

**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

**UNOPPOSED MOTION FOR LEAVE TO SERVE ITS
SECOND AMENDED DISCLOSURE OF ASSERTED CLAIMS AND
INFRINGEMENT CONTENTIONS**

By agreement of the parties, Plaintiffs, Certicom Corp. and Certicom Patent Holding Corp. (collectively "Certicom") hereby move for leave to serve its Second Amended Disclosure of Asserted Claims and Infringement Contentions.

Pursuant to P.R. 3-1, Certicom served its Disclosure of Asserted Claims and Infringement Contentions on March 11, 2008. Certicom subsequently served its Amended Disclosure of Asserted Claims and Infringement Contentions in accordance with the Court's Order (Dkt.# 47) on June 23, 2008. Certicom asserts that good cause exists because the current amendments are based on new information Certicom has learned through on-going discovery, including the deposition of Sony corporate witnesses and newly produced source code.

Counsel for Sony was provided with a copy of the proposed Second Amended Disclosure of Asserted Claims and Infringement Contentions on January 23, 2009. On January 27, counsel

for Sony advised that although Sony's consent to the amendment does not imply its agreement with the amended contentions, that Sony does not oppose this motion to amend Certicom's infringement contentions.

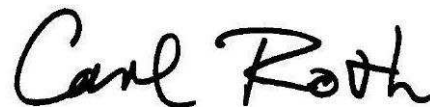
WHEREFORE, Certicom moves that it be permitted to serve its Second Amended Disclosure of Asserted Claims and Infringement Contentions in accordance with Local Patent Rule 3-6(b).

Dated: January 29, 2009

Respectfully submitted,

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*Attorneys for Plaintiffs Certicom Corp. and
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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a) and 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 29th day of January, 2009.



Carl R. Roth