

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

SPARK NETWORK SERVICES, INC.,	)	
	)	Civil Action No. 07 CV 570
Plaintiff,	)	
	)	
v.	)	<b>JURY TRIAL DEMANDED</b>
	)	
MATCH.COM, LP, eHARMONY.COM.,	)	
INC. AND YAHOO!, INC.	)	
	)	
Defendants,	)	

**SPARK NETWORKS SERVICES, INC.’S REPLY  
TO COUNTERCLAIMS OF DEFENDANT, YAHOO!**

Spark Network Services, Inc. (“Spark”), for its Answer to the Counterclaim of Yahoo!, Inc., states as follows:

15. Defendant and Counterclaim-Plaintiff Yahoo!, Inc. (“Yahoo”) is a Delaware corporation with a place of business located at 701 First Avenue, Sunnyvale, California, 94089.

**RESPONSE:** Admitted.

16. As plead in its Complaint, Spark Network Services, Inc. (“Spark”) is an Illinois corporation having its principal place of business in this judicial district at 2720 River Road, Des Plaines, Illinois.

**RESPONSE:** Admitted.

17. Yahoo’s counterclaims arise under the United States patent laws, 35 U.S.C. § 100 et seq. and the provisions for declaratory judgment under 28 U.S.C. §§ 2201-2202. As a result of Spark’s Complaint, an actual and justiciable controversy exists between Yahoo and Spark.

**RESPONSE:** Admitted.

18. The Court has subject matter jurisdiction over Yahoo's counterclaims based on 28 U.S.C. §§ 1331 and 1338 (a) and (b).

**RESPONSE:** Admitted.

19. Spark is subject to personal jurisdiction in this District based upon its principle place of business being located in this District and based upon its filing of the Complaint against Yahoo in this Court.

**RESPONSE:** Admitted.

20. Venue is proper in this judicial district based on 28 U.S.C. §§ 1391 and 1400.

**RESPONSE:** Admitted.

**COUNTERCLAIM NO. 1  
DECLARATION OF NON-INFRINGEMENT OF U.S. PATENT NO. 6,272,467**

21. Yahoo repeats and incorporates by reference paragraphs 1-20 above as though fully set forth herein.

**RESPONSE:** Spark repeats and realleges its responses to Yahoo!'s allegations in paragraphs 1-20.

22. Yahoo asks the Court to declare that it has not committed any acts of infringement of U.S. Patent No. 6,272,467.

**RESPONSE:** Spark denies that Yahoo! is not infringing the '467 patent.

**COUNTERCLAIM NO. 2  
DECLARATION OF INVALIDITY OF U.S. PATENT NO. 6,272,467**

23. Yahoo repeats and incorporates by reference paragraphs 1-20 above as though fully set forth herein.

**RESPONSE:** Spark repeats and realleges its responses to Yahoo!'s allegations in paragraphs 1-20.

24. Yahoo asks the Court to declare that U.S. Patent No. 6,272,467 is invalid for failure to comply with one or more of 35 U.S.C. §§ 102, 103, and 112.

**RESPONSE:** Spark denies that the '467 patent is invalid.

/s/ Paul K. Vickrey

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing **SPARK NETWORKS SERVICES, INC.'S REPLY TO COUNTERCLAIMS OF DEFENDANT, YAHOO!** was served upon the following parties on this 12th day of April by electronic filing:

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