UNITED STATES DISTRICT COURT
DISTRICT OF COLORADO

Civil Action No. 1:23-cv-407-CNS-STV

THE RIDGE WALLET LLC,

Plaintiff,

v.

2985, LLC D/B/A MOUNTAIN VOYAGE COMPANY,

Defendant.

PLAINTIFF THE RIDGE WALLET LLC'S ANSWER IN RESPONSE TO DEFENDANT MOUNTAIN VOYAGE COMPANY, LLC'S COUNTERCLAIM FOR A DECLARATION OF NON-INFRINGEMENT

Pursuant to Federal Rules of Civil Procedure 7 and 12, Plaintiff The Ridge Wallet LLC ("Ridge"), by and through its undersigned counsel, hereby files its Answer to Defendant 2985, LLC d/b/a Mountain Voyage Company, LLC's ("Mountain Voyage") Counterclaim for a Declaration of Non-Infringement (Dkt No. 17). Ridge denies all allegations in the Counterclaim unless expressly admitted in the following numbered paragraphs, which correspond to the headings and numbered paragraphs in the counterclaim.

THE PARTIES

1. Ridge is without sufficient knowledge or information to admit or deny the allegations of paragraph 1 of the Counterclaim and therefor denies it.

2. Admitted.

3. Ridge admits that it owns, by assignment, all right, title, and interest in the '808 Patent.

JURISDICTION AND VENUE

4. Ridge admits that the Counterclaim arises under the Federal Declaratory Judgment Act and the Patent Laws of the United States, more particularly under 28 U.S.C. §§ 2201 and 2202 and that this Court has jurisdiction pursuant to 28 U.S.C. §§ 1331, 1338 and 2201. Ridge denies that the Counterclaim has merit.

5. For the purposes of this case only, Ridge does not contest personal jurisdiction. Ridge otherwise denies the allegations in paragraph 5 of the Counterclaim.

6. For the purposes of this case only, Ridge does not object to venue in this district. Ridge otherwise denies the allegations in paragraph 6 of the Counterclaim.

7. Ridge admits that it filed a Complaint against Mountain Voyage for patent infringement. Ridge admits Mountain Voyage filed against Ridge a Counterclaim for a declaration of non-infringement of the Patent-in-Suit. Ridge otherwise denies the allegations in paragraph 7 of the Counterclaim.

COUNTERCLAIM

8. Ridge incorporates by reference paragraphs 1–7 as if fully set forth herein.

9. Ridge admits it filed a Complaint against Mountain Voyage for patent infringement. Ridge admits that the Complaint includes paragraphs 1, 50, 51, and 52.

10. Ridge denies the allegations in paragraph 10.

11. Ridge denies the allegations in paragraph 11.

12. Ridge denies the allegations in paragraph 12.

13. Admitted.

14. Ridge denies the allegations in paragraph 14.

15. Ridge admits that Figure 13 of the Patent-in-Suit is one embodiment of the claimed invention. Ridge admits that a "recess formed inside the at least two rigid plates" is a partial claim limitation of Claim 1 of the Patent-in-Suit. Ridge admits that "a channeling means configured to minimize the profile of the wallet and hold position of the at least one encircling elastic band with respect to each rigid plate" is a partial claim limitation of Claim 1 of the Patent-in-Suit. Ridge otherwise denies the allegations in paragraph 15 of the Counterclaim.

16. Ridge denies the allegations in paragraph 16.

17. Ridge denies the allegations in paragraph 17.

18. Ridge denies the allegations in paragraph 18.

19. Ridge denies the allegations in paragraph 19.

20. Ridge denies the allegations in paragraph 20.

21. Ridge admits that Photograph D appears to be a photograph of the Mountain Voyage Accused Product. Ridge otherwise denies the allegations in paragraph 21 of the Counterclaim.

22. Ridge denies the allegations in paragraph 22.

23. Ridge admits that Claim 1 of the Patent-in-Suit recites "an undercut of the recess." Ridge otherwise denies the allegations in paragraph 23 of the Counterclaim.

24. Ridge admits that Figure 13 of the Patent-in-Suit is one embodiment of the claimed invention. Ridge admits that "recess formed inside the at least two rigid plates" is a partial claim

limitation of Claim 1 of the Patent-in-Suit. Ridge otherwise denies the allegations in paragraph 24 of the Counterclaim.

25. Ridge denies the allegations in paragraph 25.

26. Ridge denies the allegations in paragraph 26.

27. Admitted.

28. Ridge denies the allegations in paragraph 28.

29. Ridge denies the allegations in paragraph 29.

30. Admitted.

31. Ridge denies the allegations in paragraph 31.

32. Ridge denies the allegations in paragraph 32.

33. Ridge denies the allegations in paragraph 33.

PRAYER FOR RELIEF

Defendant's Counterclaim includes requests for relief, which do not require an admission or denial. Ridge denies that Defendant is entitled to recover and/or receive any of the relief sought in its requests for relief against Plaintiff. To the extent that Defendant's requests for relief are alleged to contain any factual allegations, Ridge denies them.

Dated: May 2, 2023

Respectfully submitted,

/s/ *Aurora Temple Barnes*

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CERTIFICATE OF SERVICE

I hereby certify that on May 2, 2023, a true and correct copy of the foregoing **PLAINTIFF THE RIDGE WALLET LLC'S ANSWER IN RESPONSE TO DEFENDANT MOUNTAIN VOYAGE COMPANY, LLC'S COUNTERCLAIM FOR A DECLARATION OF NON-INFRINGEMENT** was electronically filed using the CM/ECF system and served on counsel of all parties. Parties may access this filing through the CM/ECF system.

/s/ *Aurora Temple Barnes*
Aurora Temple Barnes, Esq.