

MICHAEL P BOYLE

Surface Dynamix

64619 W Hwy 20 unit B

Bend, Oregon 97701

541-326-6995

Defendant pro se

**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
EUGENE DIVISION**

Glas-Weld Systems, INC.,
an Oregon corporation

Plaintiff,

v.

Michael P Boyle, Dba Surface Dynamix

Defendant.

Case No. **6:12-cv-02273-AA**

**Defendants Answers To
Amended Complaint**

As to the alleged facts listed in the Plaintiff's amended complaint the Defendant asserts the following answers;

INTRODUCTION

1.

Defendant denies the allegations in paragraph 1 of the Complaint. Furthermore Christopher Boyle has no ownership in Surface Dynamix.

2.

Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 2 of the Complaint

3.

Defendant agrees with Paragraph 3.

4.

Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph of the Complaint

Furthermore Christopher Boyle has no ownership in Surface Dynamix.

5.

Defendant denies the allegations in paragraph 5 of the Complaint. Furthermore Christopher Boyle has no ownership in Surface Dynamix. At the time this document was served, Surface Dynamix was no longer in operation.

6.

Defendant denies the allegations in paragraph 4 of the Complaint. Furthermore Christopher Boyle has no ownership in Surface Dynamix.

JURISDICTION AND VENUE

7.

Defendant agrees with Paragraph 7

8.

Defendant is without knowledge or information sufficient to form a belief as to the truth of paragraph 8.

9.

Defendant is without knowledge or information sufficient to form a belief as to the truth of paragraph 9. Furthermore Christopher Boyle has no ownership in Surface Dynamix

10.

Defendant generally agrees with paragraph 10 but lacks specific knowledge to admit or deny.

11.

Defendant generally agrees with paragraph 11 but lacks specific knowledge to admit or deny.

12.

Defendant generally agrees with paragraph 12 but lacks specific knowledge to admit or deny every fact listed; however the defendant denies the legality of the patent.

13.

Defendant generally agrees with paragraph 13 but lacks specific knowledge to admit or deny

14

Defendant denies certain allegations in paragraph 14 of the Complaint

15

Defendant generally agrees but lacks specific knowledge to admit or deny

16.

Defendant is without knowledge or information sufficient to form a belief as to the truth of paragraph 16

17

Defendant denies allegations in paragraph 17 of the Complaint

18

Defendant denies allegations in paragraph 18 of the Complaint

19.

Defendant denies certain allegations in paragraph 19 of the Complaint

20.

Defendant generally agrees but states some information is misleading

21.

Defendant denies allegations in paragraph 21 of the Complaint

22.

Defendant denies allegations in paragraph 22 of the Complaint

23.

Defendant denies allegations in paragraph 23 of the Complaint

24.

Defendant has no response to paragraph 24

25.

Defendant denies allegations in paragraph 25 of the Complaint Furthermore Christopher Boyle has no ownership in Surface Dynamix

26.

Defendant denies allegations in paragraph 25 of the Complaint Furthermore Christopher Boyle has no ownership in Surface Dynamix

27.

Defendant denies allegations in paragraph 27 of the Complaint Furthermore Christopher Boyle has no ownership in Surface Dynamix

28.

Defendant denies allegations in paragraph 28 of the Complaint Furthermore Christopher Boyle has no ownership in Surface Dynamix

29.

No Response

30.

Defendant denies allegations in paragraph 30 of the Complaint, Furthermore Christopher Boyle has no ownership in Surface Dynamix

31.

Defendant denies allegations in paragraph 31 of the Complaint,

32.

Defendant denies allegations in paragraph 32 of the Complaint,

33.

Defendant denies allegations in paragraph 33 of the Complaint,

34.

Defendant denies allegations in paragraph 34 of the Complaint,

35.

No response

36.

Defendant denies allegations in paragraph 36 of the Complaint,

37.

Defendant denies allegations in paragraph 37 of the Complaint,

38.

Defendant denies allegations in paragraph 38 of the Complaint,

39.

Defendant denies allegations in paragraph 39 of the Complaint,

39.

Defendant denies allegations in paragraph 39 of the Complaint,

40.

Defendant denies allegations in paragraph 40 of the Complaint,

41.

No response

42.

Defendant denies allegations in paragraph 42 of the Complaint,

43.

Defendant denies allegations in paragraph 43 of the Complaint,

44.

Defendant denies allegations in paragraph 44 of the Complaint,

45.

Defendant denies allegations in paragraph 45 of the Complaint,

46.

Defendant denies allegations in paragraph 46 of the Complaint,

47..

Defendant denies allegations in paragraph 47 of the Complaint,

48.

Defendant denies allegations in paragraph 48 of the Complaint,

49.

Defendant denies allegations in paragraph 49 of the Complaint,

50.

Defendant denies allegations in paragraph 50 of the Complaint,

51.

Defendant denies allegations in paragraph 39 of the Complaint,

52.

Defendant denies allegations in paragraph 52 of the Complaint,

53.

No response Paragraph 53

54.

Defendant denies the allegations in paragraph 54 of the Complaint. Furthermore Christopher Boyle has no ownership in Surface Dynamix.

55.

Defendant denies the allegations in paragraph 55 of the Complaint. Furthermore Christopher Boyle has no ownership in Surface Dynamix.

56.

Defendant denies the allegations in paragraph 56 of the Complaint. Furthermore Christopher Boyle has no ownership in Surface Dynamix.

57.

Defendant denies the allegations in paragraph 57 of the Complaint. Furthermore Christopher Boyle has no ownership in Surface Dynamix.

58.

Defendant denies the allegations in paragraph 58 of the Complaint. Furthermore Christopher Boyle has no ownership in Surface Dynamix.

59.

Defendant denies the allegations in paragraph 59 of the Complaint. Furthermore Christopher Boyle has no ownership in Surface Dynamix.

60.

Defendant denies the allegations in paragraph 60 of the Complaint. Furthermore Christopher Boyle has no ownership in Surface Dynamix.

61.

Defendant denies the allegations in paragraph 61 of the Complaint. Furthermore Christopher Boyle has no ownership in Surface Dynamix.

62.

Defendant denies the allegations in paragraph 62 of the Complaint. Furthermore Christopher Boyle has no ownership in Surface Dynamix.

63.

Defendant denies the allegations in paragraph 63 of the Complaint. Furthermore Christopher Boyle has no ownership in Surface Dynamix.

64.

Defendant denies the allegations in paragraph 58 of the Complaint. Furthermore Christopher Boyle has no ownership in Surface Dynamix.

65.

Defendant denies the allegations in paragraph 65 of the Complaint. Furthermore Christopher Boyle has no ownership in Surface Dynamix.

66.

Defendant denies the allegations in paragraph 66 of the Complaint. Furthermore Christopher Boyle has no ownership in Surface Dynamix.

67.

Defendant denies the allegations in paragraph 67 of the Complaint. Furthermore Christopher Boyle has no ownership in Surface Dynamix.

68.

Defendant denies the allegations in paragraph 68 of the Complaint. Furthermore Christopher Boyle has no ownership in Surface Dynamix.

69.

Defendant denies the allegations in paragraph 69 of the Complaint. Furthermore Christopher Boyle has no ownership in Surface Dynamix.

70.

Defendant denies the allegations in paragraph 70 of the Complaint. Furthermore Christopher Boyle has no ownership in Surface Dynamix.

71.

Defendant denies the allegations in paragraph 71 of the Complaint. Furthermore Christopher Boyle has no ownership in Surface Dynamix.

72.

Defendant denies the allegations in paragraph 72 of the Complaint. Furthermore Christopher Boyle has no ownership in Surface Dynamix.

73.

Defendant denies the allegations in paragraph 73 of the Complaint. Furthermore Christopher Boyle has no ownership in Surface Dynamix.

74.

Defendant denies the allegations in paragraph 74 of the Complaint. Furthermore Christopher Boyle has no ownership in Surface Dynamix.

75.

Defendant denies the allegations in paragraph 75 of the Complaint. Furthermore Christopher Boyle has no ownership in Surface Dynamix.

76.

Defendant denies the allegations in paragraph 76 of the Complaint. Furthermore Christopher Boyle has no ownership in Surface Dynamix.

77.

Defendant denies the allegations in paragraph 77of the Complaint. Furthermore Christopher Boyle has no ownership in Surface Dynamix.

78.

Defendant denies these allegations and reserves the right to have it stricken from the record at a later date. Furthermore Christopher Boyle has no ownership in Surface Dynamix.

79.

Defendant denies the allegations in paragraph 79 of the Complaint and reserves the right to have it stricken from the record at a later date.. Furthermore Christopher Boyle has no ownership in Surface Dynamix

80.

Defendant denies the allegations in paragraph 80 of the Complaint. Furthermore Christopher Boyle has no ownership in Surface Dynamix.

81.

Defendant denies the allegations in paragraph 81 of the Complaint. Furthermore Christopher Boyle has no ownership in Surface Dynamix.

82.

Defendant denies these allegations in paragraph 82 of the Complaint. and reserves the right to have it stricken from the record at a later date. Furthermore Christopher Boyle has no ownership in Surface Dynamix.

83.

Defendant denies the allegations in paragraph 83 of the Complaint. Furthermore Christopher Boyle has no ownership in Surface Dynamix.

84.

Defendant is without knowledge or information sufficient to form a belief as to the truth of paragraph 8. Furthermore Christopher Boyle has no ownership in Surface Dynamix

85.

Defendant denies the allegations in paragraph 85 of the Complaint. Furthermore Christopher Boyle has no ownership in Surface Dynamix.

86.

Defendant denies the allegations in paragraph 86 of the Complaint. Furthermore Christopher Boyle has no ownership in Surface Dynamix.

86.

Defendant denies the allegations in paragraph 86 of the Complaint. Furthermore Christopher Boyle has no ownership in Surface Dynamix.

87.

Defendant denies the allegations in paragraph 87 of the Complaint. Furthermore Christopher Boyle has no ownership in Surface Dynamix.

88.

Defendant denies the allegations in paragraph 88 of the Complaint.

AFFIRMATIVE DEFENSES

89.

First Affirmative Defense- Defendant asserts that the Patents 180 and 372 are not valid, in that they are not original art and lack novelty.

90.

Second Affirmative Defense- Defendant asserts inequitable conduct in that the patents 180 and 372 are invalid and obtained fraudulently.

91

Third Affirmative Defense- Defendant asserts that the Plaintiff cannot claim infringement due to "unclean hands" in that they obtained patents illegally, violated the provisional patents of others, and obtained information, knowledge and patent fraudulently.

92

Fourth Affirmative Defense- Defendant asserts the Plaintiff is barred by laches and that the unreasonable delay has prejudiced the Defendant.

Fifth Affirmative Defense- Defendant asserts Patent Misuse by the Plaintiff in that the Plaintiff has impermissibly broadened the physical or temporal scope of the patent resulting in an anticompetitive effect.

88.

PRAYER

WHEREFORE, Defendant has not infringed upon Plaintiffs alleged patents and Defendant has not participated in unfair business practices, nor used any customer list Illegally. the defendant requests that this complaint be dismissed with prejudice.

Dated August 21, 2013

Michael Boyle
Defendant
Pro Se