

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

Certicom Corporation and Certicom Patent Holding Corporation;

*Plaintiffs,*

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

**CERTICOM'S AGREED-TO MOTION REGARDING THE PARTIES' MAY 13, 2008  
STIPULATED PROTECTIVE ORDER**

By agreement of the parties, Plaintiffs Certicom Corporation and Certicom Patent Holding Corporation (collectively "Certicom") move to amend the Parties' May 13, 2008 Stipulated Protective Order in order to clarify the terms of Paragraphs 2, 7 and 8 of the Protective Order. Certicom seeks to make these amendments in order to facilitate document disclosure and production by third parties under the Local Rules of this Court and the Federal Rules of Civil Procedure.

In order to address the requests of third parties who have been or may be requested by the parties to this action to produce documents or other information pursuant to Court Order or valid subpoena, and to expressly set forth the protections afforded to such materials produced by them, thereby facilitating the progress of disclosure and discovery in this case, Certicom has proposed, and 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") have agreed, to modify the May 13, 2008 Stipulated Protective Order accordingly.

This amendment to the May 13, 2008 Stipulated Protective Order will not affect the enforceability of such Order, nor will it change the meaning or language of any section other than those explicitly indicated. The May 13, 2008 Stipulated Protective Order shall remain in effect, unless further modified by agreement of the parties, through the conclusion of this litigation.

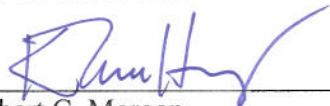
Accordingly, Certicom requests that this motion be granted in conformity with the will of the parties and in furtherance of the interests of discovery in this case.

Dated: November 17, 2008

Respectfully submitted,

ROPES & GRAY LLP

By: \_\_\_\_\_

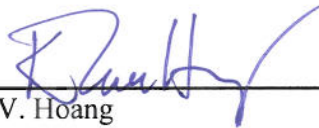
  
Robert C. Morgan  
Laurence S. Rogers  
Khue V. Hoang  
1211 Avenue of the Americas  
New York, New York 10036-8704  
Telephone: (212) 596-9000  
Facsimile: (212) 596-9090

THE ROTH LAW FIRM  
Carl R. Roth  
Texas Bar No. 17312000  
Brendan C. Roth  
Texas Bar No. 24040132  
Amanda A. Abraham  
Texas Bar No. 24055077  
115 N. Wellington, Suite 200  
Marshall, Texas 75670  
Telephone: (903) 935-1665  
Facsimile: (903) 935-1797

*Attorneys for Plaintiffs Certicom Corp. and  
Certicom Patent Holding Corp.*

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such this AGREED-TO MOTION REGARDING THE PARTIES MAY 13, 2008 STIPULATED PROTECTIVE ORDER and [PROPOSED] SPECIAL ORDER REGARDING THE PARTIES MAY 13, 2008 STIPULATED PROTECTIVE ORDER were 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 17th day of November, 2008.

  
\_\_\_\_\_  
Khue V. Hoang