



### **ADDITIONAL DEFENSES**

Bedrock incorporates by reference the allegations in its Third Amended Complaint for Patent Infringement (Dkt. No. 410)<sup>1</sup> in response to each and every of AOL's Additional Defenses.

30. Bedrock denies the allegations contained in AOL's Additional Defenses.
31. Bedrock denies the allegations contained in AOL's First Additional Defense.
32. Bedrock denies the allegations contained in AOL's Second Additional Defense.
33. Bedrock denies the allegations contained in AOL's Third Additional Defense.
34. Bedrock denies the allegations contained in AOL's Fourth Additional Defense.
35. Bedrock denies the allegations contained in AOL's Fifth Additional Defense.
36. Bedrock denies the allegations contained in AOL's Sixth Additional Defense.
37. Bedrock denies the allegations contained in AOL's Seventh Additional Defense.
38. Bedrock denies the allegations contained in AOL's Eighth Additional Defense.
39. Bedrock denies the allegations contained in AOL's Ninth Additional Defense.
40. Bedrock denies the allegations contained in AOL's Tenth Additional Defense.
41. Bedrock denies the allegations contained in AOL's Eleventh Additional Defense.

### **AOL'S COUNTERCLAIMS**

Bedrock incorporates by reference the allegations in its Third Amended Complaint for Patent Infringement against AOL in response to each and every one of AOL's Counterclaims and denies that AOL is entitled to any relief requested.

1. Bedrock admits the allegations contained in paragraph 1 of AOL's Counterclaims.
2. Bedrock admits the allegations contained in paragraph 2 of AOL's Counterclaims.

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<sup>1</sup> Incorrectly filed and titled "First Amended Complaint for Patent Infringement."

3. Bedrock admits that this Court has subject matter jurisdiction as alleged in paragraph 3 of AOL's Counterclaims but denies that AOL is entitled to any relief requested.

4. Bedrock admits the allegations contained in paragraph 4 of AOL's Counterclaims.

5. Bedrock admits the allegations contained in paragraph 5 of AOL's Counterclaims but denies that AOL is entitled to any relief requested.

6. Bedrock admits that it asserts that AOL infringes U.S. Patent No. 5, 893,120 (the "'120 Patent"). Bedrock also admits that an actual case or controversy exists between the parties regarding infringement and validity of the '120 Patent but denies the remaining allegations contained in paragraph 6 of AOL's Counterclaims.

7. Bedrock denies that AOL is entitled to any relief requested in paragraph 7 of AOL's Counterclaims.

8. Bedrock admits the allegations contained in paragraph 8 of AOL's Counterclaims.

9. Bedrock admits that AOL seeks a judicial declaration regarding infringement of the '120 Patent but denies the remaining allegations contained in paragraph 9 of AOL's Counterclaims.

10. Bedrock denies that AOL is entitled to any relief requested in paragraph 10 of AOL's Counterclaims.

11. Bedrock admits the allegations contained in paragraph 11 of AOL's Counterclaims.

12. Bedrock admits that AOL seeks a judicial declaration regarding the validity of the '120 Patent but denies the remaining allegations contained in paragraph 12 of AOL's Counterclaims.

**PRAYER FOR RELIEF**

Bedrock incorporates by reference the Prayer for Relief set forth in Bedrock's Third Amended Complaint for Patent Infringement. Bedrock denies that AOL Inc. is entitled to any relief requested.

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Respectfully submitted,

**McKOOL SMITH, P.C.**

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**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who has consented to electronic service on March 7, 2011. Local Rule CV-5(a)(3)(A).

/s/ Jason D. Cassady  
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