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 AT&T MOBILITY, LLC'S COUNTERCLAIMS

Plaintiff FlashPoint Technology, Inc. ("FlashPoint") hereby responds to each paragraph of AT&T Mobility, LLC's ("AT&T") Counterclaims as follows:

1. FlashPoint incorporates its Original Complaint as if fully set forth herein.

2. Admitted.

3. Admitted that the Counterclaims purport to arise under the patent laws of the United States, 35 U.S.C. § 1, *et seq*. and 28 U.S.C. § 2201, *et seq*., but otherwise denied.

4. Admitted.

5. Admitted.

6. Admitted.

COUNT I: DECLARATORY JUDGMENT OF INVALIDITY

7. FlashPoint incorporates the replies set forth to Paragraphs 1-6 as if fully set forth herein.

8. Denied.

COUNT II: DECLARATORY JUDGMENT OF NON-INFRINGEMENT

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

10. Denied.

PRAYER FOR RELIEF

In addition to the relief requested in Plaintiff's Original Complaint, Plaintiff respectfully requests a judgment as follows against AT&T as follows:

A. That AT&T 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
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: May 20, 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 May 20, 2008, I caused to be electronically filed a true and correct copy of the foregoing document – **Plaintiff's Reply to AT&T Mobility LLC's 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.