

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

Parallel Networks, LLC,

Plaintiff,

v.

Adidas America, Inc. et al.

Defendants

No. 6:10-cv-00491-LED

Jury Trial Demanded

PLAINTIFF'S ANSWER TO THE COUNTERCLAIMS OF JILL ACQUISITION LLC

Plaintiff Parallel Networks, LLC ("Parallel Networks") hereby Answers the Counterclaims [Dkt. No. 259] of Defendant Jill Acquisition LLC ("J. Jill"), by corresponding paragraph number as follows:

ANSWER TO COUNTERCLAIMS

INTRODUCTION

320. Admits that through its counterclaims, J. Jill purports to seek a declaration by the Court that it does not infringe the patent-in-suit and that the patent-in-suit is invalid, but denies that J. Jill is entitled to such relief, or any further relief. Parallel Networks denies the remaining allegations of paragraph 320 of Defendant's Counterclaims.

PARTIES

321. Admitted.

322. Admitted.

JURISDICTION

323. Admitted.

THE PATENT

324. Admitted.

EXISTENCE OF AN ACTUAL CONTROVERSY

325. Admitted.

326. Admitted.

327. Admitted.

328. Parallel Networks lacks sufficient knowledge to admit or deny the allegation and therefore denies the allegation.

FIRST COUNTERCLAIM

[Declaration of Non-Infringement of the '739 [*sic*, '111] patent]

329. Parallel Networks incorporates by reference its statements in and responses to the preceding paragraphs as if fully set forth herein.

330. Admitted.

331. Admitted.

332. Admits that J. Jill requests a judicial declaration that it neither has infringed, nor is infringing, the patent-in-suit, but denies that J. Jill is entitled to such relief, or any further relief.

SECOND COUNTERCLAIM

[Declaration of Invalidity of the '739 [*sic*, '111] patent]

333. Parallel Networks incorporates by reference its statements in and responses to the preceding paragraphs as if fully set forth herein.

334. Admitted.

335. Admitted.

336. Admits that J. Jill requests a judicial declaration that the claims of the patent-in-suit are invalid and unenforceable, but denies that J. Jill is entitled to such relief, or any further relief.

PRAYER FOR RELIEF

Parallel Networks denies that J. Jill is entitled to any relief, including that requested in its Prayer for Relief.

JURY DEMAND

J. Jill's Jury Demand is an averment to which no responsive pleading is required.

Dated: December 16, 2010

Respectfully submitted,

By: /s/ Charles Craig Tadlock

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ATTORNEYS FOR PLAINTIFF
PARALLEL NETWORKS, LLC

CERTIFICATE OF SERVICE

I hereby certify that counsel of record who are deemed to have consented to electronic service are being served this 16th day of December, 2010, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ Charles Craig Tadlock

One of the Attorneys for Parallel Networks, LLC