

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

COOPER NOTIFICATION, INC.,

Plaintiff,

v.

TWITTER, INC., a Delaware corporation,  
EVERBRIDGE INC., a Delaware corporation,  
RAVE WIRELESS INC., a Delaware  
corporation, FEDERAL SIGNAL CORP., a  
Delaware corporation,

Defendants.

Civil Action No. 09-865-JJF

**JURY TRIAL DEMANDED**

**PLAINTIFF COOPER NOTIFICATION, INC.'S REPLY TO  
COUNTERCLAIMS OF DEFENDANT RAVE WIRELESS INC.**

Plaintiff Cooper Notification, Inc. ("Cooper") replies to the counterclaims set forth by Defendant Rave Wireless Inc. ("Rave Wireless") in its Answer, Defenses, and Counterclaims to Cooper's Amended Complaint for Patent Infringement ("Counterclaims") as follows:

1. The allegations of paragraph 41 are legal conclusions, and do not require a responsive pleading. To the extent a response is required, Cooper does not dispute that the counterclaims purport to seek a declaratory judgment.
2. The allegations of paragraph 42 are legal conclusions, and do not require a responsive pleading. To the extent a response is required, Cooper does not dispute that subject matter jurisdiction in this district is proper.
3. The allegations of paragraph 43 are legal conclusions, and do not require a responsive pleading. To the extent a response is required, Cooper does not dispute that personal jurisdiction in this district is proper.

4. The allegations of paragraph 44 are legal conclusions, and do not require a responsive pleading. To the extent a response is required, Cooper does not dispute that venue is proper in this district.

5. On information and belief, Rave Wireless is a Delaware corporation with its principal place of business at 50 Speen Street, Suite 301, Framingham, Massachusetts 01701.

6. The allegations of paragraph 46 are admitted.

### **COUNT I**

7. The allegations of paragraph 47 are legal conclusions, and do not require a responsive pleading. To the extent a response is required, Cooper does not dispute that there is an actual controversy between Cooper and Rave Wireless regarding Rave Wireless' infringement of the '428 Patent.

8. The allegations of paragraph 48 are legal conclusions, and do not require a responsive pleading. To the extent a response is required, Cooper does not dispute that the counterclaim purports to seek a declaratory judgment.

### **COUNT II**

9. The allegations of paragraph 49 are legal conclusions, and do not require a responsive pleading. To the extent a response is required, Cooper does not dispute that there is an actual controversy between Cooper and Rave Wireless regarding the validity of the '428 Patent, which is presumed to be valid.

10. The allegations of paragraph 50 are legal conclusions, and do not require a responsive pleading. To the extent a response is required, Cooper does not dispute that the counterclaim purports to seek a declaratory judgment.

**COUNT III**

11. Cooper denies the allegations of Paragraph 51 of the Counterclaims.

**JURY DEMAND**

12. The allegations of paragraph 52 are legal conclusions, and do not require a responsive pleading. To the extent a response is required, Cooper does not dispute that the counterclaim purports to seek a trial by jury.

**PRAYER FOR RELIEF**

WHEREFORE, Cooper denies that Rave Wireless 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 Counterclaims.

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Dated: March 26, 2010  
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**IN THE UNITED STATES DISTRICT COURT  
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**CERTIFICATE OF SERVICE**

I, Philip A. Rovner, hereby certify that on March 26, 2010, 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.

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