

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

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

PLAINTIFF’S REPLY TO COUNTERCLAIMS OF SBO PICTURES, INC.

Plaintiff-Counterdefendant, Antor Media Corporation (“Antor”), replies to Defendant SBO Pictures, Inc. (“SBO”) as follows:

COUNTERCLAIMS
Parties

1. Antor admits that SBO is a corporation organized and existing under the laws of the State of California, having a principal place of business at 9040 Eton Ave., Canoga Park, CA 91304.

2. Antor admits that it alleges that it is a corporation organized under the laws of Texas, with its principal place of business in Plano, Texas.

Jurisdiction and Venue

3. Antor admits this Court has subject matter jurisdiction over SBO’s counterclaims pursuant to 28 U.S.C. §§ 1331, 1338, 2201, and 2202. Antor admits an actual and justiciable controversy exists between Antor and SBO. Antor admits that it has accused SBO of infringing the ‘961 Patent. All averments or allegations not admitted herein are denied.

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

admits that venue is proper in the Eastern District of Texas. All averments or allegations not admitted herein are denied.

First Counterclaim

(Declaratory Judgment of Patent Invalidity)

5. Antor admits that SBO incorporates by reference each of the proceeding allegations of SBO's Answer and Counterclaims to Antor's Second Amended Complaint (SBO's Answer) as if fully set forth therein.

6. Denied.

7. Antor admits that an actual controversy exists between Antor and SBO. All averments or allegations not admitted herein are denied.

8. Denied.

9. Denied.

Second Counterclaim

(Declaratory Judgment of Non-Infringement)

10. Antor admits that SBO incorporates by reference each of the proceeding allegations of SBO's Answer as if fully set forth therein.

11. Denied.

12. Antor admits that an actual controversy exists between Antor and SBO. All averments or allegations not admitted herein are denied.

13. Denied.

14. Denied.

Third Counterclaim

(Declaratory Judgment of Patent Unenforceability)

15. Antor admits that SBO incorporates by reference each of the proceeding allegations of SBO's Answer as if fully set forth therein.

16. Antor admits that an actual controversy exists between Antor and SBO. All averments or allegations not admitted herein are denied.

17. Denied.

18. Antor admits that an actual controversy exists between Antor and SBO. All averments or allegations not admitted herein are denied.

19. Denied.

PRAYER FOR RELIEF

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

- (a) Dismiss SBO's 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 5th day of September, 2007.

/s/ Robert M. Chiaviello, Jr.

Robert M. Chiaviello, Jr., Attorney-in-Charge

Texas Bar No. 04190720

Email: bobc@fulbright.com

Brett C. Govett

Texas Bar No. 08235900

Email: bgovett@fulbright.com

FULBRIGHT & JAWORSKI L.L.P.

2200 Ross Avenue, Suite 2800

Dallas, Texas 75201-2784

Telephone: (214) 855-8000

Facsimile: (214) 855-8200

COUNSEL FOR PLAINTIFF

ANTOR MEDIA CORPORATION

OF COUNSEL

S. Calvin Capshaw, III
Elizabeth L. DeRieux
Andrew W. Spangler
BROWN McCARROLL L.L.P.
1127 Judson Road, Suite 220
Longview, TX 75601
Telephone: (903) 236-9800
Facsimile: (903) 236-8787

T. John Ward, Jr.
LAW OFFICE OF T. JOHN WARD, JR., P.C.
109 W. Tyler
Longview, TX 75601
Telephone: (903) 757-6400
Facsimile: (903) 757-2323

Nicholas H. Patton
J. Kurt Truelove
PATTON, TIDWELL & SCHROEDER, L.L.P.
4605 Texas Blvd.
Texarkana, TX 75503
Telephone: (903) 792-7080
Facsimile: (903) 792-8233

Otis W. Carroll, Jr.
IRELAND CARROLL & KELLEY
6101 S. Broadway, Ste. 500
Tyler, TX 75703
Telephone: (903) 561-1600
Facsimile: (903) 581-1071

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 September 5, 2007.

/s/ Robert M. Chiaviello, Jr.

Robert M. Chiaviello, Jr.