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9 **UNITED STATES DISTRICT COURT**  
10 **CENTRAL DISTRICT OF CALIFORNIA**  
11 **WESTERN DIVISION**  
12

13 **MOBE, Ltd.**, a Malaysian company,  
14 Plaintiff,

15 v.

16 **Digital Altitude LLC**, a Delaware  
17 limited liability company, and **Michael**  
18 **Force**, an individual,  
19 Defendants.

Case No. 2:16-cv-05708-PA-KS

**ANSWER TO COMPLAINT**

**DEMAND FOR JURY TRIAL**

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21 Defendants Digital Altitude LLC and Michael Force (herein collectively  
22 “Defendants”), answer the Complaint filed by Plaintiff MOBE, Ltd. as follows:

23 **THE PARTIES**

24 1. Answering paragraph 1 of the Complaint, Defendants lack sufficient  
25 information or belief to admit or deny the allegations contained therein, and on that  
26 basis, deny each and every allegation contained therein.

27 2. Answering paragraph 2 of the Complaint, Defendants admit the  
28 allegations contained therein.

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3. Answering paragraph 3 of the Complaint, Defendants admit the allegations contained therein.

4. Answering paragraph 4 of the Complaint, Defendants admit that Plaintiff seeks injunctive relief and damages for the causes of action stated therein, but denies that Defendants are entitled to such relief or have stated a claim as to each cause of action stated therein.

5. Answering paragraph 5 of the Complaint, Defendants admit that the Court has federal question jurisdiction over MOBE’s copyright infringement and Federal theft of trade secrets claim, but denies that Defendants are entitled to such relief or have stated a claim as to each cause of actions stated therein.

6. Answering paragraph 6 of the Complaint, Defendants admit that the Court has pendent jurisdiction over MOBE’s state law claims, but denies that Defendants are entitled to such relief or have stated a claim as to each cause of actions stated therein.

7. Answering paragraph 7 of the Complaint, Defendants deny each and every allegation contained therein.

8. Answering paragraph 8 of the Complaint, Defendants admit that Force is a resident in and transacts business within this judicial district. Except as expressly admitted herein, Defendants deny the remaining allegations.

9. The statement made in paragraph 9 requires no response.

**GENERAL ALLEGATIONS**

**MOBE and its MTTB System**

10. Answering paragraph 10 of the Complaint, Defendants lack sufficient information or belief to admit or deny the allegations contained therein, and on that basis, deny each and every allegation contained therein.

1           11. Answering paragraph 11 of the Complaint, Defendants lack sufficient  
2 information or belief to admit or deny the allegations contained therein, and on that  
3 basis, deny each and every allegation contained therein.

4           12. Answering paragraph 12 of the Complaint, Defendants lack sufficient  
5 information or belief to admit or deny the allegations contained therein, and on that  
6 basis, deny each and every allegation contained therein.

7           13. Answering paragraph 13 of the Complaint, Defendants lack sufficient  
8 information or belief to admit or deny the allegations contained therein, and on that  
9 basis, deny each and every allegation contained therein.

10           14. Answering paragraph 14 of the Complaint, Defendants lack sufficient  
11 information or belief to admit or deny the allegations contained therein, and on that  
12 basis, deny each and every allegation contained therein.

13           15. Answering paragraph 15 of the Complaint, Defendants lack sufficient  
14 information or belief to admit or deny the allegations contained therein, and on that  
15 basis, deny each and every allegation contained therein.

16           16. Answering paragraph 16 of the Complaint, Defendants lack sufficient  
17 information or belief to admit or deny the allegations contained therein, and on that  
18 basis, deny each and every allegation contained therein.

19           17. Answering paragraph 17 of the Complaint, Defendants lack sufficient  
20 information or belief to admit or deny the allegations contained therein, and on that  
21 basis, deny each and every allegation contained therein.

22           18. Answering paragraph 18 of the Complaint, Defendants lack sufficient  
23 information or belief to admit or deny the allegations contained therein, and on that  
24 basis, deny each and every allegation contained therein.

25           19. Answering paragraph 19 of the Complaint, Defendants lack sufficient  
26 information or belief to admit or deny the allegations contained therein, and on that  
27 basis, deny each and every allegation contained therein.

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1           20.     Answering paragraph 20 of the Complaint, Defendants lack sufficient  
2 information or belief to admit or deny the allegations contained therein, and on that  
3 basis, deny each and every allegation contained therein.

4           21.     Answering paragraph 21 of the Complaint, Defendants lack sufficient  
5 information or belief to admit or deny the allegations contained therein, and on that  
6 basis, deny each and every allegation contained therein.

7           22.     Answering paragraph 22 of the Complaint, Defendants lack sufficient  
8 information or belief to admit or deny the allegations contained therein, and on that  
9 basis, deny each and every allegation contained therein. Defendants specifically  
10 deny, however, that Force was ever an employee or sales representative for MOBE.

11           23.     Answering paragraph 23 of the Complaint, Defendants deny each and  
12 every allegation contained therein.

13           24.     Answering paragraph 24 of the Complaint, Defendants deny each and  
14 every allegation contained therein.

15           25.     Answering paragraph 25 of the Complaint, Defendants deny each and  
16 every allegation contained therein.

17           26.     Answering paragraph 26 of the Complaint, Defendants deny each and  
18 every allegation contained therein.

19           27.     Answering paragraph 27 of the Complaint, Defendants deny each and  
20 every allegation contained therein.

21           28.     Answering paragraph 28 of the Complaint, Defendants deny each and  
22 every allegation contained therein.

23           29.     Answering paragraph 29 of the Complaint, Defendants deny each and  
24 every allegation contained therein.

25           30.     Answering paragraph 30 of the Complaint, Defendants deny each and  
26 every allegation contained therein.

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1           31.     Answering paragraph 31 of the Complaint, Defendants lack sufficient  
2 information or belief to admit or deny the allegations contained therein, and on that  
3 basis, deny each and every allegation contained therein.

4           32.     Answering paragraph 32 of the Complaint, Defendants deny each and  
5 every allegation contained therein.

6           33.     Answering paragraph 33 of the Complaint, Defendants lack sufficient  
7 information or belief to admit or deny the allegations contained therein, and on that  
8 basis, deny each and every allegation contained therein.

9           34.     Answering paragraph 34 of the Complaint, Defendants lack sufficient  
10 information or belief to admit or deny the allegations contained therein, and on that  
11 basis, deny each and every allegation contained therein.

12           35.     Answering paragraph 35 of the Complaint, Defendants lack sufficient  
13 information or belief to admit or deny the allegations contained therein, and on that  
14 basis, deny each and every allegation contained therein.

15           36.     Answering paragraph 36 of the Complaint, Defendants lack sufficient  
16 information or belief to admit or deny the allegations contained therein, and on that  
17 basis, deny each and every allegation contained therein.

18           37.     Answering paragraph 37 of the Complaint, Defendants lack sufficient  
19 information or belief to admit or deny the allegations contained therein, and on that  
20 basis, deny each and every allegation contained therein.

21           38.     Answering paragraph 38 of the Complaint, Defendants lack sufficient  
22 information or belief to admit or deny the allegations contained therein, and on that  
23 basis, deny each and every allegation contained therein.

24           39.     Answering paragraph 39 of the Complaint, Defendants deny each and  
25 every allegation contained therein.

26           40.     Answering paragraph 40 of the Complaint, Defendants deny each and  
27 every allegation contained therein.  
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**Digital Altitude and Its Aspire Program**

41. Answering paragraph 41 of the Complaint, Defendants admit that Force’s started Digital Altitude, but denies every remaining allegation.

42. Answering paragraph 42 of the Complaint, Defendants deny each and every allegation contained therein.

43. Answering paragraph 43 of the Complaint, Defendants admit the allegations contained therein.

44. Answering paragraph 44 of the Complaint, Defendants admit the allegations contained therein.

45. Answering paragraph 45 of the Complaint, Defendants deny each and every allegation contained therein.

46. Answering paragraph 46 of the Complaint, Defendants deny each and every allegation contained therein.

47. Answering paragraph 47 of the Complaint, Defendants deny each and every allegation contained therein.

48. Answering paragraph 48 of the Complaint, Defendants deny each and every allegation contained therein.

49. Answering paragraph 49 of the Complaint, Defendants deny each and every allegation contained therein.

**MOBE’s Confidential Customer, Affiliate, and Staff Lists**

50. Answering paragraph 50 of the Complaint, Defendants lack sufficient information or belief to admit or deny the allegations contained therein, and on that basis, deny each and every allegation contained therein.

51. Answering paragraph 51 of the Complaint, Defendants lack sufficient information or belief to admit or deny the allegations contained therein, and on that basis, deny each and every allegation contained therein.

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52. Answering paragraph 52 of the Complaint, Defendants lack sufficient information or belief to admit or deny the allegations contained therein, and on that basis, deny each and every allegation contained therein.

53. Answering paragraph 53 of the Complaint, Defendants lack sufficient information or belief to admit or deny the allegations contained therein, and on that basis, deny each and every allegation contained therein.

54. Answering paragraph 54 of the Complaint, Defendants lack sufficient information or belief to admit or deny the allegations contained therein, and on that basis, deny each and every allegation contained therein.

55. Answering paragraph 55 of the Complaint, Defendants lack sufficient information or belief to admit or deny the allegations contained therein, and on that basis, deny each and every allegation contained therein.

56. Answering paragraph 56 of the Complaint, Defendants lack sufficient information or belief to admit or deny the allegations contained therein, and on that basis, deny each and every allegation contained therein.

57. Answering paragraph 57 of the Complaint, Defendants lack sufficient information or belief to admit or deny the allegations contained therein, and on that basis, deny each and every allegation contained therein.

58. Answering paragraph 58 of the Complaint, Defendants lack sufficient information or belief to admit or deny the allegations contained therein, and on that basis, deny each and every allegation contained therein.

59. Answering paragraph 59 of the Complaint, Defendants lack sufficient information or belief to admit or deny the allegations contained therein, and on that basis, deny each and every allegation contained therein.

60. The statement made in paragraph 60 requires no response from Defendants because the document speaks for itself.

1           61. The copied language from the Exhibit E requires no response from  
2 Defendants because the document speaks for itself. Defendants deny each and  
3 every remaining allegation contained herein.

4           62. The copied language from the Exhibit E requires no response from  
5 Defendants because the document speaks for itself. Defendants deny each and every  
6 remaining allegation contained herein.

7           63. The copied language from the Exhibit B requires no response from  
8 Defendants because the document speaks for itself. Defendants deny each and every  
9 remaining allegation contained herein.

10           64. The copied language from the Exhibits B and C requires no response  
11 from Defendants because the document speaks for itself. Defendants deny each and  
12 every remaining allegation contained herein.

13           65. The copied language from the Exhibits B and C requires no response  
14 from Defendants because the document speaks for itself. Defendants deny each and  
15 every remaining allegation contained herein.

16 **Misappropriation and Recruitment of MOBE's Customers, Affiliates, and Staff**

17           66. Answering paragraph 66 of the Complaint, Defendants deny each and  
18 every allegation contained therein.

19           67. Answering paragraph 67 of the Complaint, Defendants deny each and  
20 every allegation contained therein.

21           68. Answering paragraph 68 of the Complaint, Defendants lack sufficient  
22 information or belief to admit or deny the allegations contained therein, and on that  
23 basis, deny each and every allegation contained therein.

24           69. Answering paragraph 69 of the Complaint, Defendants denies the  
25 allegation that Digital Altitude misappropriated MOBE's Confidential Lists, and  
26 Defendants lack sufficient information or belief to admit or deny the allegations  
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1 contained therein, with the and on that basis, deny each and every allegation  
2 contained therein.

3 70. Answering paragraph 70 of the Complaint, Defendants deny each and  
4 every allegation contained therein.

5 71. Answering paragraph 71 of the Complaint, Defendants deny each and  
6 every allegation contained therein.

7 72. Answering paragraph 72 of the Complaint, Defendants deny each and  
8 every allegation contained therein.

9 73. Answering paragraph 73 of the Complaint, Defendants deny each and  
10 every allegation contained therein.

11 74. Answering paragraph 74 of the Complaint, Defendants deny each and  
12 every allegation contained therein.

13 75. Answering paragraph 75 of the Complaint, Defendants deny each and  
14 every allegation contained therein.

15 76. Answering paragraph 76 of the Complaint, Defendants deny each and  
16 every allegation contained therein.

17 77. Answering paragraph 77 of the Complaint, Defendants deny each and  
18 every allegation contained therein.

19 78. Answering paragraph 78 of the Complaint, Defendants deny each and  
20 every allegation contained therein.

21 79. Answering paragraph 79 of the Complaint, Defendants deny each and  
22 every allegation contained therein.

23 **CLAIM 1: COPYRIGHT INFRINGEMENT**

24 **(Creation and Dissemination of the Step 1 Aspire Video)**

25 80. Answering paragraph 80 of the Complaint, Defendants adopt and  
26 incorporate by reference the admissions and denials of paragraphs 1-79.  
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1           81. Answering paragraph 81 of the Complaint, Defendants deny each and  
2 every allegation contained therein.

3           82. Answering paragraph 82 of the Complaint, Defendants deny each and  
4 every allegation contained therein.

5           83. Answering paragraph 83 of the Complaint, Defendants deny each and  
6 every allegation contained therein.

7           84. Answering paragraph 84 of the Complaint, Defendants deny each and  
8 every allegation contained therein.

9           85. Answering paragraph 84 of the Complaint, Defendants deny each and  
10 every allegation contained therein.

11           86. Answering paragraph 86 of the Complaint, Defendants admit that as  
12 founder and owner of Digital Altitude, Force has a significant financial interest in its  
13 success, but deny each and every remaining allegation contained therein.

14           87. Answering paragraph 87 of the Complaint, Defendants deny each and  
15 every allegation contained therein.

16           88. Answering paragraph 88 of the Complaint, Defendants deny each and  
17 every allegation contained therein.

18           89. Answering paragraph 89 of the Complaint, Defendants deny each and  
19 every allegation contained therein.

20           90. Answering paragraph 90 of the Complaint, Defendants deny each and  
21 every allegation contained therein.

22           91. Answering paragraph 91 of the Complaint, Defendants deny each and  
23 every allegation contained therein.

24                           **CLAIM 2: COPYRIGHT INFRINGEMENT**

25                           **(Creation and Dissemination of the Step 2 Aspire Video)**

26           92. Answering paragraph 92 of the Complaint, Defendants adopt and  
27 incorporate by reference the admissions and denials of paragraphs 1-91.

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1           93. Answering paragraph 93 of the Complaint, Defendants deny each and  
2 every allegation contained therein.

3           94. Answering paragraph 94 of the Complaint, Defendants deny each and  
4 every allegation contained therein.

5           95. Answering paragraph 95 of the Complaint, Defendants deny each and  
6 every allegation contained therein.

7           96. Answering paragraph 96 of the Complaint, Defendants deny each and  
8 every allegation contained therein.

9           97. Answering paragraph 97 of the Complaint, Defendants deny each and  
10 every allegation contained therein.

11           98. Answering paragraph 98 of the Complaint, Defendants admit that as  
12 founder and owner of Digital Altitude, Force has a significant financial interest in its  
13 success, but deny each and every remaining allegation contained therein.

14           99. Answering paragraph 99 of the Complaint, Defendants deny each and  
15 every allegation contained therein.

16           100. Answering paragraph 100 of the Complaint, Defendants deny each and  
17 every allegation contained therein.

18           101. Answering paragraph 101 of the Complaint, Defendants deny each and  
19 every allegation contained therein.

20           102. Answering paragraph 102 of the Complaint, Defendants deny each and  
21 every allegation contained therein.

22           103. Answering paragraph 103 of the Complaint, Defendants deny each and  
23 every allegation contained therein.

24                           **CLAIM 3: COPYRIGHT INFRINGEMENT**

25                           **(Creation and Dissemination of the Step 3 Aspire Video)**

26           104. Answering paragraph 104 of the Complaint, Defendants adopt and  
27 incorporate by reference the admissions and denials of paragraphs 1-103.

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1           105. Answering paragraph 105 of the Complaint, Defendants deny each and  
2 every allegation contained therein.

3           106. Answering paragraph 106 of the Complaint, Defendants deny each and  
4 every allegation contained therein.

5           107. Answering paragraph 107 of the Complaint, Defendants deny each and  
6 every allegation contained therein.

7           108. Answering paragraph 108 of the Complaint, Defendants deny each and  
8 every allegation contained therein.

9           109. Answering paragraph 109 of the Complaint, Defendants deny each and  
10 every allegation contained therein.

11           110. Answering paragraph 86 of the Complaint, Defendants admit that as  
12 founder and owner of Digital Altitude, Force has a significant financial interest in its  
13 success, but deny each and every remaining allegation contained therein.

14           111. Answering paragraph 111 of the Complaint, Defendants deny each and  
15 every allegation contained therein.

16           112. Answering paragraph 112 of the Complaint, Defendants deny each and  
17 every allegation contained therein.

18           113. Answering paragraph 113 of the Complaint, Defendants deny each and  
19 every allegation contained therein.

20           114. Answering paragraph 114 of the Complaint, Defendants deny each and  
21 every allegation contained therein.

22           115. Answering paragraph 115 of the Complaint, Defendants deny each and  
23 every allegation contained therein.

24                           **CLAIM 4: COPYRIGHT INFRINGEMENT**

25                           **(Creation and Dissemination of the Step 4 Aspire Video)**

26           116. Answering paragraph 116 of the Complaint, Defendants adopt and  
27 incorporate by reference the admissions and denials of paragraphs 1-115.  
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1 117. Answering paragraph 117 of the Complaint, Defendants deny each and  
2 every allegation contained therein.

3 118. Answering paragraph 118 of the Complaint, Defendants deny each and  
4 every allegation contained therein.

5 119. Answering paragraph 119 of the Complaint, Defendants deny each and  
6 every allegation contained therein.

7 120. Answering paragraph 120 of the Complaint, Defendants deny each and  
8 every allegation contained therein.

9 121. Answering paragraph 121 of the Complaint, Defendants deny each and  
10 every allegation contained therein.

11 122. Answering paragraph 122 of the Complaint, Defendants admit that as  
12 founder and owner of Digital Altitude, Force has a significant financial interest in its  
13 success, but deny each and every remaining allegation contained therein.

14 123. Answering paragraph 123 of the Complaint, Defendants deny each and  
15 every allegation contained therein.

16 124. Answering paragraph 124 of the Complaint, Defendants deny each and  
17 every allegation contained therein.

18 125. Answering paragraph 125 of the Complaint, Defendants deny each and  
19 every allegation contained therein.

20 126. Answering paragraph 126 of the Complaint, Defendants deny each and  
21 every allegation contained therein.

22 127. Answering paragraph 127 of the Complaint, Defendants deny each and  
23 every allegation contained therein.

24 **CLAIM 5: COPYRIGHT INFRINGEMENT**

25 **(Creation and Dissemination of the Step 5 Aspire Video)**

26 128. Answering paragraph 128 of the Complaint, Defendants adopt and  
27 incorporate by reference the admissions and denials of paragraphs 1-127.  
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1           129. Answering paragraph 128 of the Complaint, Defendants deny each and  
2 every allegation contained therein.

3           130. Answering paragraph 130 of the Complaint, Defendants deny each and  
4 every allegation contained therein.

5           131. Answering paragraph 131 of the Complaint, Defendants deny each and  
6 every allegation contained therein.

7           132. Answering paragraph 132 of the Complaint, Defendants deny each and  
8 every allegation contained therein.

9           133. Answering paragraph 133 of the Complaint, Defendants deny each and  
10 every allegation contained therein.

11           134. Answering paragraph 134 of the Complaint, Defendants admit that as  
12 founder and owner of Digital Altitude, Force has a significant financial interest in its  
13 success, but deny each and every remaining allegation contained therein.

14           135. Answering paragraph 135 of the Complaint, Defendants deny each and  
15 every allegation contained therein.

16           136. Answering paragraph 136 of the Complaint, Defendants deny each and  
17 every allegation contained therein.

18           137. Answering paragraph 137 of the Complaint, Defendants deny each and  
19 every allegation contained therein.

20           138. Answering paragraph 138 of the Complaint, Defendants deny each and  
21 every allegation contained therein.

22           139. Answering paragraph 139 of the Complaint, Defendants deny each and  
23 every allegation contained therein.

24                           **CLAIM 6: COPYRIGHT INFRINGEMENT**

25                           **(Creation and Dissemination of the Step 6 Aspire Video)**

26           140. Answering paragraph 140 of the Complaint, Defendants adopt and  
27 incorporate by reference the admissions and denials of paragraphs 1-139.  
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1 141. Answering paragraph 141 of the Complaint, Defendants deny each and  
2 every allegation contained therein.

3 142. Answering paragraph 142 of the Complaint, Defendants deny each and  
4 every allegation contained therein.

5 143. Answering paragraph 143 of the Complaint, Defendants deny each and  
6 every allegation contained therein.

7 144. Answering paragraph 144 of the Complaint, Defendants admit that as  
8 founder and owner of Digital Altitude, Force has a significant financial interest in its  
9 success, but deny each and every remaining allegation contained therein.

10 145. Answering paragraph 145 of the Complaint, Defendants deny each and  
11 every allegation contained therein.

12 146. Answering paragraph 146 of the Complaint, Defendants deny each and  
13 every allegation contained therein.

14 147. Answering paragraph 147 of the Complaint, Defendants deny each and  
15 every allegation contained therein.

16 148. Answering paragraph 148 of the Complaint, Defendants deny each and  
17 every allegation contained therein.

18 149. Answering paragraph 149 of the Complaint, Defendants deny each and  
19 every allegation contained therein.

20 **CLAIM 7: COPYRIGHT INFRINGEMENT**

21 **(Creation and Dissemination of the Step 9 Aspire Video)**

22 150. Answering paragraph 150 of the Complaint, Defendants adopt and  
23 incorporate by reference the admissions and denials of paragraphs 1-149.

24 151. Answering paragraph 151 of the Complaint, Defendants deny each and  
25 every allegation contained therein.

26 152. Answering paragraph 152 of the Complaint, Defendants deny each and  
27 every allegation contained therein.

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153. Answering paragraph 153 of the Complaint, Defendants admit that as founder and owner of Digital Altitude, Force has a significant financial interest in its success, but deny each and every remaining allegation contained therein.

154. Answering paragraph 154 of the Complaint, Defendants deny each and every allegation contained therein.

155. Answering paragraph 155 of the Complaint, Defendants deny each and every allegation contained therein.

156. Answering paragraph 156 of the Complaint, Defendants deny each and every allegation contained therein.

157. Answering paragraph 157 of the Complaint, Defendants deny each and every allegation contained therein.

158. Answering paragraph 158 of the Complaint, Defendants deny each and every allegation contained therein.

**CLAIM 8: COPYRIGHT INFRINGEMENT**

**(Creation and Dissemination of the Step 10 Aspire Video)**

159. Answering paragraph 159 of the Complaint, Defendants adopt and incorporate by reference the admissions and denials of paragraphs 1-158.

160. Answering paragraph 160 of the Complaint, Defendants deny each and every allegation contained therein.

161. Answering paragraph 161 of the Complaint, Defendants deny each and every allegation contained therein.

162. Answering paragraph 162 of the Complaint, Defendants admit that as founder and owner of Digital Altitude, Force has a significant financial interest in its success, but deny each and every remaining allegation contained therein.

163. Answering paragraph 163 of the Complaint, Defendants deny each and every allegation contained therein.



1           164. Answering paragraph 164 of the Complaint, Defendants deny each and  
2 every allegation contained therein.

3           165. Answering paragraph 165 of the Complaint, Defendants deny each and  
4 every allegation contained therein.

5           166. Answering paragraph 166 of the Complaint, Defendants deny each and  
6 every allegation contained therein.

7           167. Answering paragraph 167 of the Complaint, Defendants deny each and  
8 every allegation contained therein.

9                                   **CLAIM 9: COPYRIGHT INFRINGEMENT**

10                               **(Creation and Dissemination of the Step 11 Aspire Video)**

11           168. Answering paragraph 168 of the Complaint, Defendants adopt and  
12 incorporate by reference the admissions and denials of paragraphs 1-167.

13           169. Answering paragraph 169 of the Complaint, Defendants deny each and  
14 every allegation contained therein.

15           170. Answering paragraph 170 of the Complaint, Defendants deny each and  
16 every allegation contained therein.

17           171. Answering paragraph 171 of the Complaint, Defendants admit that as  
18 founder and owner of Digital Altitude, Force has a significant financial interest in its  
19 success, but deny each and every remaining allegation contained therein.

20           172. Answering paragraph 172 of the Complaint, Defendants deny each and  
21 every allegation contained therein.

22           173. Answering paragraph 173 of the Complaint, Defendants deny each and  
23 every allegation contained therein.

24           174. Answering paragraph 174 of the Complaint, Defendants deny each and  
25 every allegation contained therein.

26           175. Answering paragraph 175 of the Complaint, Defendants deny each and  
27 every allegation contained therein.  
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1 176. Answering paragraph 176 of the Complaint, Defendants deny each and  
2 every allegation contained therein.

3 **CLAIM 10: COPYRIGHT INFRINGEMENT**

4 **(Creation and Dissemination of the Step 12 Aspire Video)**

5 177. Answering paragraph 177 of the Complaint, Defendants adopt and  
6 incorporate by reference the admissions and denials of paragraphs 1-176.

7 178. Answering paragraph 178 of the Complaint, Defendants deny each and  
8 every allegation contained therein.

9 179. Answering paragraph 179 of the Complaint, Defendants deny each and  
10 every allegation contained therein.

11 180. Answering paragraph 180 of the Complaint, Defendants admit that as  
12 founder and owner of Digital Altitude, Force has a significant financial interest in its  
13 success, but deny each and every remaining allegation contained therein.

14 181. Answering paragraph 181 of the Complaint, Defendants deny each and  
15 every allegation contained therein.

16 182. Answering paragraph 182 of the Complaint, Defendants deny each and  
17 every allegation contained therein.

18 183. Answering paragraph 183 of the Complaint, Defendants deny each and  
19 every allegation contained therein.

20 184. Answering paragraph 184 of the Complaint, Defendants deny each and  
21 every allegation contained therein.

22 185. Answering paragraph 185 of the Complaint, Defendants deny each and  
23 every allegation contained therein.

24 **CLAIM 11: COPYRIGHT INFRINGEMENT**

25 **(Creation and Dissemination of the Step 14 Aspire Video)**

26 186. Answering paragraph 186 of the Complaint, Defendants adopt and  
27 incorporate by reference the admissions and denials of paragraphs 1-185.

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1 187. Answering paragraph 187 of the Complaint, Defendants deny each and  
2 every allegation contained therein.

3 188. Answering paragraph 188 of the Complaint, Defendants deny each and  
4 every allegation contained therein.

5 189. Answering paragraph 189 of the Complaint, Defendants deny each and  
6 every allegation contained therein.

7 190. Answering paragraph 190 of the Complaint, Defendants admit that as  
8 founder and owner of Digital Altitude, Force has a significant financial interest in its  
9 success, but deny each and every remaining allegation contained therein.

10 191. Answering paragraph 191 of the Complaint, Defendants deny each and  
11 every allegation contained therein.

12 192. Answering paragraph 192 of the Complaint, Defendants deny each and  
13 every allegation contained therein.

14 193. Answering paragraph 193 of the Complaint, Defendants deny each and  
15 every allegation contained therein.

16 194. Answering paragraph 194 of the Complaint, Defendants deny each and  
17 every allegation contained therein.

18 195. Answering paragraph 194 of the Complaint, Defendants deny each and  
19 every allegation contained therein.

20 **CLAIM 12: COPYRIGHT INFRINGEMENT**

21 **(Creation and Dissemination of the Step 15 Aspire Video)**

22 196. Answering paragraph 196 of the Complaint, Defendants adopt and  
23 incorporate by reference the admissions and denials of paragraphs 1-195.

24 197. Answering paragraph 197 of the Complaint, Defendants deny each and  
25 every allegation contained therein.

26 198. Answering paragraph 198 of the Complaint, Defendants deny each and  
27 every allegation contained therein.

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1           199. Answering paragraph 199 of the Complaint, Defendants deny each and  
2 every allegation contained therein.

3           200. Answering paragraph 200 of the Complaint, Defendants admit that as  
4 founder and owner of Digital Altitude, Force has a significant financial interest in its  
5 success, but deny each and every remaining allegation contained therein.

6           201. Answering paragraph 201 of the Complaint, Defendants deny each and  
7 every allegation contained therein.

8           202. Answering paragraph 202 of the Complaint, Defendants deny each and  
9 every allegation contained therein.

10           203. Answering paragraph 203 of the Complaint, Defendants deny each and  
11 every allegation contained therein.

12           204. Answering paragraph 204 of the Complaint, Defendants deny each and  
13 every allegation contained therein.

14           205. Answering paragraph 205 of the Complaint, Defendants deny each and  
15 every allegation contained therein.

16                           **CLAIM 13: COPYRIGHT INFRINGEMENT**

17                           **(Creation and Dissemination of the Step 16 Aspire Video)**

18           206. Answering paragraph 206 of the Complaint, Defendants adopt and  
19 incorporate by reference the admissions and denials of paragraphs 1-205.

20           207. Answering paragraph 207 of the Complaint, Defendants deny each and  
21 every allegation contained therein.

22           208. Answering paragraph 208 of the Complaint, Defendants deny each and  
23 every allegation contained therein.

24           209. Answering paragraph 209 of the Complaint, Defendants deny each and  
25 every allegation contained therein.

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210. Answering paragraph 210 of the Complaint, Defendants admit that as founder and owner of Digital Altitude, Force has a significant financial interest in its success, but deny each and every remaining allegation contained therein.

211. Answering paragraph 211 of the Complaint, Defendants deny each and every allegation contained therein.

212. Answering paragraph 212 of the Complaint, Defendants deny each and every allegation contained therein.

213. Answering paragraph 213 of the Complaint, Defendants deny each and every allegation contained therein.

214. Answering paragraph 214 of the Complaint, Defendants deny each and every allegation contained therein.

215. Answering paragraph 215 of the Complaint, Defendants deny each and every allegation contained therein.

**CLAIM 12: COPYRIGHT INFRINGEMENT**

**(Creation and Dissemination of the Step 18 Aspire Video)**

216. Answering paragraph 216 of the Complaint, Defendants adopt and incorporate by reference the admissions and denials of paragraphs 1-215.

217. Answering paragraph 217 of the Complaint, Defendants deny each and every allegation contained therein.

218. Answering paragraph 218 of the Complaint, Defendants deny each and every allegation contained therein.

219. Answering paragraph 219 of the Complaint, Defendants deny each and every allegation contained therein.

220. Answering paragraph 220 of the Complaint, Defendants deny each and every allegation contained therein.

221. Answering paragraph 221 of the Complaint, Defendants deny each and every allegation contained therein.

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222. Answering paragraph 222 of the Complaint, Defendants admit that as founder and owner of Digital Altitude, Force has a significant financial interest in its success, but deny each and every remaining allegation contained therein.

223. Answering paragraph 223 of the Complaint, Defendants deny each and every allegation contained therein.

224. Answering paragraph 224 of the Complaint, Defendants deny each and every allegation contained therein.

225. Answering paragraph 225 of the Complaint, Defendants deny each and every allegation contained therein.

226. Answering paragraph 226 of the Complaint, Defendants deny each and every allegation contained therein.

227. Answering paragraph 227 of the Complaint, Defendants deny each and every allegation contained therein.

**CLAIM 15: FEDERAL THEFT OF TRADE SECRETS**

228. Answering paragraph 228 of the Complaint, Defendants adopt and incorporate by reference the admissions and denials of paragraphs 1-227.

229. Answering paragraph 229 of the Complaint, Defendants lack sufficient information or belief to admit or deny the allegations contained therein, and on that basis, deny each and every allegation contained therein.

230. Answering paragraph 230 of the Complaint, Defendants lack sufficient information or belief to admit or deny the allegations contained therein, and on that basis, deny each and every allegation contained therein.

231. Answering paragraph 231 of the Complaint, Defendants lack sufficient information or belief to admit or deny the allegations contained therein, and on that basis, deny each and every allegation contained therein.

1           232. Answering paragraph 232 of the Complaint, Defendants lack sufficient  
2 information or belief to admit or deny the allegations contained therein, and on that  
3 basis, deny each and every allegation contained therein.

4           233. Answering paragraph 233 of the Complaint, Defendants deny each and  
5 every allegation contained therein.

6           234. Answering paragraph 234 of the Complaint, Defendants deny each and  
7 every allegation contained therein.

8           235. Answering paragraph 235 of the Complaint, Defendants deny each and  
9 every allegation contained therein.

10          236. Answering paragraph 236 of the Complaint, Defendants deny each and  
11 every allegation contained therein.

12          237. Answering paragraph 237 of the Complaint, Defendants deny each and  
13 every allegation contained therein.

14                           **CLAIM 16: INTENTIONAL INTERFERENCE**  
15                           **WITH CONTRACTUAL RELATIONS**

16          238. Answering paragraph 238 of the Complaint, Defendants adopt and  
17 incorporate by reference the admissions and denials of paragraphs 1-237.

18          239. Answering paragraph 239 of the Complaint, Defendants deny each and  
19 every allegation contained therein.

20          240. Answering paragraph 240 of the Complaint, Defendants deny each and  
21 every allegation contained therein.

22          241. Answering paragraph 241 of the Complaint, Defendants deny each and  
23 every allegation contained therein.

24          242. Answering paragraph 242 of the Complaint, Defendants deny each and  
25 every allegation contained therein.

26          243. Answering paragraph 243 of the Complaint, Defendants deny each and  
27 every allegation contained therein.  
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1           244. Answering paragraph 244 of the Complaint, Defendants deny each and  
2 every allegation contained therein.

3           245. Answering paragraph 245 of the Complaint, Defendants deny each and  
4 every allegation contained therein.

5                           **CLAIM 17: INTENTIONAL INTERFERENCE WITH**  
6                           **PROSPECTIVE ECONOMIC ADVANTAGE**

7           246. Answering paragraph 246 of the Complaint, Defendants adopt and  
8 incorporate by reference the admissions and denials of paragraphs 1-245.

9           247. Answering paragraph 247 of the Complaint, Defendants deny each and  
10 every allegation contained therein.

11           248. Answering paragraph 248 of the Complaint, Defendants deny each and  
12 every allegation contained therein.

13           249. Answering paragraph 249 of the Complaint, Defendants deny each and  
14 every allegation contained therein.

15           250. Answering paragraph 250 of the Complaint, Defendants deny each and  
16 every allegation contained therein.

17           251. Answering paragraph 251 of the Complaint, Defendants deny each and  
18 every allegation contained therein.

19           252. Answering paragraph 252 of the Complaint, Defendants deny each and  
20 every allegation contained therein.

21           253. Answering paragraph 253 of the Complaint, Defendants deny each and  
22 every allegation contained therein.

23           254. Answering paragraph 254 of the Complaint, Defendants deny each and  
24 every allegation contained therein.

25           255. Answering paragraph 255 of the Complaint, Defendants deny each and  
26 every allegation contained therein.

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**CLAIM 18: UNFAIR COMPETITION**

256. Answering paragraph 256 of the Complaint, Defendants adopt and incorporate by reference the admissions and denials of paragraphs 1-255.

257. Answering paragraph 257 of the Complaint, Defendants deny each and every allegation contained therein.

258. Answering paragraph 258 of the Complaint, Defendants deny each and every allegation contained therein.

259. Answering paragraph 259 of the Complaint, Defendants deny each and every allegation contained therein.

260. Answering paragraph 260 of the Complaint, Defendants deny each and every allegation contained therein.

**FIRST AFFIRMATIVE DEFENSE**

**(Failure to State a Claim)**

The complaint fails to state a claim upon which relief may be granted.

**SECOND AFFIRMATIVE DEFENSE**

**(Invalidity of Copyright)**

Upon information and belief, each of the asserted copyrights is invalid.

**THIRD AFFIRMATIVE DEFENSE**

**(Estoppel)**

Plaintiff's claims are barred by the doctrine of estoppel.

**FOURTH AFFIRMATIVE DEFENSE**

**(Preemption)**

One or more of the claims in the Complaint is preempted by federal law.

**FIFTH AFFIRMATIVE DEFENSE**

**(Non-infringement)**

Defendants have not infringed any valid copyright of Plaintiff, including but not limited to by reason of fair use under 17 U.S.C. § 107.

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**SIXTH AFFIRMATIVE DEFENSE**

**(Waiver)**

Plaintiff’s claims and the relief requested, including for unfair competition and misappropriation of trade secrets are barred by the doctrine of waiver.

**SEVENTH AFFIRMATIVE DEFENSE**

**(Unclean Hands)**

Plaintiff’s claims and the relief requested, including for alleged copyright infringement, trade secret misappropriation, and unfair competition are barred by the doctrine of unclean hands.

**EIGHTH AFFIRMATIVE DEFENSE**

**(Fraud on the Copyright Office)**

Plaintiff’s copyrights are invalid because plaintiff committed fraud in prosecution of the copyrights with the United States Copyright Office, including asserting authorship over content created by others, including Force.

**NINTH AFFIRMATIVE DEFENSE**

**(Legal Justification)**

All actions of Defendants were undertaken in the lawful conduct of business, and in the furtherance of competition. Such actions are proper, legally justified, legally excused, and legally privileged.

**TENTH AFFIRMATIVE DEFENSE**

**(Damages Not Recoverable)**

Damages, if any, suffered by Plaintiff are the result of Plaintiff’s own actions, Plaintiff’s own failure to mitigate its own damages (if any), and lawful competition, and are not recoverable from these Defendants.

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**ELEVENTH AFFIRMATIVE DEFENSE**

**(Public Policy)**

The injunctive relief sought by Plaintiff is contrary to the public interest and public policy. Plaintiff has suffered no injury, and no irreparable injury, as a result of Defendants' conduct.

**TWELFTH AFFIRMATIVE DEFENSE**

**(Statute of Limitations)**

The relief sought by Plaintiff is barred by the statute of limitations.

**THIRTEENTH AFFIRMATIVE DEFENSE**

**(Failure to Take Reasonable Steps to Maintain Secrecy)**

The claim for trade secret misappropriation is barred because the Plaintiff failed to take reasonable steps to maintain its secrecy.

**FOURTEENTH AFFIRMATIVE DEFENSE**

**(No Trade Secret Misappropriated)**

The claim for trade secret misappropriation is barred because the information at issue is not a trade secret.

**FIFTEENTH AFFIRMATIVE DEFENSE**

**(Trade Secret Provides No Economic Value)**

The claim for trade secret misappropriation is barred because the Plaintiff's purported trade secrets have no economic value.

**SIXTEENTH AFFIRMATIVE DEFENSE**

**(Reservation)**

Defendants reserve the right to assert additional affirmative defenses, including based on facts adduced in discovery.

**PRAYER FOR RELIEF**

**WHEREFORE**, Defendants pray for judgment in their favor, including:

- A. That Plaintiff's claims be dismissed with prejudice;

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B. That judgment be entered in favor of Defendants and against Plaintiff for each and every claim asserted in the Complaint;

C. That costs, together with interest and attorneys' fees incurred by Defendants in defending this action, be assessed against Plaintiff and awarded to Defendants; and

D. For such other and further relief as the Court deems just and proper.

Respectfully submitted,

Dated: September 26, 2016

**ONE LLP**

By: /s/Stephen M. Lobbin  
Attorneys for Defendants

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**JURY TRIAL DEMAND**

Pursuant to Fed. R. Civ. P. 38(b)(1) and (c), and L.R. 38-1, Defendants hereby demand a jury trial on all the issues in this action so triable of right by a jury.

Respectfully submitted,

Dated: September 26, 2016

**ONE LLP**

By: /s/Stephen M. Lobbin  
Attorneys for Defendants

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**PROOF OF SERVICE**

I hereby certify that on September 26, 2016, I electronically transmitted the foregoing document using the CM/ECF system for filing, which will transmit the document electronically to all registered participants as identified on the Notice of Electronic Filing, and paper copies have been served on those indicated as non-registered participants.

Dated: September 26, 2016                      /s/ Stephen M. Lobbin