

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

PERFORMANCE PRICING, INC.,)	
a Texas corporation;)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 2:07-cv-432-LED-JDL
)	
GOOGLE INC., a Delaware corporation;)	
AOL LLC, a Delaware limited liability)	
company;)	
MICROSOFT CORPORATION, a Washington)	
corporation;)	
YAHOO! INC., a Delaware corporation;)	
IAC SEARCH & MEDIA, INC., a Delaware)	
corporation;)	
A9.COM, INC., a Delaware corporation;)	
)	(JURY)
Defendants.)	

**JOINT MOTION TO EXTEND DEADLINE
FOR EXCHANGE OF PROPOSED TERMS AND
CLAIM ELEMENTS FOR CONSTRUCTION UNDER PATENT RULE 4-1**

TO THE HONORABLE JUDGE OF THIS COURT:

Plaintiff Performance Pricing, Inc. ("Plaintiff") and Defendants Google Inc., AOL LLC, Microsoft Corporation, YAHOO! Inc., IAC Search & Media, Inc. and A9.com, Inc. ("Defendants") file this joint motion and respectfully ask the Court to extend a deadline in this matter. Plaintiff and Defendants would show the Court as follows:

1. Plaintiff and Defendants have conferred regarding the deadline to exchange proposed terms and claim elements for construction under P.R. 4-1. Pursuant to the Agreed

Docket Control Order entered by this Court on May 14, 2008, the current deadline for exchange of those terms and elements is October 30, 2008.

2. Plaintiff and Defendants have agreed to an extension of two business days to exchange proposed terms and claim elements for construction and respectfully request that this Court extend the deadline to exchange those terms and elements to November 3, 2008.

3. Plaintiff and Defendants seek this short extension of time not for delay but for good cause and that justice may be served.

WHEREFORE, Plaintiff and Defendants request that the Court extend the deadline for exchange of proposed terms and claim elements until November 3, 2008.

Dated this 30th day of October, 2008

By: /s/ Jeffrey S. Love

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CERTIFICATE OF SERVICE

This is to certify that all known counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per E. Dist. Tex. Loc. Ct. R. CV-5(a)(3) on this the 30th day of October, 2008. Any other known counsel of record will be served with a copy of this document by email and/or facsimile transmission

_____/s/ Jeffrey S. Love