

Metacafe has an agent for service of process as: The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, DE 19801.

JURISDICTION

3. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a) because this action arises under the patent laws of the United States, including 35 U.S.C. § 271 *et seq.* This Court has personal jurisdiction over MetaCafe as it has committed acts within Texas and this judicial district giving rise to this action and MetaCafe has established minimum contacts with the forum such that the exercise of jurisdiction over MetaCafe would not offend traditional notions of fair play and substantial justice.

VENUE

4. Antor does business and has an office in Collin County, Texas, in this district. MetaCafe has committed acts within this judicial district giving rise to this action and does business in this district, including advertising and/or providing services to its respective customers in this district. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391(b) (c), and 1400(b).

INFRINGEMENT OF U.S. PATENT NO. 5,734,961

5. On March 31, 1998, United States Patent No. 5,734,961 (the '961 Patent) was duly and legally issued for an invention entitled "Method and Apparatus for Transmitting Information Recorded on Information Storage Means from a Central Server to Subscribers via a High Data Rate Digital Telecommunications Network." Antor was assigned the '961 Patent and Antor continues to hold all rights and interest in the '961 Patent. A true and correct copy of the '961 Patent is attached hereto as Exhibit 1.

6. MetaCafe has infringed and continues to infringe the '961 Patent. The infringing

acts include, but are not limited to, the manufacture, use, sale, importation, and/or offer for sale of products and services related to the streaming and/or downloading of media, such as video and audio, to devices via a network, such as the Internet; the practice of the methods claimed in the '961 Patent; and inducing and contributing to the manufacture, use, sale, importation, and/or offer for sale of such products and services and the practice of the methods claimed in the '961 Patent. MetaCafe is liable for infringement of the '961 Patent pursuant to 35 U.S.C. § 271.

7. MetaCafe's acts of infringement has caused damage to Antor, and Antor is entitled to recover from MetaCafe damages sustained by Antor as a result of its individual wrongful acts in an amount subject to proof at trial. MetaCafe's infringement of Antor's exclusive rights under the '961 Patent will continue to damage Antor's business, causing irreparable harm, for which there is no adequate remedy at law, unless it is enjoined by this Court.

8. Upon information and belief, MetaCafe's infringement of the '961 Patent is willful and deliberate, entitling Antor to increased damages under 35 U.S.C. § 284 and to attorneys' fees and costs incurred in prosecuting this action under 35 U.S.C. § 285.

PRAYER FOR RELIEF

WHEREFORE, Antor prays for judgment and seeks relief against MetaCafe as follows:

- (a) For judgment that the '961 Patent has been and continues to be infringed by MetaCafe ;
- (b) For an accounting of all damages sustained by Antor as the result of the acts of infringement by MetaCafe ;
- (c) For preliminary and permanent injunctions enjoining the aforesaid acts of infringement by MetaCafe , its officers, agents, servants, employees, subsidiaries and attorneys, and those persons acting in concert with MetaCafe, including related individuals and entities, customers, representatives, OEMS, dealers, and

distributors;

- (d) For actual damages together with prejudgment interest;
- (e) For enhanced damages pursuant to 35 U.S.C. § 284;
- (f) For an award of attorneys' fees pursuant to 35 U.S.C. § 285 or as otherwise permitted by law;
- (g) For all costs of suit; and,
- (h) For such other and further relief as the Court may deem just and proper.

JURY DEMAND

Pursuant to Federal Rule of Civil Procedure 38(b), Plaintiff Antor Media Corporation demands a trial by jury.

Respectfully submitted this 27th day of March, 2007.

/s/ Brett C. Govett

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