

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

BRIGHT RESPONSE LLC	§	
	§	
Plaintiff,	§	
	§	
v.	§	Civil Action No. 2:07-cv-371-CE
	§	
GOOGLE INC. and YAHOO!, INC.,	§	
	§	
	§	
Defendants.	§	

**AGREED MOTION TO EXTEND THE DEADLINE  
FOR APPLICATION OF FEES AND COSTS**

Defendants Yahoo!, Inc. and Google Inc. respectfully file this Agreed Motion to Extend the Deadline for Application of Fees and Costs and would respectfully show the Court the following:

During the September 3, 2010 telephonic conference and by written order on September 8, 2010 [Dkt. No. 656], the Court stayed and administratively closed the remaining inequitable conduct cause of action pending an *en banc* opinion from the Federal Circuit in *Therasense Inc. v. Becton, Dickinson & Co.*. Further, the Court ruled during the September 3, 2010 hearing that the deadline for application of fees and costs would be extended until 14 days after the stay of the remaining inequitable conduct cause of action is lifted. This ruling is reflected in the minutes from the September 3, 2010 hearing. *See* Dkt. No. 653.

Defendants respectfully request that the Court enter an order extending the deadline for application of costs and fees until 14 days after the stay of the remaining inequitable conduct cause of action is lifted.

Respectfully submitted,

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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). 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 certified mail, return receipt requested, on this the 10th day of September, 2010.

/s/ Jennifer H. Doan  
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