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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CADENCE DESIGN SYSTEMS, INC.,  
Plaintiff,  
v.  
SYNTRONIC AB, et al.,  
Defendants.

Case No. [21-cv-03610-SI](#)

**ORDER GRANTING MOTION TO  
STRIKE AFFIRMATIVE DEFENSES**

Re: Dkt. No. 61

On October 21, 2021, plaintiff Cadence Design Systems Inc. (“Cadence”) filed the instant motion to strike all eighteen affirmative defenses asserted by defendant Syntronic AB (“Syntronic”) in its answer. Dkt. No. 61<sup>1</sup> (Motion to Strike). Each affirmative defense is plead with the support of a single sentence. Dkt. No. 60 at 27-28 (Answer). For example, the first five affirmative defenses read:

**FIRST AFFIRMATIVE DEFENSE**

The Complaint fails to state a claim against Syntronic Beijing on which relief can be granted.

**SECOND AFFIRMATIVE DEFENSE**

The Court lacks personal jurisdiction over Syntronic Beijing.

**THIRD AFFIRMATIVE DEFENSE**

The Court lacks subject matter jurisdiction over the claims in this action.

**FOURTH AFFIRMATIVE DEFENSE**

Plaintiff has not served sufficient process on Syntronic Beijing.

**FIFTH AFFIRMATIVE DEFENSE**

Plaintiff’s claims are barred, in whole or in part, to the extent any copyright registration asserted by Plaintiff is invalid and/or unenforceable.

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<sup>1</sup> For ease of reference, page number citations refer to the ECF branded number in the upper right corner of the page.

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Dkt. No. 60 at 27 (Answer).

Plaintiff argues defendant’s affirmative defenses are inadequately plead and wholly unsupported by facts. Dkt. No. 61 at 7 (Motion to Strike). The Court agrees.

However, the Court also agrees with defendant that had plaintiff simply met and conferred with defendant, this entire motion could have been avoided. Dkt. No. 65 at 8 (Opposition) (“Plaintiff’s motion could have and should have been resolved through the meet and confer process or at least through a stipulation for leave to amend.”).

As such, the Court hereby GRANTS Cadence’s motion to strike all of Syntronic’s affirmative defenses WITHOUT prejudice. **Syntronic may file an amended answer on or before January 14, 2022.** The Court strongly urges the parties to meet and confer regarding the affirmative defenses prior to Syntronic filing any amended answer.

If Syntronic files an amended answer, **the parties are ORDERD to meet and confer, in person or over video, prior to any further motion to strike being filed to the amended answer.**

Written meet and confers or telephonic meet and confers will not comply with this order.

**IT IS SO ORDERED.**

Dated: December 13, 2021



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SUSAN ILLSTON  
United States District Judge