan. 7, 2020

1 Defendant Google LLC (“Google”) submits this Answer to Plaintiff Sonos,
2 Inc.’s (“Sonos”) Complaint for Patent Infringement (“Complaint”), and states as
3 follows:

4 **RESPONSES TO SPECIFIC ALLEGATIONS OF THE COMPLAINT**

5 **INTRODUCTION¹**

6 1. Google is currently without knowledge or information sufficient to
7 form a belief as to the truth or falsity of the allegations and characterizations
8 contained in Paragraph 1 of the Complaint, and therefore denies them.

9 2. Google admits that in 2013, Sonos asked for Google’s assistance
10 integrating Sonos with Google’s popular Play Music service. Google is currently
11 without knowledge or information sufficient to form a belief as to the truth or falsity
12 of the remaining allegations and characterizations contained in Paragraph 16 of the
13 Complaint, and therefore denies them.

14 3. Google denies the allegations of Paragraph 3 of the Complaint.

15 4. Google is without knowledge or information sufficient to form a belief
16 as to the truth or falsity of the reasons why Sonos brought this lawsuit. Google
17 specifically denies that it has infringed, willful or not, any of Sonos’ patent rights.
18 Google denies the remaining allegations of Paragraph 4 of the Complaint.

19 **SONOS’S ALLEGED INNOVATION**

20 5. Google admits that Exhibits 6 and 7 purport to be articles from *NBC*
21 *News* and *Men’s Journal*, respectively. Google is currently without knowledge or
22 information sufficient to form a belief as to the truth or falsity of the remaining
23 allegations and characterizations contained in Paragraph 5 of the Complaint, and
24 therefore denies them.

25 6. Google admits that Exhibit 8 purports to be an article from *PC*
26 *Magazine*. Google is currently without knowledge or information sufficient to form
27

28 ¹ Google uses the structure of the headings used by Sonos for ease of reference only. The
headings should not be construed to be an admission to any allegation in the complaint.

1 a belief as to the truth or falsity of the remaining allegations and characterizations
2 contained in Paragraph 6 of the Complaint, and therefore denies them.

3 7. Google is currently without knowledge or information sufficient to
4 form a belief as to the truth or falsity of the allegations and characterizations in
5 Paragraph 7 of the Complaint and, on that basis, denies them.

6 8. Google admits that Exhibit 9 purports to be a Sonos user guide. Google
7 is currently without knowledge or information sufficient to form a belief as to the
8 truth or falsity of the remaining allegations and characterizations in Paragraph 8 of
9 the Complaint and, on that basis, denies them.

10 9. Google is currently without knowledge or information sufficient to
11 form a belief as to the truth or falsity of the allegations and characterizations in
12 Paragraph 9 of the Complaint and, on that basis, denies them.

13 10. Google admits that Exhibits 10 and 11 purport to be news articles from
14 *Digital Trends* and *What Hi-Fi*. Google is currently without knowledge or
15 information to form a belief as to the truth or falsity of the remaining allegations and
16 characterizations in Paragraph 10 of the Complaint and, on that basis, denies them.

17 11. Google admits that Exhibit 12 purports to a printed copy of a Sonos
18 webpage. Google admits that Exhibit 13 purports to be a news article from *Wired*.
19 Google is currently without knowledge or information to form a belief as to the truth
20 or falsity of the remaining allegations and characterizations in Paragraph 11 of the
21 Complaint and, on that basis, denies them.

22 12. Google admits that Exhibits 14 and 15 purport to be articles from IPO
23 and IEEE. Google is currently without knowledge or information to form a belief
24 as to the truth or falsity of the remaining allegations and characterizations in
25 Paragraph 12 of the Complaint and, on that basis, denies them.

26 13. Google admits that Exhibits 16 and 18 purport to be printed copies of
27 Sonos's webpages. Google admits that Exhibit 9 purports to be a Sonos user guide.
28 Google admits that Exhibit 17 purports to be a Sonos product information sheet.

1 Google is currently without knowledge or information to form a belief as to the truth
2 or falsity of the remaining allegations and characterizations in Paragraph 13 of the
3 Complaint and, on that basis, denies them.

4 **GOOGLE DOES NOT INFRINGE**

5 14. Google admits that Google had a product called “Chromecast Audio,”
6 and admits that Exhibit 19 purports to be a September 2015 news article from The
7 Guardian. Except as specifically admitted, Google denies the allegations and
8 characterizations contained in Paragraph 14 of the Complaint.

9 15. Google admits that Exhibit 20 purports to be a December 2015 posting
10 from a webpage entitled “Chrome Blog.” Except as specifically admitted, Google
11 denies the allegations and characterizations contained in Paragraph 15 of the
12 Complaint.

13 16. Google admits that Exhibit 21 purports to be a copy of a December
14 2015 Variety article entitled “Google’s Chromecast Audio Adapter Gets Multi-
15 Room Support Similar to Sonos.” Except as specifically admitted, Google denies the
16 allegations and characterizations contained in Paragraph 16 of the Complaint.

17 17. Google admits that Exhibit 22 purports to be a copy of a December
18 2015 article from Pocket-Lint. Except as specifically admitted, Google denies the
19 allegations and characterizations contained in Paragraph 17 of the Complaint.

20 18. Google denies the allegations and characterizations contained in
21 Paragraph 18 of the Complaint.

22 19. Google denies the allegations and characterizations contained in
23 Paragraph 19 of the Complaint.

24 20. Google denies the allegations and characterizations contained in
25 Paragraph 20 of the Complaint.

26 21. Google admits that Google launched a Chromecast Audio wireless
27 adapter in 2015, and that in 2016 Google launched a Google Home app. Google
28

1 denies the remaining allegations and characterizations contained in Paragraph 21 of
2 the Complaint.

3 22. Google admits that Exhibit 23 purports to be a copy of an October 2016
4 article from *The Register*. Except as specifically admitted, Google denies the
5 allegations and characterizations contained in Paragraph 22 of the Complaint.

6 23. Google admits that Exhibit 24 purports to be a copy of a November
7 2016 article from the Verge. Except as specifically admitted, Google denies the
8 allegations and characterizations contained in Paragraph 23 of the Complaint.

9 24. Google denies the allegations and characterizations contained in
10 Paragraph 24 of the Complaint.

11 25. Google admits that Exhibit 25 purports to be a copy of an October 2017
12 article from Gizmodo, and that Exhibit 26 purports to be a copy of a December 2017
13 article from Android Central. Google admits that in 2017 Google released the
14 Google Home Max and the Google Home Mini. Except as specifically admitted,
15 Google denies the allegations and characterizations contained in Paragraph 25 of the
16 Complaint.

17 26. Google denies the allegations and characterizations contained in
18 Paragraph 26 of the Complaint.

19 27. Google admits that Exhibit 27 purports to be a copy of a Google blog,
20 and that Exhibit 28 purports to be an article from *News Without Borders*. Except as
21 specifically admitted, Google denies the allegations and characterizations contained
22 in Paragraph 25 of the Complaint.

23 28. Google admits that Exhibits 29-39 appear to be print-outs of various
24 webpages. Except as specifically admitted, Google denies the allegations and
25 characterizations contained in Paragraph 28 of the Complaint.

26 29. Although the image contained within Paragraph 29 is grainy, Google
27 admits that it is possible it may display several Google products. Except as
28

1 specifically admitted, Google denies the allegations and characterizations contained
2 in Paragraph 29 of the Complaint.

3 30. Google admits that Exhibits 40-43 appear to be print-outs of various
4 webpages. Except as specifically admitted, Google denies the allegations and
5 characterizations contained in Paragraph 30 of the Complaint.

6 31. Paragraph 31 does not contain any factual allegations, and therefore,
7 does not require a response. To the extent it contains allegations requiring a
8 response, Google denies them.

9 **GOOGLE HAS NO UNJUST ENRICHMENT**

10 32. Google admits that Exhibit 44 purports to be a copy of a report from
11 the Royal Bank of Canada. Except as specifically admitted, Google denies the
12 allegations and characterizations contained in Paragraph 32 of the Complaint.

13 33. Google admits that Exhibits 45 and 28 purport to be articles from the
14 *New York Post* and *News Without Borders*, respectively. Except as specifically
15 admitted, Google denies the allegations and characterizations contained in Paragraph
16 33 of the Complaint.

17 34. Google admits that Exhibit 46 purports to be a copy of an NPR report
18 and Exhibit 28 purports to be an article from *News Without Borders*. Except as
19 specifically admitted, Google denies the allegations and characterizations contained
20 in Paragraph 34 of the Complaint.

21 **GOOGLE DOES NOT WILLFULLY INFRINGE**

22 35. Google denies the allegations and characterizations contained in
23 Paragraph 35 of the Complaint.

24 36. Google admits that Sonos provided a pre-filing copy of the Complaint
25 to Google one day before Sonos filed the Complaint. Except as specifically
26 admitted, Google denies the allegations and characterizations contained in Paragraph
27 36 of the Complaint.

28

1 **JURISDICTION AND VENUE**

2 43. Google admits that this Court has subject matter jurisdiction under 28
3 U.S.C. §§ 1331 and 1338(a) and that this action purports to arise under the Patent
4 Act, 35 U.S.C. § 1 *et seq.*

5 44. For purposes of this action only, Google does not challenge personal
6 jurisdiction. Except as expressly admitted, Google denies the remaining allegations
7 of Paragraph 44 of the Complaint, and specifically denies that it has committed acts
8 of infringement.

9 45. For purposes of this action only, Google does not challenge personal
10 jurisdiction. Except as specifically admitted, Google denies the allegations and
11 characterizations contained in Paragraph 45 of the Complaint.

12 46. For purposes of this action only, Google admits that venue is proper in
13 this District. Except as expressly admitted, Google denies the remaining allegations
14 of Paragraph 46 of the Complaint, and specifically denies that it has committed acts
15 of infringement.

16 **PATENTS-IN-SUIT**

17 **Background**

18 47. Google denies the allegations in Paragraph 47 of the Complaint insofar
19 as they purport to attribute to the ‘949 and ‘959 patents anything that is not stated
20 therein. Google admits that early technology for multi-zone audio systems
21 sometimes relied upon hard-wiring with dedicated speaker wires to different audio
22 players in different rooms. Google is currently without knowledge or information
23 sufficient to form a belief as to the truth or falsity of the remaining allegations and
24 characterizations contained in Paragraph 47 of the Complaint, and therefore denies
25 them.

26 48. Google denies the allegations in Paragraph 48 of the Complaint insofar
27 as they purport to attribute to the ‘949 patent anything that is not stated therein.
28 Google admits that early technology for multi-zone audio systems sometimes relied

1 upon hard-wiring with dedicated speaker wires to different audio players in different
2 rooms. Google is currently without knowledge or information sufficient to form a
3 belief as to the truth or falsity of the remaining allegations and characterizations
4 contained in this Paragraph of the Complaint, and therefore denies them.

5 49. Google denies the allegations in Paragraph 49 of the Complaint insofar
6 as they purport to attribute to the ‘949 and ‘959 patents anything that is not stated
7 therein. Google admits that early technology for multi-zone audio systems
8 sometimes relied upon hard-wiring with dedicated speaker wires to different audio
9 players in different rooms. Google is currently without knowledge or information
10 sufficient to form a belief as to the truth or falsity of the remaining allegations and
11 characterizations contained in this Paragraph of the Complaint, and therefore denies
12 them.

13 50. Google denies the allegations in Paragraph 50 of the Complaint insofar
14 as they purport to attribute to the asserted patents anything that is not stated therein.
15 Google is currently without knowledge or information sufficient to form a belief as
16 to the truth or falsity of the remaining allegations and characterizations contained in
17 this Paragraph of the Complaint, and therefore denies them.

18 51. Google denies the allegations in Paragraph 51 of the Complaint insofar
19 as they purport to attribute to the ‘949 and ‘258 patents anything that is not stated
20 therein. Google is currently without knowledge or information sufficient to form a
21 belief as to the truth or falsity of the remaining allegations and characterizations
22 contained in this Paragraph of the Complaint, and therefore denies them.

23 52. Google denies the allegations in Paragraph 52 of the Complaint insofar
24 as they purport to attribute to the ‘949 and ‘258 patents and claims 1, 8, and 15 (as
25 to the ‘949 patent) and claims 1, 11, and 17 (as to the ‘258 patent) anything that is
26 not stated therein. Google is currently without knowledge or information sufficient
27 to form a belief as to the truth or falsity of the remaining allegations and
28

1 characterizations contained in this Paragraph of the Complaint, and therefore denies
2 them.

3 53. Google denies the allegations in Paragraph 53 of the Complaint insofar
4 as they purport to attribute to the ‘949 and ‘258 patents and claims 1, 8, and 15 (as
5 to the ‘949 patent) and claims 1, 11, and 17 (as to the ‘258 patent) anything that is
6 not stated therein. Google is currently without knowledge or information sufficient
7 to form a belief as to the truth or falsity of the remaining allegations and
8 characterizations contained in this Paragraph of the Complaint, and therefore denies
9 them.

10 54. Google denies the allegations in Paragraph 54 of the Complaint insofar
11 as they purport to attribute to the ‘949 and ‘258 patents anything that is not stated
12 therein. Google is currently without knowledge or information sufficient to form a
13 belief as to the truth or falsity of the remaining allegations and characterizations
14 contained in this Paragraph of the Complaint, and therefore denies them.

15 55. Google is currently without knowledge or information sufficient to
16 form a belief as to the truth or falsity of the allegations and characterizations
17 contained in Paragraph 55 of the Complaint, and therefore denies them.

18 **U.S. Patent No. 8,588,949**

19 56. Google denies the allegations in Paragraph 56 of the Complaint insofar
20 as they purport to attribute to the ‘949 patent anything that is not stated therein.
21 Google admits that the ‘949 patent is titled “Methods And Apparatus For Adjusting
22 Volume Levels In A Multi-Zone System”; that it was issued by the United States
23 Patent and Trademark Office (“USPTO”) on November 19, 2013; that a
24 Reexamination Certificate for the ‘949 patent was issued by the USPTO on
25 November 5, 2015, and that Exhibit 1 purports to be a copy of the ‘949 patent and
26 Reexamination Certificate. Google is currently without knowledge or information
27 sufficient to form a belief as to the truth or falsity of the remaining allegations and
28

1 characterizations contained in Paragraph 56 of the Complaint, and therefore denies
2 them.

3 57. Google denies the allegations in Paragraph 57 of the Complaint insofar
4 as they purport to attribute to the '949 patent anything that is not stated therein.
5 Google is currently without knowledge or information sufficient to form a belief as
6 to the truth or falsity of the remaining allegations and characterizations contained in
7 this Paragraph of the Complaint, and therefore denies them.

8 58. Google denies the allegations in Paragraph 58 of the Complaint insofar
9 as they purport to attribute to the '949 patent anything that is not stated therein.
10 Google is currently without knowledge or information sufficient to form a belief as
11 to the truth or falsity of the remaining allegations and characterizations contained in
12 this Paragraph of the Complaint, and therefore denies them.

13 59. Google denies the allegations in Paragraph 59 of the Complaint insofar
14 as they purport to attribute to the '949 patent anything that is not stated therein.
15 Google is currently without knowledge or information sufficient to form a belief as
16 to the truth or falsity of the remaining allegations and characterizations contained in
17 this Paragraph of the Complaint, and therefore denies them.

18 **The Alleged Inventions Claimed in U.S. Patent No. 8,588,949**
19 **Did Not Improve Technology & Were Well-Understood, Routine, or**
20 **Conventional**

21 60. Google denies the allegations in Paragraph 60 of the Complaint insofar
22 as they purport to attribute to the '949 patent anything that is not stated therein.
23 Google is currently without knowledge or information sufficient to form a belief as
24 to the truth or falsity of the remaining allegations and characterizations contained in
25 this Paragraph of the Complaint, and therefore denies them.

26 61. Google denies the allegations in Paragraph 61 of the Complaint insofar
27 as they purport to attribute to the '949 patent anything that is not stated therein.
28 Google is currently without knowledge or information sufficient to form a belief as

1 to the truth or falsity of the remaining allegations and characterizations contained in
2 this Paragraph of the Complaint, and therefore denies them.

3 62. Google admits that Exhibit 8 purports to be an article from *PC Mag*.
4 Except as specifically admitted, Google denies the allegations in Paragraph 62 of the
5 Complaint insofar as they purport to attribute to the ‘949 patent anything that is not
6 stated therein. Google is currently without knowledge or information sufficient to
7 form a belief as to the truth or falsity of the remaining allegations and
8 characterizations contained in this Paragraph of the Complaint, and therefore denies
9 them.

10 63. Google denies the allegations in Paragraph 63 of the Complaint insofar
11 as they purport to attribute to the ‘949 patent anything that is not stated therein.
12 Google is currently without knowledge or information sufficient to form a belief as
13 to the truth or falsity of the remaining allegations and characterizations contained in
14 this Paragraph of the Complaint, and therefore denies them.

15 64. Google denies the allegations in Paragraph 64 of the Complaint insofar
16 as they purport to attribute to the ‘949 patent anything that is not stated therein.
17 Google is currently without knowledge or information sufficient to form a belief as
18 to the truth or falsity of the remaining allegations and characterizations contained in
19 this Paragraph of the Complaint, and therefore denies them.

20 65. Google denies the allegations in Paragraph 65 of the Complaint insofar
21 as they purport to attribute to the ‘949 patent anything that is not stated therein.
22 Google is currently without knowledge or information sufficient to form a belief as
23 to the truth or falsity of the remaining allegations and characterizations contained in
24 this Paragraph of the Complaint, and therefore denies them.

25 66. Google admits that Exhibit 51 purports to be a copy of a memorandum
26 opinion issued by the District Court of Delaware in from *Sonos, Inc. v. D&M*
27 *Holdings Inc.*, Civil Action No. 14-1330-WCB (D. Del.). Google denies the
28 allegations in Paragraph 66 of the Complaint insofar as they purport to attribute to

1 the '949 patent anything that is not stated therein. Google denies that the '949 patent
2 is valid under Section 101. Google is currently without knowledge or information
3 sufficient to form a belief as to the truth or falsity of the remaining allegations and
4 characterizations contained in this Paragraph of the Complaint, and therefore denies
5 them.

6 67. Google denies the allegations in Paragraph 67 of the Complaint insofar
7 as they purport to attribute to the '949 patent anything that is not stated therein.
8 Google denies that the '949 patent is valid under Section 101. Google is currently
9 without knowledge or information sufficient to form a belief as to the truth or falsity
10 of the remaining allegations and characterizations contained in this Paragraph of the
11 Complaint, and therefore denies them.

12 68. Google admits that Exhibit 50 purports to be a verdict form from *Sonos,*
13 *Inc. v. D&M Holdings Inc.*, Civil Action No. 14-1330-WCB (D. Del.) and Exhibit 1
14 purports to be a copy of the '949 patent and Reexamination Certificate. Google
15 denies the allegations in Paragraph 68 of the Complaint insofar as they purport to
16 attribute to the '949 patent anything that is not stated therein. Google denies that the
17 '949 patent is valid under Section 101. Google is currently without knowledge or
18 information sufficient to form a belief as to the truth or falsity of the remaining
19 allegations and characterizations contained in this Paragraph of the Complaint, and
20 therefore denies them.

21 **The Alleged Inventions Claimed in U.S. Patent No. 8,588,949 Did Not**
22 **Provide Important Advantages to Wireless Audio Systems**

23 69. Google admits that Exhibits 8, 52, 53, and 54 to the Complaint purport
24 to be articles from, respectively, PC Magazine, Playlist, Gizmodo, and Pocket-lint.
25 Google is currently without knowledge or information sufficient to form a belief as
26 to the truth or falsity of the remaining allegations and characterizations contained in
27 this Paragraph of the Complaint, and therefore denies them.

28

1 75. Google denies the allegations in Paragraph 75 of the Complaint insofar
2 as they purport to attribute to the ‘258 patent anything that is not stated therein.
3 Google is currently without knowledge or information sufficient to form a belief as
4 to the truth or falsity of the remaining allegations and characterizations contained in
5 this Paragraph of the Complaint, and therefore denies them.

6 76. Google denies the allegations in Paragraph 76 of the Complaint insofar
7 as they purport to attribute to the ‘258 patent anything that is not stated therein.
8 Google is currently without knowledge or information sufficient to form a belief as
9 to the truth or falsity of the remaining allegations and characterizations contained in
10 this Paragraph of the Complaint, and therefore denies them.

11 **The Alleged Inventions Claimed in U.S. Patent No. 9,195,258**

12 **Did Not Improve Technology & Were**

13 **Well-Understood, Routine, or Conventional**

14 77. Google denies the allegations in Paragraph 77 of the Complaint insofar
15 as they purport to attribute to the ‘258 patent anything that is not stated therein.
16 Google is currently without knowledge or information sufficient to form a belief as
17 to the truth or falsity of the remaining allegations and characterizations contained in
18 this Paragraph of the Complaint, and therefore denies them.

19 78. Google denies the allegations in Paragraph 78 of the Complaint insofar
20 as they purport to attribute to the ‘258 patent anything that is not stated therein.
21 Google is currently without knowledge or information sufficient to form a belief as
22 to the truth or falsity of the remaining allegations and characterizations contained in
23 this Paragraph of the Complaint, and therefore denies them.

24 79. Google admits that Exhibit 8 of the Complaint purports to be an article
25 from *PC Mag*. Google denies the allegations in Paragraph 79 of the Complaint
26 insofar as they purport to attribute to the ‘258 patent anything that is not stated
27 therein. Google is currently without knowledge or information sufficient to form a
28

1 belief as to the truth or falsity of the remaining allegations and characterizations
2 contained in this Paragraph of the Complaint, and therefore denies them.

3 80. Google admits that Exhibit 6 purports to be an article from *NBC News*.
4 Google denies the allegations in Paragraph 80 of the Complaint insofar as they
5 purport to attribute to the ‘258 patent anything that is not stated therein. Google is
6 currently without knowledge or information sufficient to form a belief as to the truth
7 or falsity of the remaining allegations and characterizations contained in this
8 Paragraph of the Complaint, and therefore denies them.

9 81. Google denies the allegations in Paragraph 81 of the Complaint insofar
10 as they purport to attribute to the ‘258 patent anything that is not stated therein.
11 Google is currently without knowledge or information sufficient to form a belief as
12 to the truth or falsity of the remaining allegations and characterizations contained in
13 this Paragraph of the Complaint, and therefore denies them.

14 82. Google denies the allegations in Paragraph 82 of the Complaint insofar
15 as they purport to attribute to the ‘258 patent anything that is not stated therein.
16 Google is currently without knowledge or information sufficient to form a belief as
17 to the truth or falsity of the remaining allegations and characterizations contained in
18 this Paragraph of the Complaint, and therefore denies them.

19 83. Google admits that Exhibit 57 purports to be a copy of a decision from
20 the Patent Trial and Appeal Board (“PTAB”) regarding U.S. Patent No. 9,213,357.
21 Google is currently without knowledge or information sufficient to form a belief as
22 to the truth or falsity of the remaining allegations and characterizations contained in
23 this Paragraph of the Complaint, and therefore denies them.

24 84. Google admits that Exhibit 50 purports to be a verdict form from *Sonos,*
25 *Inc. v. D&M Holdings Inc.*, Civil Action No. 14-1330-WCB (D. Del.). Google is
26 currently without knowledge or information sufficient to form a belief as to the truth
27 or falsity of the remaining allegations and characterizations contained in this
28 Paragraph of the Complaint, and therefore denies them.

1 **The Alleged Inventions Claimed in U.S. Patent No. 9,195,258**

2 **Do Not Provide Important Advantages to Wireless Audio Systems**

3 85. Google denies the allegations in Paragraph 85 of the Complaint insofar
4 as they purport to attribute to the ‘258 patent anything that is not stated therein.
5 Google admits that Exhibits 8, 58, 59, and 6 purport to be articles from PC Magazine,
6 the Wall Street Journal, Macworld, and NBC News, respectively. Google is
7 currently without knowledge or information sufficient to form a belief as to the truth
8 or falsity of the remaining allegations and characterizations contained in this
9 Paragraph of the Complaint, and therefore denies them.

10 86. Google admits that Exhibits 20 and 60 purport to be copies of Google
11 websites. Google denies the remaining allegations and characterizations contained
12 in this Paragraph of the Complaint.

13 87. Google admits that Exhibits 29 and 61 purport to be copies of Google
14 websites. Google denies the remaining allegations and characterizations contained
15 in this Paragraph of the Complaint.

16 88. Google admits that Exhibits 21 and 24 purport to be articles from
17 *Variety* and *The Verge*, respectively. Google admits that Exhibit 86 purports to be
18 an Amazon press release. Google is currently without knowledge or information
19 sufficient to form a belief as to the truth or falsity of the remaining allegations and
20 characterizations contained in this Paragraph of the Complaint, and therefore denies
21 them.

22 **U.S. Patent No. 9,219,959**

23 89. Google denies the allegations in Paragraph 89 of the Complaint insofar
24 as they purport to attribute to the ‘959 patent anything that is not stated therein.
25 Google admits that the ‘959 patent is titled “Multi Channel Pairing in a Media
26 System”; that it was issued by the United States Patent and Trademark Office
27 (“USPTO”) on December 22, 2015; that a Reexamination Certificate for the ‘959
28 patent was issued by the USPTO on April 5, 2017, and that Exhibit 3 purports to be

1 a copy of the ‘959 patent and Reexamination Certificate. Google is currently without
2 knowledge or information sufficient to form a belief as to the truth or falsity of the
3 remaining allegations and characterizations contained in Paragraph 89 of the
4 Complaint, and therefore denies them.

5 90. Google denies the allegations in Paragraph 90 of the Complaint insofar
6 as they purport to attribute to the ‘959 patent anything that is not stated therein.
7 Google is currently without knowledge or information sufficient to form a belief as
8 to the truth or falsity of the remaining allegations and characterizations contained in
9 this Paragraph of the Complaint, and therefore denies them.

10 91. Google denies the allegations in Paragraph 91 of the Complaint insofar
11 as they purport to attribute to the ‘959 patent anything that is not stated therein.
12 Google is currently without knowledge or information sufficient to form a belief as
13 to the truth or falsity of the remaining allegations and characterizations contained in
14 this Paragraph of the Complaint, and therefore denies them.

15 92. Google denies the allegations in Paragraph 92 of the Complaint insofar
16 as they purport to attribute to the ‘959 patent anything that is not stated therein.
17 Google is currently without knowledge or information sufficient to form a belief as
18 to the truth or falsity of the remaining allegations and characterizations contained in
19 this Paragraph of the Complaint, and therefore denies them.

20 **The Alleged Inventions Claimed in U.S. Patent No. 9,219,959**

21 **Do Not Improve Technology & Were**

22 **Well-Understood, Routine, or Conventional**

23 93. Google denies the allegations in Paragraph 93 of the Complaint insofar
24 as they purport to attribute to the ‘959 patent anything that is not stated therein.
25 Google is currently without knowledge or information sufficient to form a belief as
26 to the truth or falsity of the remaining allegations and characterizations contained in
27 this Paragraph of the Complaint, and therefore denies them.

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1 94. Google denies the allegations in Paragraph 94 of the Complaint insofar
2 as they purport to attribute to the '959 patent anything that is not stated therein.
3 Google is currently without knowledge or information sufficient to form a belief as
4 to the truth or falsity of the remaining allegations and characterizations contained in
5 this Paragraph of the Complaint, and therefore denies them.

6 95. Google denies the allegations in Paragraph 95 of the Complaint insofar
7 as they purport to attribute to the '959 patent anything that is not stated therein.
8 Google is currently without knowledge or information sufficient to form a belief as
9 to the truth or falsity of the remaining allegations and characterizations contained in
10 this Paragraph of the Complaint, and therefore denies them.

11 96. Google denies the allegations in Paragraph 96 of the Complaint insofar
12 as they purport to attribute to the '959 patent anything that is not stated therein.
13 Google is currently without knowledge or information sufficient to form a belief as
14 to the truth or falsity of the remaining allegations and characterizations contained in
15 this Paragraph of the Complaint, and therefore denies them.

16 97. Google denies the allegations in Paragraph 97 of the Complaint insofar
17 as they purport to attribute to the '959 patent anything that is not stated therein.
18 Google is currently without knowledge or information sufficient to form a belief as
19 to the truth or falsity of the remaining allegations and characterizations contained in
20 this Paragraph of the Complaint, and therefore denies them.

21 98. Google admits that Exhibit 51 purports to be a copy of a memorandum
22 opinion issued by the District Court of Delaware in *Sonos, Inc. v. D&M Holdings*
23 *Inc.*, Civil Action No. 14-1330-WCB (D. Del.). Google denies that the '959 patent
24 is valid under Section 101. Google is currently without knowledge or information
25 sufficient to form a belief as to the truth or falsity of the remaining allegations and
26 characterizations contained in this Paragraph of the Complaint, and therefore denies
27 them.

28

1 99. Google admits that Exhibit 51 purports to be a copy of a memorandum
2 opinion issued by the District Court of Delaware in *Sonos, Inc. v. D&M Holdings*
3 *Inc.*, Civil Action No. 14-1330-WCB (D. Del.). Google denies that the '959 patent
4 is valid under Section 101. Google is currently without knowledge or information
5 sufficient to form a belief as to the truth or falsity of the remaining allegations and
6 characterizations contained in this Paragraph of the Complaint, and therefore denies
7 them.

8 100. Google admits that Exhibit 3 purports to be a copy of the '959 patent
9 and Reexamination Certificate. Google denies that the '959 patent is valid under
10 Section 101. Google is currently without knowledge or information sufficient to
11 form a belief as to the truth or falsity of the remaining allegations and
12 characterizations contained in this Paragraph of the Complaint, and therefore denies
13 them.

14 **The Alleged Inventions Claimed in U.S. Patent No. 9,219,959**

15 **Do Not Provide Important Advantages to Wireless Audio Systems**

16 101. Google admits that Exhibits 62-66 of the Complaint purport to be,
17 respectively, articles from *SlashGear*, *Trusted Reviews*, *Consumer Reports*,
18 *Businessweek*, and *What Hi-Fi*. Google is currently without knowledge or
19 information sufficient to form a belief as to the truth or falsity of the remaining
20 allegations and characterizations contained in this Paragraph of the Complaint, and
21 therefore denies them.

22 102. Google admits that Exhibits 67-68 of the Complaint appear to be
23 printouts of webpages discussing Google products. Except as expressly admitted,
24 Google denies the allegations of Paragraph 102 the of Complaint.

25 103. Google admits that Exhibit 69 of the Complaint appears to be a printout
26 of a webpage discussing Google products. Except as expressly admitted, Google
27 denies the allegations of Paragraph 103 the of Complaint.
28

1 109. Google denies the allegations in Paragraph 109 of the Complaint
2 insofar as they purport to attribute to the ‘953 patent anything that is not stated
3 therein. Google is currently without knowledge or information sufficient to form a
4 belief as to the truth or falsity of the remaining allegations and characterizations
5 contained in this Paragraph of the Complaint, and therefore denies them.

6 110. Google incorporates by reference each of its responses to Paragraphs
7 72-76 of the Complaint set forth above as if fully set forth herein.

8 **The Alleged Inventions Claimed in U.S. Patent No. 10,209,953**

9 **Do Not Improve Technology & Were**

10 **Well-Understood, Routine, or Conventional**

11 111. Google incorporates by reference each of its responses to Paragraphs
12 77-84 of the Complaint set forth above as if fully set forth herein.

13 112. Google denies the allegations in Paragraph 112 of the Complaint
14 insofar as they purport to attribute to the ‘258 or ‘953 patents anything that is not
15 stated therein. Google is currently without knowledge or information sufficient to
16 form a belief as to the truth or falsity of the remaining allegations and
17 characterizations contained in this Paragraph of the Complaint, and therefore denies
18 them.

19 113. Google admits that Exhibit 8 purports to be an article from PC Mag.
20 Google denies the allegations in Paragraph 113 of the Complaint insofar as they
21 purport to attribute to the ‘953 patent anything that is not stated therein. Google is
22 currently without knowledge or information sufficient to form a belief as to the truth
23 or falsity of the remaining allegations and characterizations contained in this
24 Paragraph of the Complaint, and therefore denies them.

25 114. Google admits that Exhibit 6 purports to be an article from NBC News.
26 Google denies the allegations in Paragraph 114 of the Complaint insofar as they
27 purport to attribute to the ‘953 patent anything that is not stated therein. Google is
28 currently without knowledge or information sufficient to form a belief as to the truth

1 or falsity of the remaining allegations and characterizations contained in this
2 Paragraph of the Complaint, and therefore denies them.

3 115. Google admits that Exhibit 6 purports to be an article from NBC News.
4 Google denies the allegations in Paragraph 115 of the Complaint insofar as they
5 purport to attribute to the ‘953 patent anything that is not stated therein. Google is
6 currently without knowledge or information sufficient to form a belief as to the truth
7 or falsity of the remaining allegations and characterizations contained in this
8 Paragraph of the Complaint, and therefore denies them.

9 116. Google denies the allegations in Paragraph 116 of the Complaint
10 insofar as they purport to attribute to the ‘953 patent anything that is not stated
11 therein. Google is currently without knowledge or information sufficient to form a
12 belief as to the truth or falsity of the remaining allegations and characterizations
13 contained in this Paragraph of the Complaint, and therefore denies them.

14 117. Google denies the allegations in Paragraph 117 of the Complaint
15 insofar as they purport to attribute to the ‘258 or ‘953 patents anything that is not
16 stated therein. Google is currently without knowledge or information sufficient to
17 form a belief as to the truth or falsity of the remaining allegations and
18 characterizations contained in this Paragraph of the Complaint, and therefore denies
19 them.

20 **The Alleged Inventions Claimed in U.S. Patent No. 10,209,953**

21 **Do Not Provide Important**

22 **Advantages to Wireless Audio Systems**

23 118. Google incorporates by reference each of its responses to Paragraphs
24 85-88 of the Complaint set forth above as if fully set forth herein.

25 119. Google denies the allegations in Paragraph 117 of the Complaint
26 insofar as they purport to attribute to the ‘258 or ‘953 patents anything that is not
27 stated therein. Google is currently without knowledge or information sufficient to
28 form a belief as to the truth or falsity of the remaining allegations and

1 characterizations contained in this Paragraph of the Complaint, and therefore denies
2 them.

3 **U.S. Patent No. 10,439,896**

4 120. Google denies the allegations in Paragraph 120 of the Complaint
5 insofar as they purport to attribute to the ‘896 patent anything that is not stated
6 therein. Google admits that Exhibit 5 of the Complaint purports to be a copy of the
7 ‘896 patent. Google admits that the ‘896 patent is entitled “Playback Device
8 Connection” and bears a date of October 8, 2019. Google is currently without
9 knowledge or information sufficient to form a belief as to the truth or falsity of the
10 remaining allegations and characterizations contained in this Paragraph of the
11 Complaint, and therefore denies them.

12 121. Google denies the allegations in Paragraph 121 of the Complaint
13 insofar as they purport to attribute to the ‘896 patent anything that is not stated
14 therein. Google is currently without knowledge or information sufficient to form a
15 belief as to the truth or falsity of the remaining allegations and characterizations
16 contained in this Paragraph of the Complaint, and therefore denies them.

17 122. Google denies the allegations in Paragraph 122 of the Complaint
18 insofar as they purport to attribute to the ‘896 patent anything that is not stated
19 therein. Google is currently without knowledge or information sufficient to form a
20 belief as to the truth or falsity of the remaining allegations and characterizations
21 contained in this Paragraph of the Complaint, and therefore denies them.

22 123. Google denies the allegations in Paragraph 123 of the Complaint
23 insofar as they purport to attribute to the ‘896 patent anything that is not stated
24 therein. Google is currently without knowledge or information sufficient to form a
25 belief as to the truth or falsity of the remaining allegations and characterizations
26 contained in this Paragraph of the Complaint, and therefore denies them.

27 124. Google denies the allegations in Paragraph 124 of the Complaint
28 insofar as they purport to attribute to the ‘896 patent anything that is not stated

1 therein. Google is currently without knowledge or information sufficient to form a
2 belief as to the truth or falsity of the remaining allegations and characterizations
3 contained in this Paragraph of the Complaint, and therefore denies them.

4 125. Google denies the allegations in Paragraph 125 of the Complaint
5 insofar as they purport to attribute to the ‘896 patent anything that is not stated
6 therein. Google is currently without knowledge or information sufficient to form a
7 belief as to the truth or falsity of the remaining allegations and characterizations
8 contained in this Paragraph of the Complaint, and therefore denies them.

9 **The Alleged Inventions Claimed in U.S. Patent No. 10,439,896**

10 **Do Not Improve Technology &**

11 **Were Well-Understood, Routine, or Conventional**

12 126. Google denies the allegations in Paragraph 126 of the Complaint
13 insofar as they purport to attribute to the ‘896 patent anything that is not stated
14 therein. Google is currently without knowledge or information sufficient to form a
15 belief as to the truth or falsity of the remaining allegations and characterizations
16 contained in this Paragraph of the Complaint, and therefore denies them.

17 127. Google denies the allegations in Paragraph 127 of the Complaint
18 insofar as they purport to attribute to the ‘896 patent anything that is not stated
19 therein. Google is currently without knowledge or information sufficient to form a
20 belief as to the truth or falsity of the remaining allegations and characterizations
21 contained in this Paragraph of the Complaint, and therefore denies them.

22 128. Google denies the allegations in Paragraph 128 of the Complaint
23 insofar as they purport to attribute to the ‘896 patent anything that is not stated
24 therein. Google is currently without knowledge or information sufficient to form a
25 belief as to the truth or falsity of the remaining allegations and characterizations
26 contained in this Paragraph of the Complaint, and therefore denies them.

27 129. Google denies the allegations in Paragraph 129 of the Complaint
28 insofar as they purport to attribute to the ‘896 patent anything that is not stated

1 therein. Google is currently without knowledge or information sufficient to form a
2 belief as to the truth or falsity of the remaining allegations and characterizations
3 contained in this Paragraph of the Complaint, and therefore denies them.

4 130. Google denies the allegations in Paragraph 130 of the Complaint
5 insofar as they purport to attribute to the ‘896 patent anything that is not stated
6 therein. Google is currently without knowledge or information sufficient to form a
7 belief as to the truth or falsity of the remaining allegations and characterizations
8 contained in this Paragraph of the Complaint, and therefore denies them.

9 131. Google denies the allegations in Paragraph 131 of the Complaint
10 insofar as they purport to attribute to the ‘896 patent anything that is not stated
11 therein. Google is currently without knowledge or information sufficient to form a
12 belief as to the truth or falsity of the remaining allegations and characterizations
13 contained in this Paragraph of the Complaint, and therefore denies them.

14 132. Google is currently without knowledge or information sufficient to
15 form a belief as to the truth or falsity of the remaining allegations and
16 characterizations contained in Paragraph 132 of the Complaint, and therefore denies
17 them.

18 133. Google denies the allegations in Paragraph 134 of the Complaint
19 insofar as they purport to attribute to the ‘896 patent anything that is not stated
20 therein. Google is currently without knowledge or information sufficient to form a
21 belief as to the truth or falsity of the remaining allegations and characterizations
22 contained in this Paragraph of the Complaint, and therefore denies them.

23 **The Inventions Claimed in U.S. Patent No. 10,439,896**

24 **Do Not Provide Important**

25 **Advantages to Wireless Audio Systems**

26 134. Google denies the allegations in Paragraph 134 of the Complaint
27 insofar as they purport to attribute to the ‘896 patent anything that is not stated
28 therein. Google admits that Exhibits 76-78 of the Complaint purport to be,

1 respectively, articles from *Ars Technica*, *Gizmodo*, and *Consumer Reports*. Google
2 is currently without knowledge or information sufficient to form a belief as to the
3 truth or falsity of the remaining allegations and characterizations contained in this
4 Paragraph of the Complaint, and therefore denies them.

5 135. Google admits that Exhibits 79-80 of the Complaint appear to be
6 printouts of webpages discussing Google products. Except as expressly admitted,
7 Google denies the allegations of Paragraph 135 the of Complaint.

8 136. Google admits that Exhibits 81-83 of the Complaint purport to be,
9 respectively, articles from *Android Central*, *Tom's Guide*, and CNET. Google is
10 currently without knowledge or information sufficient to form a belief as to the truth
11 or falsity of the remaining allegations and characterizations contained in this
12 Paragraph of the Complaint, and therefore denies them.

13 **COUNT I: ALLEGED INFRINGEMENT OF U.S. PATENT NO. 8,588,949**

14 137. Google incorporates by reference each of its responses to Paragraphs
15 47-71 of the Complaint set forth above as if fully set forth herein.

16 138. Google denies the allegations and characterizations contained in
17 Paragraph 138 of the Complaint, and specifically denies it has committed acts of
18 infringement. To the extent Paragraph 138 of the Complaint contains conclusions
19 of law, no response is necessary.

20 139. Google denies the allegations and characterizations contained in
21 Paragraph 139 of the Complaint, including the footnotes to Paragraph 139, and
22 specifically denies it has committed acts of infringement. To the extent Paragraph
23 139 of the Complaint contains conclusions of law, no response is necessary.

24 140. Google denies the allegations and characterizations contained in
25 Paragraph 140 of the Complaint, and specifically denies it has committed acts of
26 infringement. To the extent Paragraph 140 of the Complaint contains conclusions
27 of law, no response is necessary.

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1 141. Google admits that Exhibits 29 and 84 purport to be printed copies of
2 Google webpages. Google denies the remaining allegations and characterizations
3 contained in Paragraph 141 of the Complaint, and specifically denies it has
4 committed acts of infringement. To the extent Paragraph 141 of the Complaint
5 contains conclusions of law, no response is necessary.

6 142. Google admits that Exhibits 29, 34-39, and 55 purport to be printed
7 copies of Google webpages. Google denies the remaining allegations and
8 characterizations contained in Paragraph 142 of the Complaint, and specifically
9 denies it has committed acts of infringement. To the extent Paragraph 142 of the
10 Complaint contains conclusions of law, no response is necessary.

11 143. Google admits that Exhibits 29, 84, and 85 purport to be printed copies
12 of Google webpages. Google denies the remaining allegations and characterizations
13 contained in Paragraph 143 of the Complaint, and specifically denies it has
14 committed acts of infringement. To the extent Paragraph 143 of the Complaint
15 contains conclusions of law, no response is necessary.

16 144. Google denies the allegations and characterizations contained in
17 Paragraph 144 of the Complaint, and specifically denies it has committed acts of
18 infringement. To the extent Paragraph 144 of the Complaint contains conclusions
19 of law, no response is necessary.

20 145. Google denies the allegations and characterizations contained in
21 Paragraph 145 of the Complaint, and specifically denies it has committed acts of
22 infringement. To the extent Paragraph 145 of the Complaint contains conclusions
23 of law, no response is necessary.

24 146. Google is currently without knowledge or information sufficient to
25 form a belief as to the truth or falsity of the allegations and characterizations
26 contained in Paragraph 146 of the Complaint, and therefore denies them. To the
27 extent Paragraph 146 of the Complaint contains conclusions of law, no response is
28 necessary.

1 147. Google denies the allegations and characterizations contained in
2 Paragraph 147 of the Complaint, and specifically denies it has committed acts of
3 infringement. To the extent Paragraph 147 of the Complaint contains conclusions
4 of law, no response is necessary.

5 148. Google denies the allegations and characterizations contained in
6 Paragraph 148 of the Complaint, and specifically denies it has committed acts of
7 infringement. To the extent Paragraph 148 of the Complaint contains conclusions
8 of law, no response is necessary.

9 149. Google denies the allegations and characterizations contained in
10 Paragraph 149 of the Complaint, and specifically denies it has committed acts of
11 infringement. To the extent Paragraph 149 of the Complaint contains conclusions
12 of law, no response is necessary.

13 150. Google denies the allegations and characterizations contained in
14 Paragraph 150 of the Complaint, and specifically denies it has committed acts of
15 infringement. To the extent Paragraph 150 of the Complaint contains conclusions
16 of law, no response is necessary.

17 **COUNT II: ALLEGED INFRINGEMENT OF U.S. PATENT NO. 9,195,258**

18 151. Google incorporates by reference each of its responses to Paragraphs
19 47-55 and 72-88 of the Complaint set forth above as if fully set forth herein.

20 152. Google denies the allegations and characterizations contained in
21 Paragraph 152 of the Complaint, and specifically denies it has committed acts of
22 infringement. To the extent Paragraph 152 of the Complaint contains conclusions
23 of law, no response is necessary.

24 153. Google denies the allegations and characterizations contained in
25 Paragraph 153 of the Complaint, and specifically denies it has committed acts of
26 infringement. To the extent Paragraph 153 of the Complaint contains conclusions
27 of law, no response is necessary.
28

1 154. Google admits that Exhibits 20, 29, 60, and 61 purport to be printed
2 copies of Google webpages. Google denies the remaining allegations and
3 characterizations contained in Paragraph 154 of the Complaint, and specifically
4 denies it has committed acts of infringement. To the extent Paragraph 154 of the
5 Complaint contains conclusions of law, no response is necessary.

6 155. Google admits that Exhibits 20, 29, 60, 61, and 85 purport to be printed
7 copies of Google webpages. Google denies the remaining allegations and
8 characterizations contained in Paragraph 155 of the Complaint, and specifically
9 denies it has committed acts of infringement. To the extent Paragraph 155 of the
10 Complaint contains conclusions of law, no response is necessary.

11 156. Google denies the allegations and characterizations contained in
12 Paragraph 156 of the Complaint, and specifically denies it has committed acts of
13 infringement. To the extent Paragraph 156 of the Complaint contains conclusions
14 of law, no response is necessary.

15 157. Google denies the allegations and characterizations contained in
16 Paragraph 157 of the Complaint, and specifically denies it has committed acts of
17 infringement. To the extent Paragraph 157 of the Complaint contains conclusions
18 of law, no response is necessary.

19 158. Google is currently without knowledge or information sufficient to
20 form a belief as to the truth or falsity of the allegations and characterizations
21 contained in Paragraph 158 of the Complaint, and therefore denies them. To the
22 extent Paragraph 158 of the Complaint contains conclusions of law, no response is
23 necessary.

24 159. Google denies the allegations and characterizations contained in
25 Paragraph 159 of the Complaint, and specifically denies it has committed acts of
26 infringement. To the extent Paragraph 159 of the Complaint contains conclusions
27 of law, no response is necessary.
28

1 160. Google denies the allegations and characterizations contained in
2 Paragraph 160 of the Complaint, and specifically denies it has committed acts of
3 infringement. To the extent Paragraph 160 of the Complaint contains conclusions
4 of law, no response is necessary.

5 161. Google denies the allegations and characterizations contained in
6 Paragraph 161 of the Complaint, and specifically denies it has committed acts of
7 infringement. To the extent Paragraph 161 of the Complaint contains conclusions
8 of law, no response is necessary.

9 162. Google denies the allegations and characterizations contained in
10 Paragraph 162 of the Complaint, and specifically denies it has committed acts of
11 infringement. To the extent Paragraph 162 of the Complaint contains conclusions
12 of law, no response is necessary.

13 **COUNT III: ALLEGED INFRINGEMENT OF U.S. PATENT NO. 9,219,959**

14 163. Google incorporates by reference each of its responses to 47-55 and 89-
15 106 of the Complaint set forth above as if fully set forth herein.

16 164. Google denies the allegations and characterizations contained in
17 Paragraph 164 of the Complaint, and specifically denies it has committed acts of
18 infringement. To the extent Paragraph 164 of the Complaint contains conclusions
19 of law, no response is necessary.

20 165. Google denies the allegations and characterizations contained in
21 Paragraph 165 of the Complaint, and specifically denies it has committed acts of
22 infringement. To the extent Paragraph 165 of the Complaint contains conclusions
23 of law, no response is necessary.

24 166. Google admits that Exhibits 67-70 purport to be printed copies of
25 Google webpages. Google denies the remaining allegations and characterizations
26 contained in Paragraph 166 of the Complaint, and specifically denies it has
27 committed acts of infringement. To the extent Paragraph 166 of the Complaint
28 contains conclusions of law, no response is necessary.

1 167. Google admits that Exhibits 67-70 and 85 purport to be printed copies
2 of Google webpages. Google denies the remaining allegations and characterizations
3 contained in Paragraph 167 of the Complaint, and specifically denies it has
4 committed acts of infringement. To the extent Paragraph 167 of the Complaint
5 contains conclusions of law, no response is necessary.

6 168. Google denies the allegations and characterizations contained in
7 Paragraph 168 of the Complaint, and specifically denies it has committed acts of
8 infringement. To the extent Paragraph 168 of the Complaint contains conclusions
9 of law, no response is necessary.

10 169. Google denies the allegations and characterizations contained in
11 Paragraph 169 of the Complaint, and specifically denies it has committed acts of
12 infringement. To the extent Paragraph 169 of the Complaint contains conclusions
13 of law, no response is necessary.

14 170. Google is currently without knowledge or information sufficient to
15 form a belief as to the truth or falsity of the allegations and characterizations
16 contained in Paragraph 170 of the Complaint, and therefore denies them. To the
17 extent Paragraph 170 of the Complaint contains conclusions of law, no response is
18 necessary.

19 171. Google denies the allegations and characterizations contained in
20 Paragraph 171 of the Complaint, and specifically denies it has committed acts of
21 infringement. To the extent Paragraph 171 of the Complaint contains conclusions
22 of law, no response is necessary.

23 172. Google denies the allegations and characterizations contained in
24 Paragraph 172 of the Complaint, and specifically denies it has committed acts of
25 infringement. To the extent Paragraph 172 of the Complaint contains conclusions
26 of law, no response is necessary.

27 173. Google denies the allegations and characterizations contained in
28 Paragraph 173 of the Complaint, and specifically denies it has committed acts of

1 infringement. To the extent Paragraph 173 of the Complaint contains conclusions
2 of law, no response is necessary.

3 174. Google denies the allegations and characterizations contained in
4 Paragraph 174 of the Complaint, and specifically denies it has committed acts of
5 infringement. To the extent Paragraph 174 of the Complaint contains conclusions
6 of law, no response is necessary.

7 **COUNT IV: ALLEGED INFRINGEMENT OF U.S. PATENT NO. 10,209,953**

8 175. Google incorporates by reference each of its responses to 47-55 and
9 107-119 of the Complaint set forth above as if fully set forth herein.

10 176. Google denies the allegations and characterizations contained in
11 Paragraph 176 of the Complaint, and specifically denies it has committed acts of
12 infringement. To the extent Paragraph 176 of the Complaint contains conclusions
13 of law, no response is necessary.

14 177. Google denies the allegations and characterizations contained in
15 Paragraph 177 of the Complaint, and specifically denies it has committed acts of
16 infringement. To the extent Paragraph 177 of the Complaint contains conclusions
17 of law, no response is necessary.

18 178. Google admits that Exhibits 20, 29, 60, and 61 purport to be printed
19 copies of Google webpages. Google denies the remaining allegations and
20 characterizations contained in Paragraph 178 of the Complaint, and specifically
21 denies it has committed acts of infringement. To the extent Paragraph 178 of the
22 Complaint contains conclusions of law, no response is necessary.

23 179. Google admits that Exhibits 20, 29, 60, 61, and 85 purport to be printed
24 copies of Google webpages. Google denies the remaining allegations and
25 characterizations contained in Paragraph 179 of the Complaint, and specifically
26 denies it has committed acts of infringement. To the extent Paragraph 179 of the
27 Complaint contains conclusions of law, no response is necessary.

28

1 180. Google denies the allegations and characterizations contained in
2 Paragraph 180 of the Complaint, and specifically denies it has committed acts of
3 infringement. To the extent Paragraph 180 of the Complaint contains conclusions
4 of law, no response is necessary.

5 181. Google denies the allegations and characterizations contained in
6 Paragraph 181 of the Complaint, and specifically denies it has committed acts of
7 infringement. To the extent Paragraph 181 of the Complaint contains conclusions
8 of law, no response is necessary.

9 182. Google is currently without knowledge or information sufficient to
10 form a belief as to the truth or falsity of the allegations and characterizations
11 contained in Paragraph 182 of the Complaint, and therefore denies them. To the
12 extent Paragraph 182 of the Complaint contains conclusions of law, no response is
13 necessary.

14 183. Google denies the allegations and characterizations contained in
15 Paragraph 183 of the Complaint, and specifically denies it has committed acts of
16 infringement. To the extent Paragraph 183 of the Complaint contains conclusions
17 of law, no response is necessary.

18 184. Google denies the allegations and characterizations contained in
19 Paragraph 184 of the Complaint, and specifically denies it has committed acts of
20 infringement. To the extent Paragraph 184 of the Complaint contains conclusions
21 of law, no response is necessary.

22 185. Google denies the allegations and characterizations contained in
23 Paragraph 185 of the Complaint, and specifically denies it has committed acts of
24 infringement. To the extent Paragraph 185 of the Complaint contains conclusions
25 of law, no response is necessary.

26 186. Google denies the allegations and characterizations contained in
27 Paragraph 186 of the Complaint, and specifically denies it has committed acts of
28

1 infringement. To the extent Paragraph 186 of the Complaint contains conclusions
2 of law, no response is necessary.

3 **COUNT V: ALLEGED INFRINGEMENT OF U.S. PATENT NO. 10,439,896**

4 187. Google incorporates by reference each of its responses to 47-55 and
5 120-136 of the Complaint set forth above as if fully set forth herein.

6 188. Google denies the allegations and characterizations contained in
7 Paragraph 188 of the Complaint, and specifically denies it has committed acts of
8 infringement. To the extent Paragraph 188 of the Complaint contains conclusions
9 of law, no response is necessary.

10 189. Google denies the allegations and characterizations contained in
11 Paragraph 189 of the Complaint, and specifically denies it has committed acts of
12 infringement. To the extent Paragraph 189 of the Complaint contains conclusions
13 of law, no response is necessary.

14 190. Google admits that Exhibits 34, 35, 79, and 80 purport to be printed
15 copies of Google webpages. Google denies the remaining allegations and
16 characterizations contained in Paragraph 190 of the Complaint, and specifically
17 denies it has committed acts of infringement. To the extent Paragraph 190 of the
18 Complaint contains conclusions of law, no response is necessary.

19 191. Google admits that Exhibits 34, 35, 79, and 80 purport to be printed
20 copies of Google webpages. Google denies the remaining allegations and
21 characterizations contained in Paragraph 191 of the Complaint, and specifically
22 denies it has committed acts of infringement. To the extent Paragraph 191 of the
23 Complaint contains conclusions of law, no response is necessary.

24 192. Google denies the allegations and characterizations contained in
25 Paragraph 192 of the Complaint, and specifically denies it has committed acts of
26 infringement. To the extent Paragraph 192 of the Complaint contains conclusions
27 of law, no response is necessary.

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1 193. Google denies the allegations and characterizations contained in
2 Paragraph 193 of the Complaint, and specifically denies it has committed acts of
3 infringement. To the extent Paragraph 193 of the Complaint contains conclusions
4 of law, no response is necessary.

5 194. Google is currently without knowledge or information sufficient to
6 form a belief as to the truth or falsity of the allegations and characterizations
7 contained in Paragraph 194 of the Complaint, and therefore denies them. To the
8 extent Paragraph 194 of the Complaint contains conclusions of law, no response is
9 necessary.

10 195. Google denies the allegations and characterizations contained in
11 Paragraph 195 of the Complaint, and specifically denies it has committed acts of
12 infringement. To the extent Paragraph 195 of the Complaint contains conclusions
13 of law, no response is necessary.

14 196. Google denies the allegations and characterizations contained in
15 Paragraph 196 of the Complaint, and specifically denies it has committed acts of
16 infringement. To the extent Paragraph 196 of the Complaint contains conclusions
17 of law, no response is necessary.

18 197. Google denies the allegations and characterizations contained in
19 Paragraph 197 of the Complaint, and specifically denies it has committed acts of
20 infringement. To the extent Paragraph 197 of the Complaint contains conclusions
21 of law, no response is necessary.

22 198. Google denies the allegations and characterizations contained in
23 Paragraph 198 of the Complaint, and specifically denies it has committed acts of
24 infringement. To the extent Paragraph 198 of the Complaint contains conclusions
25 of law, no response is necessary.

26 **RESPONSE TO PRAYER FOR RELIEF**

27 Google denies that Sonos is entitled to any of the relief requested or any other
28 relief.

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DEFENSES TO COMPLAINT

Subject to the responses above, Google alleges and asserts the following defenses in response to the allegations, undertaking the burden of proof only as to those defenses deemed affirmative defenses by law, regardless of how such defenses are denominated herein. In addition to the affirmative defenses described below, subject to its responses above, Google specifically reserves all rights to allege additional affirmative defenses that become known through the course of discovery:

FIRST DEFENSE – NON-INFRINGEMENT

Google does not infringe and has not infringed (either directly, contributorily, or by inducement), either literally or under the doctrine of equivalents, and is not liable for infringement of any valid and enforceable claim of the '949, '258, '959, '953, and '896 (“asserted patents”).

SECOND DEFENSE – INVALIDITY

Each asserted claim of the asserted patents is invalid for failure to comply with one or more of the requirements of United States Code, Title 35, including without limitation, 35 U.S.C. §§ 101, 102, 103, and/or 112, the non-statutory doctrine of double patenting, improper inventorship, and the rules, regulations, and laws pertaining thereto.

THIRD DEFENSE – UNENFORCEABILITY

On information and belief, Sonos is not entitled to any relief against Google in this action because the asserted patents are unenforceable.

FOURTH DEFENSE – PATENT EXHAUSTION AND/OR LICENSE

On information and belief, Sonos’s claims against Google are barred as a result of patent exhaustion and/or a license to the asserted patents.

FIFTH DEFENSE – IMPLIED LICENSE

On information and belief, Sonos’s claims against Google are barred by the doctrine of implied license.

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SIXTH DEFENSE – LACK OF STANDING

On information and belief, Sonos’s claims against Google are barred because Sonos lacks standing to assert the asserted patents.

SEVENTH DEFENSE – EQUITABLE ESTOPPEL

On information and belief, Sonos’s claims against Google are barred by the doctrine of equitable estoppel.

EIGHTH DEFENSE – WAIVER

On information and belief, Sonos’s claims against Google are barred by the doctrine of waiver.

NINTH DEFENSE – PROSECUTION HISTORY ESTOPPEL

On information and belief, due to admissions and statements made to the United States Patent and Trademark Office during the prosecution of the applications that resulted in the asserted patents or related patent applications, Sonos is estopped from construing a valid and enforceable claim, if any, of the asserted patents as infringed literally or under the doctrine of equivalents by the accused products.

TENTH DEFENSE – OTHER DEFENSES

Google reserves the right to amend its Answer to include other additional defenses that Google may learn of during the course of this investigation.

DEMAND FOR JURY TRIAL

Google hereby demands a trial by jury on all issues so triable raised by Sonos’s Complaint.

1 DATED: March 11, 2020

Respectfully submitted,

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3 SULLIVAN, LLP

4 Bv /s/ Justin Griffin
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16 *Google LLC*

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