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11 Attorneys for Plaintiff
12 COUPONS, INC.

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN JOSE DIVISION

16 COUPONS, INC.,

17 Plaintiff,

18 vs.

19 JOHN STOTTMIRE, and DOES 1-10,

20 Defendants.

Case No. 5:07-CV-03457 HRL

**COUPONS' OPPOSITION TO MOTION
TO STRIKE LETTER BRIEF**

Judge: Honorable Howard R. Lloyd

21 At the hearing, in the course of discussing the interrelationship of sections 1201(a) and
22 1201(b) of the DMCA, EFF commented on Coupons' argument that the coupons are unique to the
23 extent that they are each numbered for tracking. That lead to a discussion as to whether the
24 coupons, to the extent they are unique, could be derivative works under the copyright laws. The
25 Court asked the parties to brief: (1) Does adding the barcode make each coupon a separate
26 copyrightable work? (2) Is each coupon a derivative work?

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1 **PROOF OF SERVICE**

2 I, the undersigned, declare that I am a resident of the State of California, employed in the
3 County of San Francisco, over the age of eighteen years and not a party to the within action. My
4 business address is: Farella Braun + Martel LLP, 235 Montgomery Street, 17th Floor, San
Francisco, California 94104.

5 On this date I served the within document(s):

6 **COUPONS' OPPOSITION TO MOTION TO STRIKE LETTER BRIEF**

7 **X** **MAIL:** by placing a true copy thereof, addressed as set forth below and enclosed in a
8 sealed envelope with postage thereon fully prepaid and deposited for collection and mailing with
9 the U.S. Postal Service. I am readily familiar with the ordinary business practice of this office for
processing mail.

10 John Allan Stottlemire
11 33103 Lake Garrison Street
12 Fremont, CA 94555
13 Telephone: 614-358-4185
E-mail: jstottl@comcast.net
Defendant – *Pro Se*

14 **X** **BY ELECTRONIC FILING:** the within document(s), the automatically generated
15 notification for which constitutes service pursuant to General Order 45, Section IX(A) and (B).

16 I declare that I am employed in the office of a member of the bar of this court at whose
direction the service was made.

17 I declare under penalty of perjury under the laws of the State of California that the above
18 is true and correct. Executed in San Francisco, California on **May 20, 2008**.

19
20 /s/
21 Lawrence L. Coles