

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

ANTOR MEDIA CORPORATION,	§	
	§	CIVIL ACTION NO.
PLAINTIFF,	§	
	§	
V.	§	<b><u>02:07CV-102</u></b>
	§	
METACAFE, INC., ET AL.,	§	JURY DEMANDED
	§	
DEFENDANTS.	§	

**PLAINTIFF’S REPLY TO COUNTERCLAIMS OF SONY PICTURES ENTERTAINMENT INC, SONY ELECTRONICS INC, SONY COMPUTER ENTERTAINMENT AMERICA INC, SONY BMG MUSIC ENTERTAINMENT GP, AND GROUPER NETWORKS, INC.**

Plaintiff-Counterdefendant, Antor Media Corporation (“Antor”), replies to Defendants Sony Pictures Entertainment Inc., Sony Electronics Inc., Sony Computer Entertainment America Inc., Sony BMG Music Entertainment GP, and Grouper Networks, Inc., hereinafter collectively referred to as the “Sony Defendants” as follows:

**COUNTERCLAIMS PARTIES**

1. Antor admits that Sony Pictures Entertainment Inc. is a corporation duly organized and existing under the laws of the state of Delaware, having a principal place of business at 10202 West Washington Boulevard, Culver City, CA 90232.

2. Antor admits that Sony Electronics Inc. is a corporation duly organized and existing under the laws of the state of Delaware, having a principal place of business at 16450 W. Bernardo Street, San Diego, CA 92127.

3. Antor admits that Sony Computer Entertainment America Inc. is a corporation duly organized and existing under the laws of the state of Delaware, having a principal place of

business at 919 E. Hillsdale Boulevard, 2<sup>nd</sup> floor, Foster City, CA 94404.

4. Antor admits that Sony BMG Music Entertainment GP is a general partnership organized and existing under the laws of the State of Delaware, having a principal place of business at 550 Madison Ave., New York, NY 10022-3211.

5. Antor admits that Grouper Network Inc. is a corporation duly organized and existing under the laws of the state of Delaware, having a principal place of business at 475 Gate 5 Road #255, Sausalito, CA 94965.

6. Antor admits that it is a corporation organized and existing under the laws of the state of Texas with its principal place of business in Plano, Texas.

#### **JURISDICTION AND VENUE**

7. Antor admits this Court has subject matter jurisdiction over Sony Defendants' counterclaims pursuant to 28 U.S.C. §§ 1331, 1338, 2201, and 2202.

8. Antor admits that it has consented to personal jurisdiction of this Court.

9. Antor admits that venue is proper in the Eastern District of Texas.

#### **COUNTERCLAIMS**

10. Antor admits that it claims to own all rights, title and interest in and to the '961 Patent. Any other averments or allegations not admitted herein are denied.

11. Admitted.

12. Admitted.

#### **FIRST COUNTERCLAIM: Declaratory Judgment of Non-Infringement**

13. Antor admits that the Sony Defendants incorporate the allegations in paragraphs 1 through 61 of their answer and defenses and paragraphs 1 through 12 of their counterclaims as if fully set forth therein.

14. Denied.

**SECOND COUNTERCLAIM: Declaratory Judgment of Invalidity**

15. Antor admits that the Sony Defendants incorporate the allegations in paragraphs 1 through 61 of the their answer and defenses and paragraphs 1 through 12 of their counterclaims as if fully set forth therein.

16. Denied.

**THIRD COUNTERCLAIM: Declaratory Judgment of Unenforceability**

17. Antor admits that the Sony Defendants incorporate the allegations in paragraphs 1 through 61 of the their answer and defenses and paragraphs 1 through 12 of their counterclaims as if fully set forth therein.

18. Denied.

**EXCEPTIONAL CASE**

19. Denied.

**PRAYER FOR RELIEF**

WHEREFORE, Antor prays for judgment and requests that this Court:

- (a) Dismiss the Sony Defendants' counterclaims with prejudice;
- (b) Enter judgment in favor of Antor;
- (c) Award Antor its reasonable costs, expenses, and attorneys' fees; and
- (d) Grant such other and further relief as the Court may deem just and proper.

Respectfully submitted this 27<sup>th</sup> day of August, 2007.

/s/ Robert M. Chiaviello, Jr.

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who are deemed to have consented to electronic service per Local Rule CV-5(a)(3)(A) on August 27, 2007.

/s/ Robert M. Chiaviello, Jr.  
Robert M. Chiaviello, Jr.