

1 LEO CUNNINGHAM (SBN 121605)
 Email: lcunningham@wsgr.com
 2 COLLEEN BAL (SBN 167637)
 Email: cbal@wsgr.com
 3 MICHAEL A. BERTA (SBN 194650)
 Email: mberta@wsgr.com
 4 TRACY TOSH LANE (SBN 184666)
 Email: ttosh@wsgr.com
 5 WILSON SONSINI GOODRICH & ROSATI PC
 One Market Street, Spear Tower, Suite 3300
 6 San Francisco, CA 94105
 Bus: (415) 947-2000
 7 Fax: (415) 947-2099

8 Attorneys for Plaintiffs
 REALNETWORKS, INC. and
 9 REALNETWORKS HOME ENTERTAINMENT

10
 11
 12
 13
 14
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25
 26
 27
 28

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

REALNETWORKS, INC., a Washington
 Corporation; and REALNETWORKS HOME
 ENTERTAINMENT, INC., a Delaware
 corporation,

Plaintiffs,

v.

DVD COPY CONTROL ASSOCIATION, INC., a
 Delaware nonprofit corporation, DISNEY
 ENTERPRISES, INC., a Delaware corporation;
 PARAMOUNT PICTURES CORP., a Delaware
 corporation; SONY PICTURES ENTER., INC., a
 Delaware corporation; TWENTIETH CENTURY
 FOX FILM CORP., a Delaware corporation; NBC
 UNIVERSAL, INC., a Delaware corporation;
 WARNER BROS. ENTER. INC., a Delaware
 corporation; and VIACOM, Inc., a Delaware
 Corporation,

Defendants.

Case Nos. C08 04548 MHP;
 C08 04719 MHP

**NOTICE OF WITHDRAWAL OF
 MOTION TO DISMISS DVD COPY
 CONTROL ASSOCIATION, INC'S
 SECOND COUNTERCLAIM**

Before: Honorable Marilyn H. Patel
 Date: March 23, 2009
 Time: 2:00 p.m.
 Dept: Courtroom 15

AND RELATED CASES

1 Plaintiffs and Counterclaim Defendants RealNetworks, Inc. and RealNetworks Home
2 Entertainment, Inc. (“Real”) hereby withdraw their Motion to Dismiss DVD Copy Control
3 Association’s Second Counterclaim, which motion is currently scheduled to be heard on
4 Monday, March 23, 2009 at 2:00 pm. Related issues are now raised in the parties’ briefing on
5 the DVD CCA’s motion for preliminary injunction, which will be before the Court shortly. As a
6 result, Real does not believe that the same issues need to be considered separately in the Motion
7 to Dismiss.

8 Counsel for Real has contacted counsel for the DVD CCA, and they do not oppose this
9 withdrawal.

10
11 Dated: March 20, 2009

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

12
13
14 By: /s/ Colleen Bal
Colleen Bal

15 Attorneys for Plaintiffs
16 REALNETWORKS, INC. and
REALNETWORKS HOME ENTERTAINMENT

17
18
19
20
21
22
23
24
25
26
27
28