IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

FLASHPOINT TECHNOLOGY, INC., Plaintiff, v. 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, Defendants	§ §	C.A. No. 08-140-GMS **JURY TRIAL DEMANDED**

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

IT IS HEREBY STIPULATED AND AGREED, by and between counsel for the plaintiff FlashPoint Technology, Inc. ("FlashPoint") and defendant Research in Motion Corp. ("RIM Corp."), pursuant to Federal Rule of Civil Procedure 15(a), that FlashPoint may amend paragraph 9 of its Reply to the Counterclaims of RIM Corp. (D.I. 72) (the "Reply") to specify that it does not presently assert that RIM Corp. infringes any claim of certain specified patents. Flashpoint's amended Reply is attached hereto as Exhibit A; a blackline version is attached hereto as Exhibit B.

The amended Reply is deemed filed and served as of today's date.

/s/ Evan O. Williford

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/s/ David E. Moore

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Dated: June 13, 2008

CERTIFICATE OF SERVICE

I, Evan O. Williford, hereby certify that on June 13, 2008, I caused to be electronically filed a true and correct copy of the foregoing document – **Stipulation Regarding Plaintiff's Amended Reply to Research in Motion Corp.'s Counterclaims** – with the Clerk of Court using CM/ECF which will send notification of such filing to the following local counsel for defendants:

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Exhibit

A

IN THE UNITED STATES DISTRICT COURT
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FLASHPOINT TECHNOLOGY, INC., Plaintiff, v. 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, Defendants	§ § § § § § § § § § § § § § § § § §	C.A. No. 08-140-GMS **JURY TRIAL DEMANDED**

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

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

PARTIES

1. Upon information and belief, admitted.

2. Admitted.

JURISDICTION AND VENUE

3. Admitted that RIM Corp. purports to state a counterclaim for invalidity and non-infringement of the patents-in-suit, that this Court has subject matter jurisdiction over RIM Corp.'s counterclaims pursuant to 28 U.S.C. §§ 2201-2202, 1331 and 1338, that a real, immediate and justiciable controversy exists between RIM Corp. and FlashPoint relating to the

validity of one or more of the patents-in-suit and the infringement of one or more claims of the patents-in-suit by RIM Corp., and that RIM Corp. has infringed one or more claims of the patents-in-suit, 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.

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. Admitted that, although FlashPoint is still investigating the matter, it does not presently assert that RIM Corp. infringes any claim of the ‘480, ‘956, ‘538, ‘316, ‘914, and ‘575 patents, but otherwise denied.

10. Admitted.

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.

/s/ Evan O. Williford
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Dated: June 13, 2008

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B

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validity of one or more of the patents-in-suit and the infringement of one or more claims of the patents-in-suit by RIM Corp., and that RIM Corp. has infringed one or more claims of the patents-in-suit, but otherwise denied.

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