

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

PERFORMANCE PRICING, INC.,

Plaintiff,

v.

GOOGLE INC., AOL LLC, MICROSOFT
CORPORATION, YAHOO! INC.,
IAC SEARCH & MEDIA, INC., and
A9.COM, INC.,

Defendants.

Case No. 2:07-cv-432 (LED/JDL)

JURY TRIAL DEMANDED

**PLAINTIFF'S NOTICE OF FIRST AMENDED DISCLOSURE OF ASSERTED
CLAIMS AND INFRINGEMENT CONTENTIONS UNDER PATENT RULE 3-1**

Please take notice that on June 9, 2008, Plaintiff Performance Pricing, Inc. served its First Amended Disclosure of Asserted Claims and Infringement Contentions under Patent Rule 3-1 on counsel for Defendants, pursuant to Patent Rule 3-1 and the Court's Order (Dkt. 106) dated June 9, 2008 granting Plaintiff Performance Pricing, Inc.'s Agreed Amended Motion for Leave to Amend Plaintiff's Disclosure of Asserted Claims and Infringement Contentions regarding Microsoft Corporation and IAC Search & Media, Inc. and Motion for Extension for Defendants to Comply with Patent Rules 3-3 and 3-4.

Dated: June 10, 2008

Respectfully submitted,

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**ATTORNEYS FOR PLAINTIFF
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CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served this 10th day of June, 2008, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ N. Claire Abernathy
N. Claire Abernathy