

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA
PHILADELPHIA**

MARC BRAGG, Esq., an individual,

CIVIL DIVISION

Plaintiff,

No. 06-cv-4925

v.

JUDGE EDUARDO ROBRENO

LINDEN RESEARCH, INC., a corporation,
and PHILIP ROSEDALE, an individual,

Defendants.

**SUPPLEMENT TO PLAINTIFF'S BRIEF IN OPPOSITION TO DEFENDANT PHILIP
ROSEDALE'S MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION
AND REQUEST TO TAKE JUDICIAL NOTICE**

AND NOW, comes Plaintiff, Marc Bragg, Esq. ("Plaintiff"), by and through counsel, Jason A. Archinaco, Esq., and the law firm of WHITE AND WILLIAMS, LLP, and files the following Supplement to Plaintiff's Brief in Opposition to Defendant Philip Rosedale's Motion to Dismiss for Lack of Personal Jurisdiction and Request to Take Judicial Notice, and avers as follows:

1. As previously set forth in his papers with this Court, Plaintiff has provided evidence to the Court of Defendant Rosedale's participation in a pattern and practice of advertising "ownership" rights in Second Life in support of Plaintiff's personal jurisdiction arguments.
2. Defendant Rosedale continues to engage in such conduct.
3. Attached hereto as Exhibit "22" is a "Program Transcript" of a report, dated March 19, 2007, by an Australian Broadcasting Corporation affiliate¹ in which Defendant Rosedale is again quoted with regard to ownership in Second Life,

¹ The program transcript is found on the internet at <http://www.abc.net.au/4corners/content/2007/s1876134.htm>.

consistent with his prior pattern and practice of virtual land and intellectual property ownership proclamations.

4. Indeed, on or about March 19, 2007, less than ten (10) days ago, Defendant Rosedale was asked and stated as follows in response:

Ticky Fullerton: (the reporter) The sale of virtual land means private enterprise has well and truly arrived. Property speculation, moneymaking and the ability to change Linden dollars back into US dollars is groundbreaking. But there's more.

What makes 'Second Life' so revolutionary is that Linden Labs has given to all its residents intellectual property rights over everything that they create. This means that avatars can buy virtual land, develop it, build fancy houses on it and onsell [sic] it for a profit. It's lead [sic] to a huge virtual property boom.

Philip Rosedale: That was something that if you looked at 'Second Life' as a video game, you'd never have done that. You would, as many game companies do, just say anything you build in there – your avatar, your house, whatever – that belongs to us. We realised [sic] that's not the way that this sort of magic happens. You know, people need to own their own things, and they need to be able to do with them what they like, and that's part of the basic appeal.

Id. at p. 11 (emphasis added).

WHEREFORE, Defendant Rosedale's Motion Dismiss for Lack of Personal Jurisdiction should be denied.

Date: March 27, 2007

Respectfully submitted,
WHITE AND WILLIAMS, LLP

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