

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

UMG Recordings, Inc. et al.,
Plaintiff
v.
Mavis Roy,
Defendant

Civ. No. 08-cv-90-JL

Jury Trial Demanded

Answer and Affirmative Defenses

Defendant, Mavis Roy, by and through counsel, responds to each paragraph in plaintiffs' complaint in the same numerical order as the paragraphs contained therein and says,

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. Admitted.
6. Admitted.
7. Admitted.
8. Admitted.
9. No response required.
10. Defendant is without sufficient information to either admit or deny and therefore denies the allegations of this paragraph.
11. Defendant is without sufficient information to either admit or deny and therefore denies the allegations of this paragraph.

12. Defendant is without sufficient information to either admit or deny and therefore denies the allegations of this paragraph.
13. Defendant is without sufficient information to either admit or deny and therefore denies the allegations of this paragraph.
14. Denied.
15. Denied.
16. Defendant is without sufficient information to either admit or deny and therefore denies the allegations of this paragraph.
17. Denied.
18. Denied.
19. Denied.

Affirmative Defenses

20. The complaint fails to state a claim upon which relief can be granted.
21. Plaintiffs lack standing.
22. Defendant's alleged conduct (if any) constitutes fair use.
23. The complaint is barred by the applicable Statute of Limitations
24. The complaint is barred by Laches.
25. The defendant did not infringe any copyright rights of plaintiffs.
26. Plaintiffs have waived their claims.
27. Plaintiffs are estopped from asserting their claims.
28. Plaintiffs have unclean hands.
29. Plaintiffs are not the owners of the subject copyright registrations.

30. Plaintiffs have failed to join indispensable parties.
31. Plaintiffs are not entitled to the relief requested.

Wherefore, defendant seeks the following relief:

1. That judgment be entered in defendant's favor as to all counts;
2. That plaintiffs' request for injunctive relief be denied;
3. That defendant be awarded attorney's fees and costs pursuant to 17 U.S.C. § 505 as the prevailing party; and
4. That such other and further relief be orders, as justice may require.

Defendant demands trial by jury.

Respectfully submitted,
Mavis Roy

By her Attorney
Civil Practice Clinic at Franklin Pierce Law Center

By: /s/ *Peter S. Wright, Jr.*,
Peter S. Wright, Jr., Esq. 2797
2 White Street
Concord, New Hampshire 03301
(603) 225-3350

Certificate of Service

I certify that on July 14, 2008 a copy of the foregoing Answer and Affirmative Defenses has been served through the ECF filing system upon Christopher Cole, Esq. and Robert H. Miller, Esq.

/s/ Peter S. Wright, Jr., Esq.