

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

BRIGHT RESPONSE, LLC

v.

GOOGLE INC., et al.

NO. 2:07-CV-371-CE

STIPULATION

1. Plaintiff Bright Response LLC and Defendants Google, AOL and Yahoo!,
by and through counsel, hereby stipulate as follows:

- a. Plaintiff Bright Response will limit the asserted claims against
Defendants in this case to claims 30, 31 and 33 of the '947 patent;
- b. The proceedings of the reexaminations of the '947 patent shall be
admissible at trial where relevant;
- c. No party may use this Stipulation at trial or admit this Stipulation
into evidence; and

- d. Upon entry of this Stipulation by the Court, Plaintiff will agree not to appeal the final rejection of the claims in the proceedings of any reexamination of the '947 patent.

Dated: 7/31/10

/s/ David Perlson

David A. Perlson
Quinn Emanuel Urquhart & Sullivan LLP
Counsel for Google, Inc., America Online
Inc. and AOL LLC

Dated: 7/31/10

/s/ William Rooklidge

William C. Rooklidge
Howrey LLP
Counsel for Yahoo! Inc.

Dated: 7/31/10

/s/ Marc Fenster

Marc Fenster
Russ August & Kabat
Counsel for Bright Response LLC

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this stipulation was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A).

/s/David A. Perlson

David A. Perlson