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July 27, 2012

BY E-FILING

The Honorable Leonard P. Stark
United States District Court
for the District of Delaware
844 North King Street
Wilmington, DE 19801

Re: *Personalized User Model, L.L.P. v. Google, Inc.*
C.A. No. 09-525 (LPS)

Dear Judge Stark:

We write on behalf of Plaintiff Personalized User Model, L.L.P. (“P.U.M.”) to request that a pretrial conference and trial date be set in this action. Specifically, P.U.M. requests that trial be set for March 2013, about three months after the close of case dispositive motions, or at the earliest opportunity of the Court thereafter.

P.U.M. filed this patent infringement lawsuit against Google, Inc. (“Google”) on July 16, 2009 – more than three years ago. When the original Scheduling Order was entered in this case no trial date was set. The Court entered its claim construction order on January 25, 2012 and opening expert reports were served on April 11, 2012. The remaining expert discovery has been extended several times to accommodate Google and its expert. (D.I. 364 and 366). It was recently extended again to allow for some additional discovery on a new Google product. (D.I. 367). As a result, expert discovery now is due to close on October 2, 2012 and dispositive motions are due on November 7, 2012. (D.I. 367).

Setting a trial date in March 2013 or soon thereafter will ensure that this long pending dispute will stay on track towards resolution and that P.U.M. will have its day in court more than three and a half years after filing. Indeed, it will be years more before P.U.M. can actually be

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compensated for Google's infringement in light of the Court's earlier bifurcation of willfulness and damages. (D.I. 32). P.U.M. is the spin-off of a small company (Utopy) that developed this technology and further delays in these proceedings benefit Google to the detriment of P.U.M.

For these reasons, P.U.M. respectfully requests that the Court set both a Pretrial Conference and a trial date.¹

Respectfully,

/s/ Karen Jacobs Louden

Karen Jacobs Louden (#2881)

cc: Clerk of the Court (by e-filing and hand delivery)
All Counsel of Record (by e-mail)

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¹ P.U.M. conferred with Google before filing this letter and understands that Google opposes the setting of a trial date.