

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

CERTICOM CORP. and CERTICOM
PATENT HOLDING CORP.,

Plaintiff,

v.

SONY CORPORATION, SONY
CORPORATION OF AMERICA, SONY
COMPUTER ENTERTAINMENT INC.,
SONY COMPUTER ENTERTAINMENT
AMERICA INC., SONY PICTURES
ENTERTAINMENT INC., SONY
ELECTRONICS INC. and SONY DADC
US INC.,

Defendants.

Civil Action No. 2-07-CV-216(TJW)

JURY

**SONY'S AGREED-TO MOTION FOR LEAVE TO SERVE ITS
AMENDED PATENT INVALIDITY CONTENTIONS**

By agreement of the parties, Defendants Sony Corporation, Sony Corporation of America, Sony Computer Entertainment Inc., Sony Computer Entertainment America Inc., Sony Pictures Entertainment Inc., Sony Electronics Inc. and Sony DADC US Inc. (collectively, "Sony") respectfully request for leave to serve its Amended Patent Invalidity Contentions pursuant to P.R. 3-6(b).

Pursuant to P.R. 3-3, Sony served its Patent Invalidity Contentions on April 24, 2008. The amendments to the Invalidity Contentions are based on information that Sony has learned since serving its original Contentions.

Counsel for Certicom was provided with a copy of the proposed Amended Patent Invalidity Contentions on June 13, 2008. On June 23, 2008, counsel for Certicom informed

counsel for Sony that Certicom consents to this motion to serve the amended contentions. A copy of the Amended Patent Invalidity Contentions and a supporting Declaration of Michelle Carniaux are submitted concurrently herewith.

Dated: June 26, 2008

Respectfully submitted,

By: /s/ Melvin R. Wilcox, III
Melvin R. Wilcox, III
Texas Bar No. 21454800
YARBROUGH ♦ WILCOX, PLLC
100 E. Ferguson, Suite 1015
Tyler, TX 75702
Tel: (903) 595-1133
Fax: (903) 595-0191
Email: mrw@yw-lawfirm.com

Attorney for Defendants

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to FED. R. Civ. P. 5(d) and Local Rule CV-5(d), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by facsimile, electronic mail, and/or first class mail, on this 26th day of June, 2008.

/s/ Melvin R. Wilcox, III
MELVIN R. WILCOX, III