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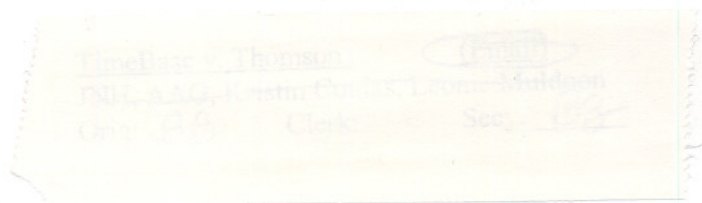
December 21, 2007

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## Via Facsimile 651-848-1897

Honorable Jeanne J. Graham  
U.S. Magistrate Judge  
U.S. District for the District of Minnesota  
Interim U.S. Courthouse, Suite 750  
180 East Fifth Street  
St. Paul, Minnesota 55101



Re: Timebase v. Thomson (07CV1687 and 08CV4551 (D.MN.))

Dear Judge Graham:

This concerns Thomson's letter of December 20, 2007 regarding the status of the reexamination of the '592 patent asserted in this case.

There is no evidence of any kind that an examiner is doing anything. There has been no action since the request for reexamination was granted in April 2007. Thomson's statement that an examiner is in the process of considering "highly material" references is unsupported.

Thomson's letter does not provide the source of its quotation, that is, that the references are "highly material." In any event, that is not the standard of a reexamination.

Sincerely,

Joseph N. Hosteny

JNH/bz

cc: Calvin L. Litsey, David J.F. Gross  
Chad Drown (via facsimile: 612-766-1600)