

1 Juanita R. Brooks (SBN 75934, brooks@fr.com)
 Jason W. Wolff (SBN 215819, wolff@fr.com)
 2 FISH & RICHARDSON P.C.
 12390 El Camino Real
 3 San Diego, CA 92130
 Telephone: (858) 678-5070
 4 Facsimile: (858) 678-5099

5 Jerry T. Yen (SBN 247988, yen@fr.com)
 FISH & RICHARDSON P.C.
 6 500 Arguello Street, Suite 500
 Redwood City, CA 94063
 7 Telephone: (650) 839-5070
 Facsimile: (650) 839-5071

8 Thomas B. Walsh, IV (Admitted pro hac vice, walsh@fr.com)
 9 FISH & RICHARDSON P.C.
 5000 Bank One Center, 1717 Main Street
 10 Dallas, TX 75201
 Telephone: (214) 747-5070
 11 Facsimile: (214) 747-2091

12 Attorneys for GOOGLE INC.

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

17 GOOGLE INC., AOL LLC, YAHOO! INC.,
 18 IAC SEARCH & MEDIA, INC., and
 LYCOS, INC.,

19 Plaintiffs,

20 v.

21 L. DANIEL EGGER, SOFTWARE RIGHTS
 22 ARCHIVE, LLC, and SITE
 23 TECHNOLOGIES, INC.,

24 Defendants.

25 CASE NO. CV 08-03172-RMW

26 **CERTIFICATE OF SERVICE**

27 Judge: Hon. Ronald M. Whyte

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing documents:

1. PLAINTIFFS GOOGLE INC., AOL LLC, IAC SEARCH & MEDIA, INC., AND LYCOS, INC.'S ADMINISTRATIVE MOTION TO FILE UNDER SEAL PLAINTIFFS GOOGLE INC., AOL LLC, IAC SEARCH & MEDIA, INC., AND LYCOS, INC.'S OPPOSITION TO DEFENDANTS' MOTION TO DISMISS, TRANSFER, OR STAY UNDER THE FIRST-TO-FILE RULE, UNDER RULE 12(B)(2) FOR LACK OF PERSONAL JURISDICTION, AND UNDER RULE 12(B)(1) FOR LACK OF SUBJECT MATTER JURISDICTION AND CERTAIN EXHIBITS TO DECLARATIONS IN SUPPORT THEREOF

2. DECLARATION OF THOMAS B. WALSH, IV IN SUPPORT OF PLAINTIFFS GOOGLE INC., AOL LLC, IAC SEARCH & MEDIA, INC., AND LYCOS, INC.'S ADMINISTRATIVE MOTION TO FILE UNDER SEAL PLAINTIFFS GOOGLE INC., AOL LLC, IAC SEARCH & MEDIA, INC., AND LYCOS, INC.'S OPPOSITION TO DEFENDANTS' MOTION TO DISMISS, TRANSFER, OR STAY UNDER THE FIRST-TO-FILE RULE, UNDER RULE 12(B)(2) FOR LACK OF PERSONAL JURISDICTION, AND UNDER RULE 12(B)(1) FOR LACK OF SUBJECT MATTER JURISDICTION AND CERTAIN EXHIBITS TO DECLARATIONS IN SUPPORT THEREOF

3. [PROPOSED] ORDER GRANTING PLAINTIFFS GOOGLE INC., AOL LLC, IAC SEARCH & MEDIA, INC., AND LYCOS, INC.'S ADMINISTRATIVE MOTION TO FILE UNDER SEAL PLAINTIFFS GOOGLE INC., AOL LLC, IAC SEARCH & MEDIA, INC., AND LYCOS, INC.'S OPPOSITION TO DEFENDANTS' MOTION TO DISMISS, TRANSFER, OR STAY UNDER THE FIRST-TO-FILE RULE, UNDER RULE 12(B)(2) FOR LACK OF PERSONAL JURISDICTION, AND UNDER RULE 12(B)(1) FOR LACK OF SUBJECT MATTER JURISDICTION AND CERTAIN EXHIBITS TO DECLARATIONS IN SUPPORT THEREOF

4. NOTICE OF MANUAL FILING OF PLAINTIFF GOOGLE INC., AOL LLC, IAC SEARCH & MEDIA, AND LYCOS, INC.'S OPPOSITION TO DEFENDANTS' MOTION TO DISMISS, TRANSFER, OR STAY UNDER THE FIRST-TO-FILE RULE, UNDER RULE 12(B)(2) FOR LACK OF PERSONAL JURISDICTION, AND UNDER RULE 12(B)(1) FOR LACK OF SUBJECT MATTER JURISDICTION

5. PLAINTIFF GOOGLE INC., AOL LLC, IAC SEARCH & MEDIA, AND LYCOS, INC.'S OPPOSITION TO DEFENDANTS' MOTION TO DISMISS, TRANSFER, OR STAY UNDER THE FIRST-TO-FILE RULE, UNDER RULE 12(B)(2) FOR LACK OF PERSONAL JURISDICTION, AND UNDER RULE 12(B)(1) FOR LACK OF SUBJECT MATTER JURISDICTION

6. [PROPOSED] ORDER DENYING DEFENDANTS' MOTION TO DISMISS, TRANSFER, OR STAY UNDER THE FIRST-TO-FILE RULE, UNDER RULE 12(B)(2) FOR LACK OF PERSONAL JURISDICTION, AND UNDER RULE 12(B)(1) FOR LACK OF SUBJECT MATTER JURISDICTION

7. NOTICE OF MANUAL FILING OF EXHIBITS B, D, K, O, R, S, T, U, V, BB, CC, DD, EE, FF, HH, KK, LL, AND PP TO THE FIRST DECLARATION OF THOMAS B. WALSH, IV

8. FIRST DECLARATION OF THOMAS B. WALSH, IV IN SUPPORT OF PLAINTIFFS GOOGLE INC., AOL LLC, IAC SEARCH & MEDIA, INC., AND LYCOS, INC.'S OPPOSITION TO DEFENDANTS' MOTION TO DISMISS, TRANSFER, OR STAY UNDER

1 THE FIRST-TO-FILE RULE, UNDER RULE 12(B)(2) FOR LACK OF PERSONAL
2 JURISDICTION, AND UNDER RULE 12(B)(1) FOR LACK OF SUBJECT MATTER
3 JURISDICTION

3 9. NOTICE OF MANUAL FILING OF EXHIBITS C, E, F, I, J, K, AND L TO THE
4 SECOND DECLARATION OF THOMAS B. WALSH, IV

4 10. SECOND DECLARATION OF THOMAS B. WALSH, IV IN SUPPORT OF
5 PLAINTIFFS GOOGLE INC., AOL LLC, IAC SEARCH & MEDIA, INC., AND LYCOS,
6 INC.'S OPPOSITION TO DEFENDANTS' MOTION TO DISMISS, TRANSFER, OR STAY
7 UNDER THE FIRST-TO-FILE RULE, UNDER RULE 12(B)(2) FOR LACK OF PERSONAL
8 JURISDICTION, AND UNDER RULE 12(B)(1) FOR LACK OF SUBJECT MATTER
9 JURISDICTION

8 have been served on all counsel of record via Federal Express on this 24th day of July 2009, as
9 follows:

9 Thomas F. Smegal, Jr.
10 State Bar No. 34819
11 Law Offices of Thomas F. Smegal, Jr.
12 One Sansome Street, 35th Floor
13 San Francisco, CA 94104
14 Telephone: (415) 217-8383
15 Facsimile: (415) 399-5093
16 Jay D. Ellwanger
17 State Bar No. 24036522
18 DiNovo Price Ellwanger & Hardy LLP
19 P.O. Box 201690
20 Austin, Texas 78720
21 Telephone: (512) 681-4060
22 Facsimile: (512) 628-3410
23 Lee L. Kaplan
24 State Bar No. 11094400
(admitted pro hac vice)
25 Jeffrey A. Potts
26 State Bar No. 00784781
(admitted pro hac vice)
27 Raj Duvvuri
28 State Bar No. 24054185
(admitted pro hac vice)
Smyser Kaplan & Veselka, L.L.P.
700 Louisiana, Suite 2300
Houston, Texas 77002
Telephone: (713) 221-2323
Facsimile: (713) 221-2320
lkaplan@skv.com

Attorneys for Defendants L. DANIEL EGGER,
SOFTWARE RIGHTS ARCHIVE, LLC, and
SITE TECHNOLOGIES, INC.

Michael A. Jacobs (CA Bar No. 111664)
Richard S.J. Hung (CA Bar No. 197425)
MORRISON & FOERSTER
425 Market Street

1 San Francisco, CA 94105
Telephone: 415-268-7000
2 Facsimile: 415-268-7522
Email: mjacobs@mofo.com

3
4 Attorneys for Plaintiff YAHOO! INC.

Jennifer A. Kash (CA Bar No. 203679)
5 QUINN EMANUEL URQUHART OLIVER & HEDGES, LLP
555 Twin Dolphin Drive, Suite 560
6 Redwood Shores, CA 94065
Telephone: (650) 801-5000
7 Facsimile: (650) 801-5100
Email: claudestern@quinnemanuel.com
8 Email:jenniferkash@quinnemanuel.com

9 Attorneys for Plaintiffs IAC SEARCH & MEDIA, INC. and LYCOS, INC.

10 I declare under penalty of perjury that the above is true and correct. Executed on July 24,
11 2009, at Redwood City, California.

/s/ Janel M. Pearson

Janel M. Pearson

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