

2. The Chamber's claims are based, *inter alia*, upon the Defendants' use of the Chamber's name, registered trademarks, and copyrighted software to masquerade as the Chamber on the Internet and in the media. For example, Defendants used the Chamber's intellectual property in, among other things, fake press releases, a written statement falsely attributed to the Chamber, and a Web site purporting to belong to the Chamber.

3. On January 5, 2010, Defendants filed a Motion to Dismiss Plaintiff's First Amended Complaint, and a 40-page supporting Memorandum. The Chamber's Opposition is due on February 5, 2010.

4. In addition to arguing that the Chamber purportedly has not pleaded the allegedly required elements of its claims, Defendants also have raised a lengthy First Amendment defense. The Defendants' Memorandum cites or discusses more than 100 cases.

5. On January 19, 2010, Public Citizen Legal Group filed an *amicus curiae* brief in support of the Defendants' motion to dismiss the Chamber's trademark and unfair competition claims. PCLG dedicates its 15-plus-page brief to (1) arguing that the Defendants' use of the Chamber's intellectual property was not "commercial" and, therefore, not subject to liability; and (2) contesting the Chamber's assertion of "likelihood of confusion." Although the Defendants' Memorandum briefly touches on these issues, Public Citizen's brief expounds on them.

6. The Chamber believes that an extension of the page limit is necessary in order to adequately address the numerous arguments that Defendants have made, as well as the additional issues raised by Public Citizen. The Chamber believes that it can present its Opposition in 55 pages -- although it will strive to do so in less. A page limit of 55 pages is approximately equal to the combined total of pages in the Defendants' Memorandum and Public Citizen's brief.

WHEREFORE, the Chamber respectfully requests that the Court grant its Unopposed Motion to Exceed Page Limit, and allow it to file an Opposition to Defendants' Motion to Dismiss of not more than 55 pages.

Dated: February 2, 2010

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via electronic mail and U.S. Mail postage pre-paid this 2nd day of February, 2010 upon:

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