

EXHIBIT D1

Exhibit D1

Brief Statement of What Leader Intends To Prove in Support of Its Claims and in Defense to Facebook's Counterclaims

Plaintiff and Counterclaim-Defendant Leader Technologies, Inc. ("Leader") submits the following statement of intended proof setting forth a description of what Leader intends to prove at trial on July 19, 2010 in support of its claims and defenses. The following statement is not exhaustive and Leader reserves the right to prove any matters identified in its Complaint, interrogatory responses, and experts' opening and rebuttal reports. Leader also intends to offer proof as to the issues of fact and issues of law identified in the parties' Joint Pretrial Order. Leader further intends to offer proof to rebut items that the Defendant and Counterclaimant Facebook, Inc. ("Facebook") offers. Leader reserves the right to amend and supplement this statement in response to Facebook's pre-trial activities or any subsequently produced discovery. Leader incorporates by reference its expert reports in support of any proof to be presented by expert testimony.

1. INFRINGEMENT

- a. Leader will prove by a preponderance of the evidence that Facebook infringes at least one of claims 1, 4, 7, 9, 11, 16, 21, 23, 25, 31, or 32 of United States Patent No. 7,139,761 ("the '761 Patent") either literally and/or under the doctrine of equivalents in violation of 35 U.S.C. §§ 271 (a)-(c).

2. DEFENSE TO COUNTERCLAIMS OF INVALIDITY

- a. Leader will prove that Facebook has failed to meet its burden of proving by clear and convincing evidence that any of the asserted claims of the '761 Patent are invalid pursuant to 35 U.S.C. §§ 101-103 and/or 112.