

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

| | | |
|--|---|-----------------------------|
| LEADER TECHNOLOGIES, INC., a Delaware corporation, |) | |
| |) | |
| Plaintiff, |) | Civil Action No. 08-862-JJF |
| |) | |
| v. |) | |
| |) | |
| FACEBOOK, INC., a Delaware corporation, |) | |
| |) | |
| Defendant. |) | |

LEADER TECHNOLOGIES, INC.’S REPLY TO FIRST AMENDED COUNTERCLAIMS OF DEFENDANT FACEBOOK, INC.

Plaintiff Leader Technologies, Inc. (“Leader”) responds to the counterclaims set forth by Defendant Facebook, Inc. (“Facebook”) in its First Amended Answer to Complaint for Patent Infringement; Affirmative Defenses; and Counterclaims (“Amended Counterclaims”) as follows:

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. Admitted.

6. Leader admits that there is an actual controversy between Leader and Facebook regarding Facebook’s infringement of the ‘761 Patent pursuant to 28 U.S.C. § § 2201 and 2202. Leader admits that Facebook purports to seek a declaration related to infringement and validity of the ‘761 Patent and purports that Leader’s claims are barred.

COUNT I

7. Leader incorporates by reference paragraphs 1-6 of this Reply in response to Paragraph 7 of the Amended Counterclaims.

8. Leader denies the allegations of Paragraph 8 of the Amended Counterclaims.

COUNT II

9. Leader incorporates by reference paragraphs 1-8 of this Reply in response to Paragraph 9 of the Amended Counterclaims.

10. Leader denies the allegations of Paragraph 10 of the Amended Counterclaims.

AFFIRMATIVE DEFENSES

First Affirmative Defense: Failure to State a Claim

11. Counterclaimant fails to state a claim upon which relief can be granted.

PRAYER FOR RELIEF

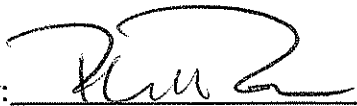
WHEREFORE, Leader denies that Facebook is entitled to any judgment or relief in its favor, including the relief sought in paragraphs A through E of the Prayer for Relief in the Defendant's Amended Counterclaims.

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Dated: January 30, 2009
900837

By: 
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CERTIFICATE OF SERVICE

I, Philip A. Rovner, hereby certify that on January 30, 2009, the within document was filed with the Clerk of the Court using CM/ECF which will send notification of such filing(s) to the following; that the document was served on the following counsel as indicated; and that the document is available for viewing and downloading from CM/ECF.

BY CM-ECF, HAND DELIVERY AND E-MAIL

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I hereby certify that on January 30, 2009 I have sent by E-mail the foregoing document to the following non-registered participants:

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