

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

SELEX COMMUNICATIONS, INC.)	Civil Action No.: 1:07-cv-00813-
a Delaware Corporation)	TWT
Plaintiff,)	
v.)	JURY TRIAL DEMANDED
JAJAH, INC.)	
Defendant.)	

PLAINTIFF'S REPLY TO DEFENDANT'S COUNTERCLAIM

Plaintiff Selex Communications, Inc. (“Selex”), through its undersigned counsel, replies to the defendant Jajah, Inc.’s, (“Jajah”) counterclaim as follows in the numbered paragraphs that correspond to the numbered paragraphs in Jajah’s counterclaim:

PARTIES, JURISDICTION AND VENUE

1. Admitted.
2. Admitted.
3. Admitted.

4. Admitted.

5. Selex repeats its answers to paragraphs 1-4 as though fully set forth in this paragraph.

6. Selex admits Jajah is bringing a declaratory judgment counterclaim under the patent laws, Title 35, United States Code and under Title 28, United States Code, §§ 2201 and 1338(a). Selex denies that Jajah is entitled to relief under those statutes.

7. Admitted.

8. Selex admits that Jajah denies that, either directly, contributorily, or by inducement, it has infringed, or that it is infringing, any valid claim of the 070 patent. Otherwise, Selex denies the underlying basis for Jajah's denial.

9. Selex admits that Jajah asserts that the 070 patent is invalid for failing to satisfy the conditions for patentability set forth in Part II of Title 35 of the United States Code, including, but not limited to, §§ 101, 102, 103, and 112. Otherwise, Selex denies the underlying basis for Jajah's assertion.

10. The issue of whether an actual controversy exists between Selex and Jajah requires a legal determination, and thus no response is required.

11. Admitted.

DEMAND FOR JURY

Selex respectfully demands a jury.

WHEREFORE, SELEX, respectfully requests:

- A. That the Court dismiss Jajah's counterclaims with prejudice;
- B. That the Court find that this is an "exceptional" case under 35 U.S.C. §285 and award Selex its costs of defending Jajah's counterclaims ("Declaratory Judgment"), including Selex's reasonable attorney fees; and
- c. Award to Selex such other relief as is just and proper.

Dated: July 10, 2007

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Certificate of Service

I hereby certify that on July 10, 2007, I electronically filed the foregoing PLAINTIFF'S REPLY TO DEFENDANT'S COUNTERCLAIM AND JURY DEMAND with the Clerk of Court using the CM/ECF system. In addition, a copy was served by electronic copy and electronic mail on:

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