

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

XEROX CORPORATION,	)	
	)	
Plaintiff-Counterclaim Defendant,	)	
	)	
v.	)	C.A. No. 10-136-JJF-MPT
	)	
GOOGLE INC., YAHOO! INC., RIGHT	)	<b>DEMAND FOR JURY TRIAL</b>
MEDIA INC., RIGHT MEDIA LLC,	)	
YOUTUBE, INC., and YOUTUBE, LLC,	)	
	)	
Defendants-Counterclaim Plaintiffs.	)	

**XEROX CORPORATION’S ANSWER TO GOOGLE INC., YOUTUBE INC. AND  
YOUTUBE LLC’S COUNTERCLAIMS FOR DECLARATORY JUDGMENT**

Xerox Corporation (“Xerox”) respectfully submits this Answer in response to the Declaratory Judgment Counterclaims of Google Inc., YouTube Inc. and YouTube LLC (collectively, “Google and YouTube”).

**Parties**

1. Xerox admits the allegations of paragraph 1.
2. Xerox admits the allegations of paragraph 2.
3. Xerox admits the allegations of paragraph 3.

**Jurisdiction and Venue**

4. Xerox admits the allegations of paragraph 4.
5. Xerox admits the allegations of paragraph 5.

**COUNT I: Declaratory Judgment of Non-Infringement by Google of the '979 Patent**

6. Xerox states that the averments of paragraphs 1 through 45 of Google and YouTube’s Answer are answers to Xerox’s Amended Complaint to which no response is required, and repeats its responses to paragraphs 1-5 of Google and YouTube’s Counterclaims.

7. Xerox admits the allegations of paragraph 7.

8. Xerox admits the allegations of paragraph 8.

9. Xerox denies the allegations of paragraph 9.

**COUNT II: Declaratory Judgment of Non-Infringement by Google of the '994 Patent**

10. Xerox states that the averments of paragraphs 1 through 45 of Google and YouTube's Answer are answers to Xerox's Amended Complaint to which no response is required, and repeats its responses to paragraphs 1-9 of Google and YouTube's Counterclaims.

11. Xerox admits the allegations of paragraph 11.

12. Xerox admits the allegations of paragraph 12.

13. Xerox denies the allegations of paragraph 13.

**COUNT III: Declaratory Judgment of Non-Infringement by YouTube of the '994 Patent**

14. Xerox states that the averments of paragraphs 1 through 45 of Google and YouTube's Answer are answers to Xerox's Amended Complaint to which no response is required, and repeats its responses to paragraphs 1-13 of Google and YouTube's Counterclaims.

15. Xerox admits the allegations of paragraph 15.

16. Xerox admits the allegations of paragraph 16.

17. Xerox denies the allegations of paragraph 17.

**COUNT IV: Declaratory Judgment of Invalidity and/or Unenforceability of the '979 Patent**

18. Xerox states that the averments of paragraphs 1 through 45 of Google and YouTube's Answer are answers to Xerox's Amended Complaint to which no response is required, and repeats its responses to paragraphs 1-17 of Google and YouTube's Counterclaims.

19. Xerox denies the allegations of paragraph 19.

**COUNT V: Declaratory Judgment of Invalidity and/or Unenforceability of the '994 Patent**

20. Xerox states that the averments of paragraphs 1 through 45 of Google and YouTube's Answer are answers to Xerox's Amended Complaint to which no response is required, and repeats its responses to paragraphs 1-19 of Google and YouTube's Counterclaims.

21. Xerox denies the allegations of paragraph 21.

**Exceptional Case**

22. Xerox denies the allegations of paragraph 22.

**DEFENDANTS' RELIEF REQUESTED**

Xerox denies that Google and YouTube are entitled to any relief.

ASHBY & GEDDES

*/s/ Lauren E. Maguire*

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Lawrence C. Ashby (I.D. #468)  
John G. Day (I.D. #2403)  
Lauren E. Maguire (I.D. #4261)  
500 Delaware Avenue, 8th Floor  
P.O. Box 1150  
Wilmington, DE 19899  
(302) 654-1888  
lashby@ashby-geddes.com  
jday@ashby-geddes.com  
lmauire@ashby-geddes.com

*Of Counsel:*

*Attorneys for Plaintiff Xerox Corporation*

Richard J. Stark  
Andrei Harasymiak  
CRAVATH, SWAINE & MOORE LLP  
Worldwide Plaza  
825 Eighth Avenue  
New York, NY 10019  
(212) 474-1000  
rstark@cravath.com  
aharasymiak@cravath.com

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