

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

_____	)	
HYSITRON INCORPORATED,	)	
a Minnesota corporation,	)	
	)	Civil Action No. 07 CV 1533 ADM/AJB
Plaintiff,	)	
	)	<b><u>PLAINTIFF'S ANSWER TO</u></b>
v.	)	<b><u>DEFENDANT'S COUNTERCLAIM</u></b>
	)	
MTS SYSTEMS CORPORATION,	)	(JURY TRIAL DEMANDED)
a Minnesota corporation,	)	
	)	
Defendant.	)	
_____	)	

Plaintiff Hysitron Incorporated (“Hysitron”) for its answer to Defendant MTS Systems Corporation’s (“MTS”) Counterclaim states:

1. Hysitron denies the affirmative defenses set forth in paragraphs 1-72 of the Amended Answer of MTS as well as all facts alleged in support thereof and incorporates by reference paragraphs 1-16 of Hysitron’s Amended Complaint.
2. Hysitron admits paragraph 80 to the extent MTS asserts claims under the patent laws of the United States and the Court has subject matter jurisdiction.
3. Hysitron admits paragraph 81.
4. Hysitron admits paragraph 82.
5. Hysitron admits paragraph 83.
6. Hysitron admits paragraph 84.
7. Hysitron denies paragraph 85, but admits that MTS requests a declaratory judgment of invalidity and non-infringement.

WHEREFORE, Hysitron requests that judgment be entered dismissing the Counterclaim of MTS with prejudice and awarding to it all of the relief requested in the Amended Complaint, together with such other and further relief as the Court may deem just and equitable.

**DEMAND FOR JURY TRIAL**

Hysitron demands a trial by jury of all issues so triable.

Dated: September 13, 2007

MERCHANT & GOULD P.C.

By: s/Allen W. Hinderaker

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