

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

CERTICOM CORP. and CERTICOM
PATENT HOLDING CORP.,
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. 2-07CV-216-TJW

CERTICOM'S APPLICATION FOR COMMISSION TO TAKE ORAL DEPOSITION
OF JAPANESE WITNESSES

NOW COMES Certicom Corp. and Certicom Patent Holding Corp., and pursuant to
Article 17 of the United States-Japan Consular Convention, requests that the Court issue a
Commission for the Taking of Voluntary Oral Depositions of the following listed individuals at
the United States Consulate General in Tokyo, Japan, commencing on or about December 9,
2008 and 8:30 a.m. and terminating on or about December 19, 2008 at 5:00 p.m.

- 1. Akiya Saito
2. Takashi Hagiwara
3. Susumu Ito
4. Masao Mizutani
5. Asami Mizuno
6. Ikuo Shinozaki
7. Hidehiro Inooka
8. Atsuo Sakai
9. Yoshinori Matsumoto
10. Kiyoshi Satomi

11. Takumi Okaue
12. Takafumi Akai
13. Satoshi Kitani

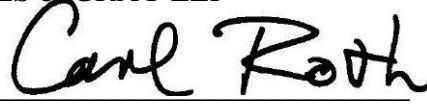
The attorneys participating for Plaintiffs in the depositions will be from the law firm of Ropes & Gray LLP of New York, New York, and attorneys for the Defendants who will participate in said depositions are from the law firm of Kenyon & Kenyon LLP in New York, New York. A list of the attendees is attached as Exhibit 1 to this application.

WHEREFORE, ALL PREMISES CONSIDERED, Plaintiffs request that a Commission be issued by the Court pursuant to Article 17 of the United States-Japan Consular Convention.

Respectfully submitted,

Dated: December 2, 2008

ROPES & GRAY LLP

By: 

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

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) this 2nd day of December, 2008. Any other counsel of record will be served by facsimile transmission and/or first class mail.

  
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Carl R. Roth