

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

ILLINOIS COMPUTER RESEARCH, LLC.,
Plaintiff and Counterclaim Defendant,

v.

FISH & RICHARDSON P.C.,
*Defendant, Counterclaimant, Third-Party
Plaintiff and Counterclaim Defendant,*

v.

SCOTT C. HARRIS, MEMORY CONTROL
ENTERPRISE, LLC, BARTEX RESEARCH, LLC,
INNOVATIVE BIOMETRIC TECHNOLOGY, LLC,
PARKER INNOVATIVE TECHNOLOGIES, LLC,
VIRGINIA INNOVATIVE TECHNOLOGY, LLC,
INNOVATIVE PATENTED TECHNOLOGY, LLC
AND ANY JOHN DOE SHELL ENTITIES,
Third-Party Defendants.

Civil Action No. 07 C 5081

Honorable Rebecca R. Pallmeyer

Magistrate-Judge Maria Valdez

**BARTEX RESEARCH, LLC’S MOTION TO DISMISS
FISH & RICHARDSON’S AMENDED COUNTERCLAIM
AND THIRD-PARTY COMPLAINT UNDER
FEDERAL RULE OF CIVIL PROCEDURE 12(b)(2)
FOR LACK OF PERSONAL JURISDICTION**

As Fish & Richardson (“Fish”) notes in its Amended Counterclaim And Third-Party Complaint (filed as Exhibit A to Court Docket Entry 99), BarTex is a Texas limited liability company whose sole member is James B. Parker. BarTex’s only office is in Longview, Texas. It owns no property in Illinois, has no offices here, does no business here and has no bank accounts here. Scott Harris, a California resident, sold one patent to BarTex – U.S. Patent No. 6,666,377 – which has been asserted against non-Fish clients FedEx Corporation, FedEx Express Corporation, FedEx Ground Package System, Inc.

and FedEx Kinko's Office and Print Services, Inc. in the United States District Court for the Eastern District of Texas, Tyler Division.

There is no basis to exercise personal jurisdiction over BarTex in this judicial district. Hence, Fish's claims against BarTex should be dismissed.

Respectfully submitted,

s/Laura A. Kenneally

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CERTIFICATION OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **BARTEX RESEARCH, LLC'S MOTION TO DISMISS FISH & RICHARDSON'S AMENDED COUNTERCLAIM AND THIRD-PARTY COMPLAINT UNDER FEDERAL RULE OF CIVIL PROCEDURE 12(b)(2) FOR LACK OF PERSONAL JURISDICTION** was electronically filed with the Clerk of Court using CM/ECF system, which will send notification by electronic mail to the following:

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on May 13, 2008.

/s/Laura A. Kenneally _____