

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

**DECLARATION OF PAUL T. QUALEY IN SUPPORT OF  
SONY'S AGREED-TO MOTION FOR LEAVE TO SERVE  
SECOND AMENDED PATENT INVALIDITY CONTENTIONS**

I, Paul T. Qualey, declare under penalty of perjury,

1. I am an attorney admitted *pro hac vice* for the above-captioned matter before this Court.

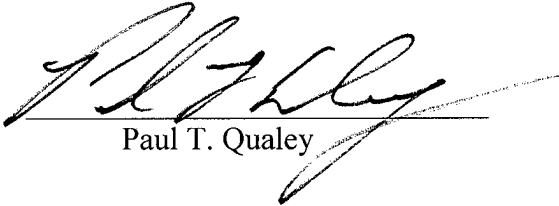
I am a partner at the law firm of Kenyon & Kenyon LLP, 1500 K Street, NW,

Washington, DC 20005.

2. A true and correct copy of Sony's Second Amended Patent Invalidation Contentions is attached hereto as Exhibit 1.

3. The amendments to Sony's original Patent Invalidity Contentions and Amended Patent Invalidity Contentions are based on new controlling authority and information that Sony has learned since serving its Amended Patent Invalidity Contentions.
4. Counsel for Sony provided Ms. Khue Hoang, counsel for the Certicom plaintiffs, with a copy of the Second Amended Invalidity Contentions on January 9, 2009. On January 28, 2009, Ms. Khue Hoang informed me that Certicom agrees to this motion.

Executed this 29<sup>th</sup> day of January, 2009 in New York, NY.



Paul T. Qualey