

AKIN GUMP
STRAUSS HAUER & FELD LLP

Attorneys at Law

REGINALD D. STEER

415.765.9520

RSteer@AkinGump.com

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Michael A. Berta, Esq.
One Market Street
Spear Tower, Suite 3300
San Francisco, California 94105-1126

RE: *Realnetworks, Inc. v. DVD Copy Control Association, Inc., et al.*
San Francisco County Superior Court Case No.: C-08-CV-04548-MHP

Dear Mr. Berta:

We have reviewed Plaintiffs' Proposed Amended Complaint for Declaratory Relief (the "Proposed Amended Complaint"), which you provided to us on November 6, 2008. DVD CCA cannot stipulate to the filing of the Proposed Amended Complaint because it contains numerous assertions that are simply false and does not provide adequate information. Plaintiffs have neither mentioned nor provided any information to DVD CCA or its counsel about the so-called "New Platform." In the absence of adequate information about the purported "New Platform," it is impossible for DVD CCA to meaningfully assess Plaintiffs' proposed amendment. Moreover, it is simply inappropriate for Plaintiffs to falsely allege that DVD CCA has made assertions of any kind with regard to the so-called "New Platform."

We have also read the November 7, 2008 letter from Kelly Klaus. DVD CCA concurs with Mr. Klaus' observation that the so-called "New Platform" is not among the matters the Court expects the parties to address in the preliminary injunction proceedings. It is difficult to understand why the so-called "New Platform" is being mentioned for the first time now, when Plaintiffs had every opportunity to address it to the Court and to the parties earlier. Furthermore, DVD CCA thinks it is inappropriate to belatedly add undisclosed matters to the case at this time, especially when the Parties are faced with expedited proceedings on a schedule that is already very tight.

Very truly yours,



Reginald D. Steer