IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

FLASHPOINT TECHNOLOGY, INC.,	§	
	§	
Plaintiff,	§	
	§	
v.	§	C.A. No. 08-140-GMS
	§	
AT&T MOBILITY, LLC, D/B/A CINGULAR WIRELESS, HTC AMERICA, INC., HTC CORP., KYOCERA WIRELESS CORP., KYOCERA CORP., LG ELECTRONICS USA, INC., LG ELECTRONICS, INC., MOTOROLA, INC., NOKIA, INC., NOKIA CORP., PALM, INC., RESEARCH IN MOTION CORP., RESEARCH IN MOTION LTD., SPRINT SPECTRUM L.P., D/B/A SPRINT PCS, T-MOBILE USA, INC., and CELLCO PARTNERSHIP, D/B/A VERIZON WIRELESS,	§	**JURY TRIAL DEMANDED**
	§	
Defendants	§	

PLAINTIFF'S REPLY TO RESEARCH IN MOTION CORP.'S AMENDED COUNTERCLAIMS

Plaintiff FlashPoint Technology, Inc. ("FlashPoint") hereby responds to each paragraph of Research In Motion Corp.'s ("RIM Corp.") Amended Counterclaims as follows:

PARTIES

1. Upon information and belief, admitted.

2. Admitted that FlashPoint maintains its principal place of business at 20 Depot Street, Suite 2A, Peterborough, New Hampshire 03458, and that FlashPoint may be served with a copy of this Counterclaim in accordance with Rule 5 of the Federal Rules of Civil Procedure, but otherwise denied.

JURISDICTION AND VENUE

3. Admitted that RIM Corp. purports to state a counterclaim for invalidity and non-infringement of U.S. Patent No. 6,223,190 (the "'190 patent"), that this Court has subject matter jurisdiction over RIM Corp.'s counterclaims pursuant to 28 U.S.C. §§ 2201-2202, 1331 and 1338, that although FlashPoint is still investigating the matter, it presently only asserts that RIM Corp. infringes the '190 patent, and that a real, immediate and justiciable controversy exists between RIM Corp. and FlashPoint relating to the validity of the '190 patent and the infringement of the '190 patent by RIM Corp., but otherwise denied.

4. Admitted.

COUNT 1: DECLARATORY JUDGMENT OF PATENT INVALIDITY

5. FlashPoint incorporates the replies set forth to Paragraphs 1-4 as if fully set forth herein.

6. Denied.

7. Admitted that RIM Corp. seeks a declaratory judgment pursuant to 28 U.S.C. §§ 2201-2202 that the '190 patent is invalid, but otherwise denied.

COUNT 2: DECLARATORY JUDGMENT OF NON-INFRINGEMENT

8. FlashPoint incorporates the replies set forth to Paragraphs 1-7 as if fully set forth herein.

9. Denied.

10. Admitted that RIM Corp. seeks a declaratory judgment pursuant to 28 U.S.C. §§ 2201-2202 that it has not infringed (and does not infringe) any claim of the '190 patent, but otherwise denied.

COUNT 3: ATTORNEY FEES AND COSTS

11. FlashPoint incorporates the replies set forth to Paragraphs 1-10 as if fully set forth herein.

12. Denied.

JURY DEMAND

13. No response to Paragraph 13 is required.

PRAYER FOR RELIEF

In addition to the relief requested in Plaintiff's Original Complaint, Plaintiff respectfully requests a judgment as follows against RIM Corp. as follows:

A. That RIM Corp. takes nothing by its Counterclaims;

B. That the Court award Plaintiff costs and attorneys' fees incurred in defending against these Counterclaims; and

C. Any and all further relief for Plaintiff as the Court may deem just and proper.

JURY DEMAND

Plaintiff demands a trial by jury on all issues.

Patrick J. Coughlin
Michael J. Dowd
Ray Arun Mandlekar
James R. Hail
Nathan R. Lindell
COUGHLIN STOIA GELLER
RUDMAN & ROBBINS LLP
655 West Broadway, Suite 1900
San Diego, CA 92101
(619) 231-1058

John F. Ward
John W. Olivo, Jr.
David M. Hill
Michael J. Zinna
WARD & OLIVO
380 Madison Avenue
New York, NY 10017
(212) 697-6262

Dated: July 15, 2008

/s/ Evan O. Williford

David J. Margules (I.D. No. 2254)
Evan O. Williford (I.D. No. 4162)
BOUCHARD MARGULES & FRIEDLANDER, P.A.
222 Delaware Avenue, Suite 1400
Wilmington, DE 19801
Telephone: (302) 573-3500
dmargules@bmf-law.com
ewilliford@bmf-law.com
Attorneys for Plaintiff Flashpoint Technology, Inc.

CERTIFICATE OF SERVICE

I, Evan O. Williford, hereby certify that on July 15, 2008, I caused to be electronically filed a true and correct copy of the foregoing document – **Plaintiff's Reply to Research in Motion Corp.'s Amended Counterclaims** – with the Clerk of Court using CM/ECF which will send notification of such filing to the following local counsel for defendants:

Jeffrey L. Moyer, Esquire
Steven J. Fineman, Esquire
Richards Layton & Finger
One Rodney Square
Wilmington, DE 19801
Attorneys for Defendants Nokia, Inc. and Nokia Corp.

Josy W. Ingersoll, Esquire
John W. Shaw, Esquire
Karen E. Keller, Esquire
Young Conaway Stargatt & Taylor
The Brandywine Building
1000 West Street, 17th Floor
Wilmington, DE 19801
Attorneys for Defendant Kyocera Wireless Corp., AT&T Mobility LLC and Motorola, Inc.

Arthur G. Connolly, III, Esquire
Connolly Bove Lodge & Hutz
1007 North Orange Street
Wilmington, DE 19899
Attorneys for Defendant T-Mobile USA Inc.

Richard L. Horwitz, Esquire
David E. Moore, Esquire
Potter Anderson & Corroon LLP
Hercules Plaza
1313 North Market Street
Wilmington, DE 19801
Attorneys for Defendants HTC America, Inc., HTC Corp., Research in Motion Corp. and Research in Motion Ltd.

Frederick L. Cottrell, III, Esquire
Anne Shea Gaza, Esquire
Richards Layton & Finger
One Rodney Square
Wilmington, DE 19801
Attorneys for Defendant Sprint Spectrum d/b/a Sprint PCS

Steven J. Balick, Esquire
John G. Day, Esquire
Lauren E. Maguire, Esquire
Ashby & Geddes
500 Delaware Avenue, 8th Floor
Wilmington, DE 19801
Attorneys for Defendant Cellco Partnership d/b/a Verizon Wireless

Richard K. Herrmann, Esquire
Morris James LLP
500 Delaware Avenue, Suite 1500
Wilmington, DE 19801
Attorneys for Defendant LG Electronics USA, Inc.

Rex A. Donnelly, IV, Esquire
Joanne Ceballos, Esquire
Ratner Prestia
1007 Orange Street, Suite 1100
Wilmington, DE 19801
Attorneys for Defendant Palm, Inc.

/s/ Evan O. Williford
David J. Margules (I.D. No. 2254)
Evan O. Williford (I.D. No. 4162)
BOUCHARD MARGULES & FRIEDLANDER, P.A.
222 Delaware Avenue, Suite 1400
Wilmington, DE 19801
(302) 573-3500
dmargules@bmf-law.com
ewilliford@bmf-law.com
Attorneys for plaintiff Flashpoint Technology, Inc.