

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

TYLER DIVISION

STRAGENT, LLC, <i>et al.</i> ,	§	
	§	
<i>Plaintiffs,</i>	§	CIVIL ACTION NO. 6:10-CV-242-LED
	§	
v.	§	
	§	
CLASSMATES ONLINE, INC., <i>et al.</i> ,	§	
	§	JURY TRIAL DEMANDED
<i>Defendants.</i>	§	
	§	

**PLAINTIFFS STRAGENT, LLC AND SEESAW FOUNDATION’S
ANSWER TO DEFENDANT PLAXO INC.’S COUNTERCLAIM**

Plaintiffs Stragent, LLC and SeeSaw Foundation respond to each of the numbered paragraphs of the counterclaim of Defendant Plaxo, Inc. (“Plaxo”), as set forth in Defendant Plaxo Inc.’s Answer and Counterclaim (Dkt. No. 59), as follows:

JURISDICTION AND VENUE

1. Plaintiffs admit that Plaxo purports to bring a counterclaim under the patent laws of the United States, Title 35 of the United States Code, and the Declaratory Judgment provisions of 28 U.S.C. §§ 2201 and 2202. Plaintiffs admit that this Court has subject matter jurisdiction over the subject matter of Plaxo’s counterclaim. Plaintiffs deny any remaining allegations of paragraph 1.

2. Plaintiffs admit that venue for Plaxo’s purported counterclaim is proper in this District. Plaintiffs admit that they are subject to personal jurisdiction in the State of Texas and in this District. Plaintiffs deny the remaining allegations of paragraph 2, and specifically deny that this District is not a convenient venue for the parties’ dispute.

**COUNT I – DECLARATORY JUDGMENT OF NON-INFRINGEMENT OF U.S.
PATENT NO. 6,665,722 (the ‘722 Patent)**

3. Plaintiffs restate and incorporate by reference each answer to paragraphs 1-2 above, but Plaintiffs deny the allegations in those paragraphs unless specifically admitted therein.

4. Plaintiffs deny the allegations of paragraph 4.

**COUNT II – DECLARATORY JUDGMENT OF INVALIDITY OF U.S.
PATENT NO. 6,665,722 (the ‘722 Patent)**

5. Plaintiffs restate and incorporate by reference each answer to paragraphs 1-4 above, but Plaintiffs deny the allegations in those paragraphs unless specifically admitted therein.

6. Plaintiffs deny the allegations of paragraph 6.

PLAXO’S PRAYER FOR RELIEF

Plaintiffs deny that Plaxo is entitled to any relief, and specifically deny all of the allegations and prayers for relief contained in paragraphs 1-6 of Plaxo’s Prayer for Relief.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully request that this Court enter judgment denying and dismissing Plaxo’s counterclaims, and that the Court enter judgment in favor of Plaintiffs as requested in Plaintiffs’ complaint, as amended or supplemented.

DEMAND FOR JURY TRIAL

Plaintiffs, under Rule 38 of the Federal Rules of Civil Procedure, request a trial by jury of any issues so triable by right.

Respectfully submitted,



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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 are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email and/or fax, on this the 28th day of October 2010.



Eric M. Albritton