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Attorneys for Plaintiff
BROADCOM CORPORATION

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

BROADCOM CORPORATION

Plaintiff,

vs.

NXP SEMICONDUCTORS N.V.,
NXP B.V., &
NXP SEMICONDUCTORS USA, INC.

Defendants.

Case No: 13-cv-00829-MRP

PLAINTIFF BROADCOM CORPORATION'S REPLY TO NXP'S COUNTERCLAIMS

JURY TRIAL DEMANDED

Judge: Hon. Mariana R. Pfaelzer

Pursuant to Rule 8 of the Federal Rules of Civil Procedure, plaintiff Broadcom Corporation ("Broadcom") hereby responds to the allegations contained in the counterclaims of defendants NXP Semiconductors N.V., NXP B.V., and NXP Semiconductors USA, Inc., and in doing so denies the allegations of the counterclaims except as specifically stated below. The paragraph numbers below correspond to those in NXP's pleading:

PARTIES

1. Admitted.

2. Admitted.

3. Admitted.

4. Admitted.

JURISDICTION AND VENUE

5. Admitted.

6. Admitted.

7. Admitted.

8. Sets forth a legal conclusion to which no response is required. However, to the extent a response is required, Broadcom denies the allegations

9. Admitted.

FIRST COUNTERCLAIM

(Declaratory Judgment of Non-Infringement of U.S. Patent No. 7,355,485)

10. Plaintiff Broadcom incorporates by reference, as if fully set forth herein, its responses to paragraphs 1 through 9 of its Reply.

11. Broadcom admits that NXP purports to deny that it has infringed or is infringing the '485 patent, directly or indirectly, literally or under the doctrine of equivalents. Broadcom denies that NXP has not infringed and is not infringing.

SECOND COUNTERCLAIM

(Declaratory Judgment of Non-Infringement of U.S. Patent No. 7,400,722)

12. Plaintiff Broadcom incorporates by reference, as if fully set forth herein, its responses to paragraphs 1 through 11 of its Reply.

13. Broadcom admits that NXP purports to deny that it has infringed or is infringing the '722 patent, directly or indirectly, literally or under the doctrine of equivalents. Broadcom denies that NXP has not infringed and is not infringing.

THIRD COUNTERCLAIM

(Declaratory Judgment of Non-Infringement of U.S. Patent No. 7,656,643)

14. Plaintiff Broadcom incorporates by reference, as if fully set forth herein, its responses to paragraphs 1 through 13 of its Reply.

15. Broadcom admits that NXP purports to deny that it has infringed or is infringing the '643 patent, directly or indirectly, literally or under the doctrine of equivalents. Broadcom denies that NXP has not infringed and is not infringing.

FOURTH COUNTERCLAIM

(Declaratory Judgment of Non-Infringement of U.S. Patent No. 8,315,381)

16. Plaintiff Broadcom incorporates by reference, as if fully set forth herein, its responses to paragraphs 1 through 15 of its Reply.

17. Broadcom admits that NXP purports to deny that it has infringed or is infringing the '381 patent, directly or indirectly, literally or under the doctrine of equivalents. Broadcom denies that NXP has not infringed and is not infringing.

FIFTH COUNTERCLAIM

(Declaratory Judgment of Non-Infringement of U.S. Patent No. 8,333,317)

18. Plaintiff Broadcom incorporates by reference, as if fully set forth herein, its responses to paragraphs 1 through 17 of its Reply.

19. Broadcom admits that NXP purports to deny that it has infringed or is infringing the '317 patent, directly or indirectly, literally or under the doctrine of equivalents. Broadcom denies that NXP has not infringed and is not infringing.

SIXTH COUNTERCLAIM

(Declaratory Judgment of Invalidity of U.S. Patent No. 7,355,485)

20. Plaintiff Broadcom incorporates by reference, as if fully set forth herein, its responses to paragraphs 1 through 19 of its Reply.

21. Broadcom admits that NXP purports to request a declaration from the Court that each claim of the '485 patent is invalid for failure to comply with the conditions for patentability of, *inter alia*, 35 U.S.C. §§ 101, 102, 103, and/or 112. Broadcom denies that any claim of the '485 patent is invalid, and further denies that NXP is entitled to a declaratory judgment of invalidity with respect to any claim of the '485 patent.

SEVENTH COUNTERCLAIM

(Declaratory Judgment of Invalidity of U.S. Patent No. 7,400,722)

22. Plaintiff Broadcom incorporates by reference, as if fully set forth herein, its responses to paragraphs 1 through 21 of its Reply.

23. Broadcom admits that NXP purports to request a declaration from the Court that each claim of the '722 patent is invalid for failure to comply with the conditions for patentability of, *inter alia*, 35 U.S.C. §§ 101, 102, 103, and/or 112. Broadcom denies that any claim of the '722 patent is invalid, and further denies that NXP is entitled to a declaratory judgment of invalidity with respect to any claim of the '722 patent.

EIGHTH COUNTERCLAIM

(Declaratory Judgment of Invalidity of U.S. Patent No. 7,656,643)

24. Plaintiff Broadcom incorporates by reference, as if fully set forth herein, its responses to paragraphs 1 through 23 of its Reply.

25. Broadcom admits that NXP purports to request a declaration from the Court that each claim of the '643 patent is invalid for failure to comply with the conditions for patentability of, *inter alia*, 35 U.S.C. §§ 101, 102, 103, and/or 112. Broadcom denies that any claim of the '643 patent is invalid, and further denies that NXP is entitled to a declaratory judgment of invalidity with respect to any claim of the '643 patent.

NINTH COUNTERCLAIM

(Declaratory Judgment of Invalidity of U.S. Patent No. 8,315,381)

26. Plaintiff Broadcom incorporates by reference, as if fully set forth herein, its responses to paragraphs 1 through 25 of its Reply.

27. Broadcom admits that NXP purports to request a declaration from the Court that each claim of the '381 patent is invalid for failure to comply with the conditions for patentability of, *inter alia*, 35 U.S.C. §§ 101, 102, 103, and/or 112. Broadcom denies that any claim of the '381 patent is invalid, and further denies that NXP is entitled to a declaratory judgment of invalidity with respect to any claim of the '381 patent.

TENTH COUNTERCLAIM

(Declaratory Judgment of Invalidity of U.S. Patent No. 8,333,317)

28. Plaintiff Broadcom incorporates by reference, as if fully set forth herein, its responses to paragraphs 1 through 27 of its Reply.

29. Broadcom admits that NXP purports to request a declaration from the Court that each claim of the '317 patent is invalid for failure to comply with one or more of the conditions for patentability of, *inter alia*, 35 U.S.C. §§ 101, 102, 103, and/or 112. Broadcom denies that any claim of the '317 patent is invalid, and further denies that NXP is entitled to a declaratory judgment of invalidity with respect to any claim of the '317 patent.

PRAYER FOR RELIEF

Broadcom denies that NXP is entitled to any of the relief that it has requested.

Dated: September 6, 2013

WILMER CUTLER PICKERING HALE AND DORR

By: /s/ Andrea Jeffries
Andrea Weiss Jeffries (SBN 183408)

Attorneys for Plaintiff
BROADCOM CORPORATION