

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 GOTUIT MEDIA CORPORATION**

Plaintiff-Counterdefendant, Antor Media Corporation (“Antor”), replies to Defendant GoTuIt Media Corporation (“Gotuit”) as follows:

**COUNTERCLAIMS**

**THE PARTIES**

34. Antor admits that Gotuit is a Delaware Corporation with its principal place of business at 15 Constitution Way, Woburn, MA 01801.

35. Antor admits that it is a Texas Corporation with its principal place of business in Plano, Texas.

**JURISDICTION AND VENUE**

36. Antor admits that Gotuit’s counterclaims arise under 35 U.S.C. 100, *et seq.*, and 28 U.S.C. §§ 2201 and 2202. Antor admits this Court has subject matter jurisdiction.

37. Antor admits that venue is proper in this Judicial District.

**FIRST COUNTERCLAIM**  
**(Noninfringement of the ‘961 Patent)**

38. Antor admits that Gotuit repeats, reiterates and realleges each and every allegation

in paragraphs 34 through 37 of its Answer and Counterclaims to the Second Amended Complaint (Gotuit's Answer) as if fully set forth therein. Each allegation not expressly admitted to herein is denied.

39. Antor admits there is an actual controversy between Gotuit and Antor concerning the infringement of the '961 Patent.

40. Denied.

41. Denied.

42. Antor admits that Gotuit requests a judgment that Gotuit does not infringe the '961 Patent.

**SECOND COUNTERCLAIM**  
**(Invalidity of the '961 Patent)**

43. Antor admits that Gotuit repeats, reiterates and realleges each and every allegation in paragraphs 34 through 42 of Gotuit's Answer as if fully set forth therein. Each allegation not expressly admitted to is denied.

44. Antor admits there is an actual controversy between Gotuit and Antor concerning the infringement of the '961 Patent.

45. Denied.

46. Antor admits that Gotuit requests a judgment declaring that the '961 Patent is invalid.

47. Denied.

**JURY DEMAND**

Antor admits that Gotuit requests a trial by a jury.

**PRAYER FOR RELIEF**

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

- (a) Dismiss Gotuit'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 27<sup>th</sup> day of June, 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 June 27, 2007.

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