

EXHIBIT E

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Mr. Thomas B. Walsh, IV
Fish & Richardson P.C.
5000 Bank One Center
1717 Main Street
Dallas, Texas 75201

Mr. Richard S.J. Hung
Morrison & Foerster LLP
425 Market Street
San Francisco, CA 94105

Mr. Mark D. Baker
Quinn Emanuel Urquhart Oliver & Hedges, LLP
51 Madison Ave., 22nd Floor
New York, New York 10010

Re: *Software Rights Archive, LLC Patent Litigation*

Dear Tom, Rich and Mark:

This responds to Tom's recent letters, where you complain that the document productions by Software Rights Archive, LLC, SRA, LLC, and Altitude Capital, L.P. are insufficient, and where you demand a deposition of Software Rights Archive, LLC. I cannot understand how your demands relate to our Motion to Dismiss, Transfer or Stay the California litigation, including the issue of a lack of California personal jurisdiction over Software Rights Archive, LLC. To summarize a number of duplicative and overbroad requests, you seek corporate records evidencing these entities' internal structures and their relationships with one another. I have already asked you several times—to no avail—how does any of this information relate to contacts with California?

Frankly, I see no Rule 11 basis for suing Software Rights Archive, LLC in California. The California case plaintiffs have argued strenuously that this entity does not own the patents-in-suit. You thereby have directly negated any basis for subject matter jurisdiction over it. Although the California case plaintiffs have Rule 11 obligations in filing and maintaining that lawsuit, you have provided me with no evidence for even suspecting that there were any relevant contacts between Software Rights Archive, LLC and California, and that makes sense, because there are none. I have asked you on multiple occasions for an explanation of how the infringing parties can claim that the Northern District of California has personal jurisdiction over Software

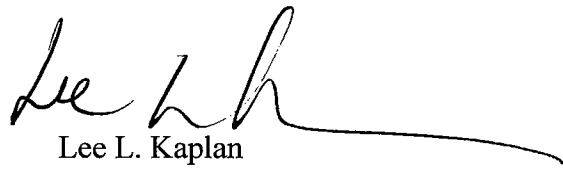
Rights Archive, LLC. Tom, prior to Daniel Egger's deposition you told me you had "a theory" but refused to tell me what it was. Rich, you just said you were entitled to "test" our denial of personal jurisdiction (when you have the burden), but also refused to tell me anything of substance. Having sat through your second deposition of Mr. Egger, as best I can tell from the questions, the only possible "theory" is that Daniel Egger's presentations in 1995 (when no patents existed) and his meetings in California regarding efforts to sell Libertech in 1996 can somehow be imputed to Software Rights Archive, LLC which did not even exist until years later.

I have tried to avoid unnecessary additional hearings, even to the point of producing Daniel Egger for another deposition regarding facts that were never in dispute. We have already spent a lot of time and money responding to your discovery demands, without advancing any issue in either case. Unfortunately, our cooperation has yielded nothing but additional demands. I am asking you once again to please explain how any of your existing demands for document discovery could be relevant to your assertion of personal jurisdiction over Software Rights Archive, LLC (leaving aside the other, independent dispositive reasons why the N.D. California suit should be dismissed). Ultimately, if you go forward with this, you'll have to explain relevance to the Court, so please tell me now.

In addition, the demands for documents from SRA, LLC and Altitude Capital, L.P. are even more attenuated, and have nothing to do with California personal jurisdiction, let alone the merits of the first-filed patent infringement case in the Eastern District of Texas. Once again, I am requesting that you give some explanation why the discovery is justified.

I would like to think that you have a good faith basis for this discovery, but until you provide the requested explanation, I have to view your demands for additional discovery as improper. I look forward to hearing from you.

Sincerely,



Lee L. Kaplan

cc: Mr. Andrew Hayes
All Counsel of Record