

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

_____)	
I/P ENGINE, INC.,)	
)	
	Plaintiff and)	
	Counterclaim-Defendant,)	
	v.)	Civ. Action No. 2:11-cv-512
)	
AOL, INC. et al.,)	
)	Jury Trial Demanded
	Defendants and)	
	Counterclaim-Plaintiffs.)	
_____)	

I/P ENGINE INC.’S ANSWER TO AOL, INC.’S COUNTERCLAIMS

Plaintiff I/P Engine, Inc. (“I/P Engine”) hereby responds to Defendant AOL, Inc.’s (“AOL”) Counterclaims, as follows:

THE PARTIES

1. I/P Engine admits, on information and belief, that AOL is a corporation duly organized and existing under the laws of the state of Delaware, with its principal place of business at 770 Broadway, New York, NY 10003.

2. I/P Engine admits that it is a corporation organized under the laws of the Commonwealth of Virginia, with its principal place of business in New York, New York.

JURISDICTION AND VENUE

3. I/P Engine admits that this Court has subject matter jurisdiction over AOL’s Counterclaims.

4. I/P Engine admits that it filed a patent infringement action against AOL asserting U.S. Patent Nos. 6,314,420 (“the ‘420 patent”) and 6,775,664 (“the ‘664 patent”), that AOL has

denied infringement of the '420 patent and '664 patent, and that a controversy exists between AOL and I/P Engine as to the validity of and AOL's infringement of the '420 and '664 patents.

5. I/P Engine admits that this Court has personal jurisdiction.
6. I/P Engine admits that venue is proper in this District for the present action.

COUNT I

(FIRST COUNTERCLAIM FOR DECLARATORY JUDGMENT OF
NON-INFRINGEMENT OF THE '420 PATENT)

7. I/P Engine incorporates its responses to paragraphs 1 through 6 above as if fully set forth herein.

8. I/P Engine denies the allegations of paragraph 8 of AOL's Counterclaims.
9. I/P Engine denies the allegations of paragraph 9 of AOL's Counterclaims.

COUNT II

(SECOND COUNTERCLAIM FOR DECLARATORY JUDGMENT OF
NON-INFRINGEMENT OF THE '664 PATENT)

10. I/P Engine incorporates its responses to paragraphs 1 through 9 above as if fully set forth herein.

11. I/P Engine denies the allegations of paragraph 11 of AOL's Counterclaims.
12. I/P Engine denies the allegations of paragraph 12 of AOL's Counterclaims.

COUNT III

(THIRD COUNTERCLAIM FOR DECLARATORY JUDGMENT THAT
ONE OR MORE CLAIMS OF THE '420 PATENT ARE INVALID)

13. I/P Engine incorporates its responses to paragraphs 1 through 12 above as if fully set forth herein.

14. I/P Engine denies the allegations of paragraph 14 of AOL's Counterclaims.
15. I/P Engine denies the allegations of paragraph 15 of AOL's Counterclaims.

COUNT IV

(FOURTH COUNTERCLAIM FOR DECLARATORY JUDGMENT THAT
ONE OR MORE CLAIMS OF THE '664 PATENT ARE INVALID)

16. I/P Engine incorporates its responses to paragraphs 1 through 15 above as if fully set forth herein.

17. I/P Engine denies the allegations of paragraph 17 of AOL's Counterclaims.

18. I/P Engine denies the allegations of paragraph 18 of AOL's Counterclaims.

PRAYER FOR RELIEF

19. I/P Engine denies that AOL is entitled to any relief, including the relief requested in the Counterclaims.

JURY DEMAND

I/P Engine demands a jury trial on all issues in AOL's Counterclaims.

Dated: December 5, 2011

By: /s/ Jeffrey K. Sherwood
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CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of December, 2011, the foregoing **I/P ENGINE INC.'S ANSWER TO AOL, INC.'S COUNTERCLAIMS**, was served through the Court's CM/ECF system on the following:

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