

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

MICROUNITY SYSTEMS ENGINEERING,
INC., a California corporation,

Plaintiff,

v.
ACER INC., *et al.*

Defendants.

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Civil Action No. 2:10-cv-000185
TJW-CE

PLAINTIFF'S ANSWER TO GOOGLE INC.'S COUNTERCLAIMS

Plaintiff MicroUnity Systems Engineering, Inc. ("MicroUnity") files its answer to the Counterclaims stated by defendant Google, Inc. ("Google") in its *Answer, Affirmative Defenses, and Counterclaims to MicroUnity Systems Engineering, Inc.'s First Amended Complaint*, filed August 11, 2010. MicroUnity denies the allegations in Google's Counterclaims unless expressly admitted in the following paragraphs.

NATURE AND BASIS OF THE ACTION

1. MicroUnity admits the allegations of paragraph 44.

JURISDICTION AND PARTIES

2. MicroUnity admits the allegations of paragraph 45.
3. MicroUnity admits the allegations of paragraph 46.
4. MicroUnity admits the allegations of paragraph 47.
5. MicroUnity admits the allegations of paragraph 48.

**COUNT I – DECLARATORY JUDGMENT OF NON-INFRINGEMENT OF U.S.
PATENT NO. 5,742,840**

6. In response to the allegations of paragraph 49, MicroUnity repeats and realleges its responses to the allegations in paragraphs 43 through 48 as if fully set forth herein.

7. MicroUnity admits the allegations of paragraph 50.
8. MicroUnity admits the allegations of paragraph 51.
9. MicroUnity admits the allegations of paragraph 52.
10. MicroUnity denies the allegations of paragraph 53.

**COUNT II – DECLARATORY JUDGMENT OF INVALIDITY OF U.S. PATENT NO.
5,742,840**

11. In response to the allegations of paragraph 54, MicroUnity repeats and realleges its responses to the allegations in paragraphs 43 through 48 as if fully set forth herein.

12. MicroUnity admits the allegations of paragraph 55.
13. MicroUnity admits the allegations of paragraph 56.
14. MicroUnity admits the allegations of paragraph 57.
15. MicroUnity denies the allegations of paragraph 58.

In response to Google's Prayer for Relief, MicroUnity denies that Google is entitled to relief of any kind.

REQUEST FOR RELIEF

Therefore, MicroUnity requests the following relief:

- a. that the Court enter a judgment in favor of MicroUnity on all claims asserted against it by Google
- b. that the Court award MicroUnity its attorneys' fees and costs of court, together pre-judgment and post-judgment interest in the maximum amount provided by law; and
- c. that the Court award MicroUnity all other relief to which it may be entitled.

DATED: September 1, 2010

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on September 1, 2010, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Eastern District of Texas, using the electronic filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Joseph S. Grinstein
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