

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

WANGS ALLIANCE CORPORATION
d/b/a WAC LIGHTING CO.,

Plaintiff,

v.

CAST LIGHTING LLC

Defendant.

Case No.: 2:20-cv-03710-MCA-MAH

Civil Action

ANSWER TO COMPLAINT

Defendant, CAST Lighting LLC (hereinafter referred to as “CAST”), by and through their attorneys, Cleary Giacobbe Alfieri Jacobs LLC, by way of Answer to the Complaint filed by Plaintiff, Wangs Alliance Corporation d/b/a WAC Lighting Co., answer as follows:

PARTIES

1. CAST denies knowledge sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 1, noting it is a legal conclusion. Accordingly, the allegations are denied in their entirety and strict proof thereof is demanded.

2. CAST admits it is a New Jersey entity doing business in New Jersey.

NATURE OF THE ACTION

3. CAST denies knowledge sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 3, noting it is a legal conclusion. Accordingly, the allegations are denied in their entirety and strict proof thereof is demanded.

JURISDICTION AND VENUE

4. CAST admits that this Court has subject matter jurisdiction over the claims in this action pursuant to 28 U.S.C. §§1331 and 1338 because this action arises under the patent laws of the United States, 35 U.S.C. §1. CAST admits that this complaint includes claims for patent infringement arising under 35 U.S.C. §271, et seq.

5. CAST admits that this Court has personal jurisdiction over CAST in this case and that CAST has a principal place of business in this judicial district. CAST denies the remaining allegations in paragraph 5 of the Complaint.

6. CAST admits for purposes of venue in this action only, that venue is proper in this District under 28 U.S.C. § 1400(b), that it resides in this judicial district, and that it has a regular and established place of business in this judicial district. CAST denies the remaining allegations in paragraph 6 of the Complaint, including the allegation that DGL has committed acts of infringement within the District.

WAC LIGHTING'S INNOVATION AND PROTECTION OF ITS TECHNOLOGY

7. CAST denies knowledge sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 7.

8. CAST denies knowledge sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 8.

9. CAST denies knowledge sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 9.

10. CAST denies knowledge sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 10.

11. CAST denies knowledge sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 11. Accordingly, the allegations are denied in their entirety and strict proof thereof is demanded.

12. CAST admits that a copy of U.S. Patent No. US 10,571,101 B2 (the '101 Patent) is attached to the Complaint as Exhibit A. CAST admits that the face of the '101 Patent identifies the title as "LED Lighting Methods and Apparatus," and is dated February 25, 2020.

13. CAST denies the allegations in paragraph 13 of the Complaint and strict proof thereof is demanded.

14. CAST admits that it has been marketing a landscape light SBLABL1, but denies that it infringes the '101 patent.

15. CAST admits that it has sold or imported the landscape light SBLABL1.

16. CAST admits that the landscape light SBLABL1 is manufactured in China

17. CAST denies knowledge sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 17.

FIRST CLAIM FOR RELIEF

(Patent Infringement of United States Patent No. 10,571,101 by CAST)

18. CAST incorporates by reference, as if fully restated herein, its responses provided above for paragraphs 1 through 17 of the Complaint.

19. CAST admits that a copy of U.S. Patent No. US 10,571,101 B2 (the '101 Patent) is attached to the Complaint as Exhibit A., admits that the face of the '101 Patent identifies Wangs Alliance Corporation as the Applicant, and otherwise leaves plaintiff to its proofs.

20. CAST admits that it has been marketing a landscape light SBLABL1, but denies that it infringes the '101 patent.

21. CAST denies the allegations in paragraph 21 of the Complaint and strict proof thereof is demanded.

22. CAST denies knowledge sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 22. Accordingly, the allegations are denied in their entirety and strict proof thereof is demanded.

23. CAST denies knowledge sufficient to form a belief as to the truth or falsity of the allegations contained in paragraph 23. Accordingly, the allegations are denied in their entirety and strict proof thereof is demanded.

24. CAST denies the allegations in paragraph 24 of the Complaint and strict proof thereof is demanded.

25. CAST denies the allegations in paragraph 25 of the Complaint and strict proof thereof is demanded.

26. CAST denies the allegations in paragraph 26 of the Complaint and strict proof thereof is demanded.

27. CAST denies the allegations in paragraph 27 of the Complaint and strict proof thereof is demanded.

28. CAST denies the allegations in paragraph 28 of the Complaint and strict proof thereof is demanded.

29. CAST denies the allegations in paragraph 29 of the Complaint and strict proof thereof is demanded.

30. CAST denies the allegations in paragraph 30 of the Complaint and strict proof thereof is demanded.

31. CAST denies the allegations in paragraph 31 of the Complaint and strict proof thereof is demanded.

32. CAST denies the allegations in paragraph 32 of the Complaint and strict proof thereof is demanded.

PLAINTIFF'S PRAYER FOR RELIEF

33. Plaintiff's Prayer for Relief sets forth no averments to which a response is required. If a response is required, CAST denies that Plaintiff is entitled to any relief and denies any factual claims stated within Plaintiff's Prayer for Relief.

ADDITIONAL DEFENSES

34. Plaintiff fails to state a claim upon which relief can be granted.

35. Plaintiff has failed to mitigate damages.

36. Plaintiff's complaint and demands for relief are barred because CAST has not infringed and does not infringe in any manner the '101 patent.

37. One or more of the claims of '101 patent are invalid.

38. Plaintiff's claims are barred by the doctrines of prosecution history estoppel, prosecution disclaimer, and surrender and/or due to statements or amendments made during the prosecution of the '101 patent.

39. Plaintiff's claims are barred by the doctrine of laches.

40. Plaintiff's claims are barred by collateral estoppel.

41. Plaintiff's claims are barred by the doctrine of unclean hands.

42. Plaintiff is not entitled to injunctive relief because it has not suffered and will not suffer irreparable harm, has an adequate remedy at law, and the balance of hardships and public interest do not favor injunctive relief.

43. Plaintiff cannot prove that this is an exceptional case justifying an award of attorney fees against CAST.

JURY DEMAND

Defendant Cast Lighting LLC demands a trial by jury on all issues.

DESIGNATION OF TRIAL ATTORNEY

Richard A. Gantner, Esq., is hereby designated as trial counsel for Cast Lighting LLC in the within matter.

LOCAL CIVIL RULE 11.2 CERTIFICATION

I, Richard A. Gantner, Esq., attorney for Defendant, Cast Lighting LLC, in accordance with Loc. Civ. R. 11.2, certify, that to the best of my knowledge, the matter in controversy in the above-captioned civil action is not the subject of any other action pending in any Court, or of any pending arbitration or administrative proceedings.

Pursuant to 28 U.S.C. §1764(s), I declare under punishment of perjury, that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

CLEARY GIACOBBE ALFIERI JACOBS LLC

By: /s/ Richard A. Gantner

Richard A. Gantner, Esq.
Attorney for Defendant

Dated: May 14, 2020

CERTIFICATION OF SERVICE

I, Richard A. Gantner, Esq., hereby certify that a copy of the within Answer, was e-filed
with:

William T. Walsh, Clerk
United States District Court
District of New Jersey
Martin Luther King Jr., Federal Bldg. & US Courthouse
50 Walnut Street, Room 5083
Newark, New Jersey 07102

Attorneys for Plaintiff, via e-filing/PACER/ECF

CLEARY GIACOBBE ALFIERI JACOBS LLC

Dated: May 14, 2020

By: /s/ Richard A. Gantner
Richard A. Gantner, Esq.
Attorney for Defendant