

Exhibit H

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6 Attorneys for Defendants
UNILOC USA, INC., UNILOC (SINGAPORE)
7 PRIVATE LIMITED and UNILOC CORPORATION
PTY LIMITED
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9 **UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA**

11 SYMANTEC CORPORATION and
12 XTREAMLOK PTY,

13 Plaintiffs,

14 vs.

15 UNILOC USA, INC., UNILOC
(SINGAPORE) PRIVATE LIMITED and
16 UNILOC CORPORATION PTY
LIMITED,
17

18 Defendants.

Case No. SACV10-01483 DOC (MLGx)

**DEFENDANTS' ANSWER TO
COMPLAINT**

DEMAND FOR JURY TRIAL

Judge: Honorable David O. Carter
Courtroom: 9D

19
20 Defendants Uniloc USA, Inc., Uniloc (Singapore) Private Limited and Uniloc
21 Corporation PTY Limited, (together "Uniloc") hereby answer the complaint of
22 Symantec Corporation ("Symantec") and XstreamLok PTY ("XstreamLok") and
23 counterclaim against Plaintiffs as follows:

24 **PARTIES**

25 1. Admitted.

26 2. Admitted.
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1 3. Uniloc denies that in all cases it has alleged that Uniloc USA, Inc. had a
2 principal place of business in California. The remaining allegations of Paragraph 3
3 are admitted.

4 4. Admitted.

5 5. The allegations of Paragraph 5 are ambiguous and are, therefore, denied.

6 6. Admitted.

7 **JURISDICTION AND VENUE**

8 7. Admitted.

9 8. Uniloc admits that venue is technically proper in the Central District of
10 California pursuant to 28 U.S.C. § 1391(b), (c) and/or § 1400(b), but not due to the
11 stipulation, and asserts that this patent infringement dispute should be resolved in
12 Civil Action No. 6:10-cv-472 pending in the United States District Court for the
13 Eastern District of Texas, filed on September 14, 2010.

14 **GENERAL ALLEGATIONS**

15 9. Uniloc denies the allegations in the last sentence of Paragraph 9. The
16 remaining allegations in Paragraph 9 are admitted.

17 10. Uniloc admits the allegations in Paragraph 10 but denies that such
18 allegations describe fully the facts and circumstances surrounding and resulting from
19 such matters set forth in Paragraph 10.

20 11. Uniloc denies that the arbitration addressed a “narrow” issue and that
21 Symantec, as XstreamLok’s customer, would be protected from liability by the patent
22 exhaustion doctrine. Uniloc admits the remaining allegations in Paragraph 11 but
23 denies that such allegations describe fully the facts and circumstances surrounding
24 and resulting from such matters set forth in Paragraph 11.

25 12. As the Arbitrator’s decision constitutes a legal determination, no
26 response is required and as the document also speaks for itself. To the extent the
27 allegations in Paragraph 12 are inconsistent with the ruling, they are denied.
28

1 13. Uniloc admits that it has filed actions for infringement of the '216 patent
2 against numerous defendants in the Eastern District of Texas alleging infringement of
3 the '216 patent. The remaining allegations in Paragraph 13 are denied.

4 14. Uniloc admits that it filed a lawsuit (Civil Action No. 6:10-CV-472) in
5 Texas against Symantec and others for infringement of the '216 patent on September
6 14, 2010. Uniloc denies the remaining allegations in Paragraph 14.

7 15. Uniloc admits that one or more of the defendants herein filed suits for
8 infringement of the '216 patent in Texas and that at the time of filing Uniloc USA,
9 Inc. was either a Rhode Island Corporation or a Texas Corporation.

10 16. The Complaint herein speaks for itself. To the extent the allegations in
11 Paragraph 16 are inconsistent with the Complaint, they are denied. Uniloc denies that
12 Symantec and XstreamLok have never practiced the '216 patent and that the patent is
13 invalid. To the extent any further factual allegations are made in Paragraph 16, they
14 are denied.

15 **FIRST CLAIM FOR RELIEF**

16 **(By Symantec and XstreamLok Against All Defendants)**

17 **Declaratory Relief Regarding Non-Infringement**

18 17. Uniloc incorporates herein its answers set forth in Paragraphs 1-16
19 above.

20 18. Admitted.

21 19. Uniloc admits that Symantec and XstreamLok requests such a
22 declaration, but denies that they are entitled to such relief.

23 **SECOND CLAIM FOR RELIEF**

24 **(By Symantec and XstreamLok Against All Defendants)**

25 **Declaratory Relief Regarding Invalidity**

26 20. Uniloc incorporates herein its answers set forth in Paragraphs 1-19
27 above.

28 21. Admitted.

1 22. Uniloc admits that Symantec and XstreamLok requests such a
2 declaration, but denies that they are entitled to such relief.

3 **THIRD CLAIM FOR RELIEF**

4 **(By XreamLok Against All Defendants)**

5 **Money Paid to Defendants (Common Law)**

6 23. Uniloc incorporates herein its answers set forth in Paragraphs 1-22
7 above.

8 24. Admitted.

9 25. Denied.

10 **AFFIRMATIVE DEFENSES**

11 **FIRST AFFIRMATIVE DEFENSE**

12 Symantec and XstreamLok have infringed the '216 patent as set forth in the
13 Counterclaim below.

14 **SECOND AFFIRMATIVE DEFENSE**

15 The claims of the '216 patent are not invalid.

16 **THIRD AFFIRMATIVE DEFENSE**

17 Neither Symantec nor XstreamLok is entitled to declaratory relief.

18 **FOURTH AFFIRMATIVE DEFENSE**

19 Uniloc has caused no damage to Symantec or Xstreamlok.

20 **FIFTH AFFIRMATIVE DEFENSE**

21 The claims of Symantec and XstreamLok are barred by one or more of the
22 doctrines of laches, estoppels, waiver, unclean hands and/or other equitable doctrines.

23 **SIXTH AFFIRMATIVE DEFENSE**

24 Uniloc owes Symantec and XstreamLok nothing.

25 **SEVENTH AFFIRMATIVE DEFENSE**

26 The Complaint fails to state a claim upon which relief may be granted.
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1 WHEREFORE, Defendants pray for judgment on Plaintiffs' Complaint as
2 follows:

- 3 1. Deny all declaratory and other relief requested in the Complaint and
- 4 enter judgment in favor of Uniloc on all counts of the Complaint;
- 5 2. Plaintiffs take nothing by way of their Complaint;
- 6 3. That Defendants be awarded judgment in their favor in this action;
- 7 4. Award Defendants their costs, expenses and reasonable attorneys' fees
- 8 incurred in this action, and
- 9 5. Award Defendants such other and further relief as the Court may deem
- 10 just and proper.

11
12 Dated: November 5, 2010

Respectfully submitted,

13 MINTZ LEVIN COHN FERRIS
14 GLOVSKY AND POPEO P.C.

15 

16 Harvey I. Saferstein
17 Nada I. Shamonki

18 Attorneys for Defendants
19 UNILOC USA, INC., UNILOC
20 (SINGAPORE) PRIVATE LIMITED and
21 UNILOC CORPORATION
22 PTY LIMITED
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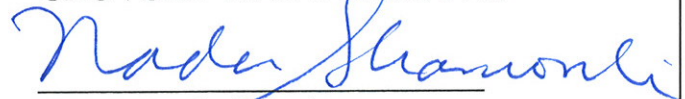
DEMAND FOR JURY TRIAL

Uniloc respectfully demands a jury trial in this action, as to all issues so triable.

Dated: November 5, 2010

Respectfully submitted,

MINTZ LEVIN COHN FERRIS
GLOVSKY AND POPEO P.C.



Harvey I. Saferstein

Nada I. Shamoni

Attorneys for Defendants
UNILOC USA, INC., UNILOC
(SINGAPORE) PRIVATE LIMITED and
UNILOC CORPORATION
PTY LIMITED

CERTIFICATE OF SERVICE

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is 2029 Century Park East, Suite 1370, Los Angeles, California 90067.

I hereby certify that on November 5, 2010, I electronically filed the **DEFENDANTS' ANSWER TO COMPLAINT; DEMAND FOR JURY TRIAL** with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to all CM/ECF registered parties.

I hereby certify that I have mailed the foregoing document via U.S. Postal Service First Class Mail to the non-CM/ECF participants indicated below:


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I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business.

I declare under penalty of perjury that the foregoing is true and correct.
Executed on November 5, 2010, at Los Angeles, California.


DIANE ENDO