IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IN RE: REMBRANDT TECHNOLOGIES, LP PATENT LITIGATION	MDL DOCKET NO. 1:07-md-1848-GMS
MOTOROLA, INC., et al., Plaintiffs, v. REMBRANDT TECHNOLOGIES, LP, Defendant.	Civil Action No. 1:07-cv-0752-GMS **JURY TRIAL DEMANDED**

THIRD-PARTY INTERVENOR PLAINTIFFS SHARP CORPORATION AND SHARP ELECTRONICS CORPORATION'S ANSWER AND AFFIRMATIVE DEFENSES TO REMBRANDT TECHNOLOGIES, LP'S COUNTERCLAIM

Third-Party Intervenor Plaintiffs Sharp Corporation and Sharp Electronics Corporation (together, "Sharp"), by way of an Answer and Affirmative Defenses to the Counterclaim[1] of defendant Rembrandt Technologies, LP ("Rembrandt"), say:

PARTIES

1. Sharp is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Counterclaim paragraph 1.

2. Sharp admits the allegations in Counterclaim paragraph 2.

[1] Sharp notes that Rembrandt filed its Answer, Affirmative Defense and Counterclaim pleading in the 07-cv-752 and in the 07-md-1848 matters. However, Sharp had filed the Intervenor Complaint only in the 07-752 case, and it does not appear that the 07-752 matter is a member case in the MDL proceeding. Notwithstanding the fact that Sharp is filing this pleading in the 07-md-1848 matter, it reserves the right to argue that Rembrandt's filing of its pleading in 07-md-1848 was improper.

3. Sharp admits the allegations in Counterclaim paragraph 3.

JURISDICTION AND VENUE

4. Sharp admits that Rembrandt has sued for patent infringement, and need not respond to Rembrandt's conclusion as to the applicable statutes alleged in Counterclaim paragraph 4.

5. Sharp admits that Rembrandt has sued for patent infringement, and need not respond to Rembrandt's conclusion as to this Court's subject matter jurisdiction alleged in Counterclaim paragraph 5.

6. Sharp denies the allocations in Counterclaim paragraph 6, except that it admits it has availed itself of the Court's jurisdiction herein and this Court has personal jurisdiction over Sharp in this action.

7. Sharp admits that venue is proper in this district.

COUNT I

8. Sharp re-alleges and incorporates herein by reference the allegations stated in paragraphs 1-7 of this Answer.

9. Sharp admits that the first page of U.S. Patent No. 5,243,627 (the " '627 Patent") indicates that the '627 Patent is entitled "Signal Point Interleaving Technique." Sharp is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Counterclaim paragraph 9.

10. Sharp denies the allegations in Counterclaim paragraph 10, except it admits that the '627 Patent was issued by the United States Patent and Trademark Office on September 7, 1993.

11. Sharp denies the allegations in Counterclaim paragraph 11.

12. Sharp denies the allegations in Counterclaim paragraph 12.

FIRST AFFIRMATIVE DEFENSE

Rembrandt's Counterclaim fails to state a claim upon which relief may be granted.

SECOND AFFIRMATIVE DEFENSE

Rembrandt's Counterclaim is barred by the doctrine of estoppel.

THIRD AFFIRMATIVE DEFENSE

Rembrandt's Counterclaim is barred by the doctrine of laches.

FOURTH AFFIRMATIVE DEFENSE

Rembrandt's Counterclaim is barred by the doctrine of waiver.

FIFTH AFFIRMATIVE DEFENSE

The making, use, sale, offer for sale and/or importation of any Sharp apparatus, system, device, product or method does not infringe and has not in the past infringed any claim of the '627 Patent.

SIXTH AFFIRMATIVE DEFENSE

The '627 Patent is invalid on the grounds that the purported invention fails to meet the conditions of patentability specified in 35 U.S.C. §1, *et. seq.* including, but not limited to, 35 U.S.C. §§102, 103 and 112.

SEVENTH AFFIRMATIVE DEFENSE

On information and belief, Rembrandt's Counterclaim is barred by the existence of at least one license covering the technology at issue.

PRAYER FOR RELIEF

WHEREFORE, Sharp prays for an Order:

1. Dismissing Rembrandt's Counterclaim against Sharp with prejudice;

2. Awarding Sharp its costs, including attorney's fees, pursuant to 35 U.S.C. §285; and

3. Granting such other and further relief to Sharp as the Court may deem appropriate.

Date: April 16, 2008

/s/ Richard K. Herrmann

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CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of April, 2008, a true copy of the foregoing was filed with the Clerk of the Court using CM/ECF and that the document is available for viewing and downloading from CM/ECF. I further certify that the within document was sent via email to:

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