Jonathan M.H. Short McCARTER & ENGLISH LLP Four Gateway Center 100 Mulberry St. Newark, NJ 07102 (973) 622-4444

Mark D. Giarratana (pro hac vice) Kevin L. Reiner (pro hac vice) McCARTER & ENGLISH LLP City Place I 185 Asylum Street Hartford, CT 06103 860-275-6700

Counsel for Defendants Melanoscan, LLC and Dr. Rhett Drugge

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

CANFIELD SCIENTIFIC, INC., Plaintiff,	. Civil Action No. 2:16-cv-04636
v.	 Hon. John Michael Vazquez, U.S.D.J. Hon. James B. Clark, U.S.M.J.
MELANOSCAN, LLC and DR. RHETT DRUGGE,	 DEFENDANT MELANOSCAN, LLC'S ANSWER TO PLAINTIFF CANFIELD SCIENTIFIC, INC.'S COUNTERCLAIM
Defendants.	

Defendant and Counterclaim Plaintiff Melanoscan, LLC ("Defendant" or "Melanoscan") by and through its attorneys, hereby answers the Counterclaim filed by Plaintiff Canfield Scientific, Inc. ("Plaintiff") as follows. Except as expressly admitted below, Melanoscan denies each and every allegation contained in Canfield's Counterclaim (the "Counterclaim"). Specifically, Melanoscan responds as follows:

> Canfield Scientific, Inc. - Exhibit 1018 Canfield Scientific, Inc. v. Melanoscan, LLC IPR2017-02125

AS TO NATURE OF ACTION

1. Melanoscan admits that the Counterclaim seeks a declaration of invalidity of U.S. Patent No. 7,359,748 ("the '748 patent"). The second sentence of paragraph 1 contains conclusions of law to which no response is required. Melanoscan denies all remaining allegations in paragraph 1 of the Counterclaim.

AS TO THE PARTIES

2. Melanoscan admits the allegations contained in paragraph 2 of the Counterclaim.

3. Melanoscan lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 3 of the Counterclaim, and on that basis therefore denies the same.

4. Melanoscan admits the allegations contained in paragraph 4 of the Counterclaim.

AS TO JURISDICTION AND VENUE

5. Paragraph 5 of the Counterclaim contains conclusions of law to which no response is required. To the extent that paragraph 5 contains factual allegations, Melanoscan denies the same, but admits that this Court has jurisdiction over the subject matter of patent actions pursuant to 28 U.S.C. §§ 1331 and 1338(a).

6. Paragraph 6 of the Counterclaim contains conclusions of law to which no response is required. To the extent that paragraph 6 contains factual allegations, Melanoscan denies the same, but admits that this Court has jurisdiction over the subject matter of declaratory judgments pursuant to 28 U.S.C. §§ 2201 and 2202.

7. Melanoscan denies the allegations of paragraph 7 of the Counterclaim.

Page 2 of 4

8. Paragraph 8 of the Counterclaim contains conclusions of law to which no response is required. To the extent paragraph 8 contains factual allegations, Melanoscan denies the same.

AS TO COUNT I DECLARATORY JUDGMENT OF INVALIDITY OF THE '748 PATENT

(as to Melanoscan)

9. Melanoscan incorporates by reference each and every response to paragraphs 1 through 8 above, as though fully set forth herein at length.

10. Paragraph 10 of the Counterclaim contains conclusions of law to which no response is required. To the extent paragraph 10 contains factual allegations, Melanoscan denies the same.

11. Paragraph 11 of the Counterclaim contains conclusions of law to which no response is required. To the extent paragraph 11 contains factual allegations, Melanoscan denies the same.

12. Melanoscan denies the allegations of paragraph 12 of the Counterclaim.

AS TO THE REQUEST FOR RELIEF

Melanoscan denies that Plaintiff is entitled to any of the relief requested in its Prayer for Relief and denies any allegations contained therein.

A. Melanoscan denies that Plaintiff is entitled to the relief requested in paragraph A of the Counterclaim.

B. Melanoscan denies that Plaintiff is entitled to the relief requested in paragraph B of the Counterclaim.

C. Melanoscan denies that Plaintiff is entitled to the relief requested in paragraph C of the Counterclaim.

3

D. Melanoscan denies that Plaintiff is entitled to the relief requested in paragraph D

of the Counterclaim.

DEMAND FOR JURY TRIAL

Melanoscan hereby requests a jury trial on all issues so triable.

Respectfully submitted, MCCARTER & ENGLISH, LLP

Dated: July 21, 2017

s/Jonathan Short Jonathan Short McCARTER & ENGLISH, LLP Four Gateway Center 100 Mulberry Street Newark, New Jersey 07102 (973) 622-4444

Mark D. Giarratana (*pro hac vice*) Kevin L. Reiner (*pro hac vice*) McCARTER & ENGLISH, LLP CityPlace I 185 Asylum Street Hartford, CT 06103 (860) 275-6700

Counsel for Defendant Melanoscan, LLC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that true copies of the foregoing

DEFENDANT MELANOSCAN, LLC'S ANSWER TO PLAINTIFF CANFIELD SCIENTIFIC, INC.'S COUNTERCLAIM

and supporting documents were caused to be served on July 21, 2017 via email and/or the ECF system upon all counsel of record.

<u>s/Jonathan Short</u> Jonathan Short