

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

VL COLLECTIVE IP LLC,

Plaintiff,

v.

MICROSOFT CORPORATION,

Defendant.

Civil Action No. 2:26-cv-00346-JRG

JURY TRIAL DEMANDED

**PLAINTIFF VL COLLECTIVE IP LLC’S ANSWER TO COUNTERCLAIMS TO FIRST
AMENDED COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff VL Collective IP LLC (“VL IP”), by and through its undersigned counsel, hereby answers Microsoft Corporation’s (“Defendant” or “Microsoft”) counterclaims as follows:

PARTIES

1. VL IP admits that Microsoft admitted in Paragraph 12 of its Answer to VL IP’s Complaint that Microsoft Corporation is a corporation organized and existing under the laws of the State of Washington corporation.

2. Admitted.

JURISDICTION AND VENUE

3. VL IP admits that Microsoft purports to bring these Counterclaims under the patent laws of the United States, 35 U.S.C. § 1 et seq., and the Declaratory Judgment Act, 28 U.S.C. §§ 2201-02. VL IP denies that Microsoft is entitled to any of the relief it seeks for its Counterclaims.

4. Admitted.

5. Admitted.

6. Admitted.

COUNT 1 (Declaratory Judgement of Noninfringement of the '868 Patent)

7. Plaintiff incorporates by reference and realleges the foregoing paragraphs as if set forth fully herein.

8. VL IP admits that it alleges in its FAC that Microsoft has infringed one or more claims of the '868 Patent. Otherwise, denied.

9. Admitted.

10. Denied.

11. VL IP admits that Microsoft seeks a judicial determination of the respective rights of the parties with respect to the claims of the '868 Patent. Otherwise, denied.

COUNT 2 (Declaratory Judgement of Noninfringement of the '599 Patent)

12. Plaintiff incorporates by reference and realleges the foregoing paragraphs as if set forth fully herein.

13. VL IP admits that it alleges in its FAC that Microsoft has infringed one or more claims of the '599 Patent. Otherwise, denied.

14. Admitted.

15. Denied.

16. VL IP admits that Microsoft seeks a judicial determination of the respective rights of the parties with respect to the claims of the '599 Patent. Otherwise, denied.

COUNT 3 (Declaratory Judgement of Noninfringement of the '474 Patent)

17. Plaintiff incorporates by reference and realleges the foregoing paragraphs as if set forth fully herein.

18. VL IP admits that it alleges in its FAC that Microsoft has infringed one or more

claims of the '474 Patent. Otherwise, denied.

19. Admitted.

20. Denied.

21. VL IP admits that Microsoft seeks a judicial determination of the respective rights of the parties with respect to the claims of the '474 Patent. Otherwise, denied.

COUNT 4 (Declaratory Judgement of Invalidity of the '868 Patent)

22. Plaintiff incorporates by reference and realleges the foregoing paragraphs as if set forth fully herein.

23. VL IP admits that it alleges in its FAC that the '868 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code. Otherwise, denied.

24. Admitted.

25. Denied.

26. VL IP admits that Microsoft seeks a judicial determination of the respective rights of the parties with respect to the validity of the claims of the '868 Patent. Otherwise, denied.

COUNT 5 (Declaratory Judgement of Invalidity of the '599 Patent)

27. Plaintiff incorporates by reference and realleges the foregoing paragraphs as if set forth fully herein.

28. VL IP admits that it alleges in its FAC that the '599 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code. Otherwise, denied.

29. Admitted.

30. Denied.

31. VL IP admits that Microsoft seeks a judicial determination of the respective rights of the parties with respect to the validity of the claims of the '599 Patent. Otherwise, denied.

COUNT 6 (Declaratory Judgement of Invalidity of the '474 Patent)

32. Plaintiff incorporates by reference and realleges the foregoing paragraphs as if set forth fully herein.

33. VL IP admits that it alleges in its FAC that the '474 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code. Otherwise, denied.

34. Admitted.

35. Denied.

36. VL IP admits that Microsoft seeks a judicial determination of the respective rights of the parties with respect to the validity of the claims of the '474 Patent. Otherwise, denied.

MICROSOFT'S PRAYER FOR RELIEF

VL IP denies the allegations set forth in Microsoft's Prayer for Relief, and VL IP further denies that Microsoft is entitled to any relief whatsoever, including any of the relief sought in paragraphs a-g of its Prayer for Relief. Microsoft's prayer should be denied in its entirety and with prejudice, and Microsoft should take nothing.

JURY TRIAL DEMAND

Microsoft's demand for jury trial does not contain allegations subject to admission or denial by Plaintiff. Pursuant to Rule 38 of the Federal Rules of Civil Procedure and Local Rule CV-38, Plaintiff requests a trial by jury on all claims and issues so triable.

Dated: August 31, 2026

By: /s/ David Alberti

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Attorneys for Plaintiff VL Collective IP LLC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of the foregoing document via the Court's CM/ECF system per Local Rule CV-5(a)(3) this August 31, 2026.

/s/ David Alberti
David Alberti