

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)

**JURY TRIAL DEMANDED**

**JOINT MOTION FOR ADDITIONAL EXTENSION OF TIME REGARDING THE  
PARTIES' P.R. 4-3 DEADLINE**

Plaintiff Performance Pricing, Inc. and Defendants Google Inc., AOL LLC, Microsoft Corporation, Yahoo! Inc., and IAC Search & Media, Inc. respectfully file this Joint Motion seeking the Court's permission for an additional extension of time for the parties to file their Joint Claim Construction and Pre-hearing Statement and would show the Court as follows:

1. The current deadline for the parties to comply with P.R. 4-3 and file their Joint Claim Construction and Pre-hearing Statement is February 10, 2009.
2. Plaintiff and Defendants have agreed to an extension to file their Joint Claim Construction and Pre-hearing Statement and respectfully request this Court to extend the deadline to file same to February 12, 2009.
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 filing their P.R. 4-3 Joint Claim Construction and Pre-hearing Statement until February 12, 2009. A proposed order is attached to this motion for the Court's use.

Dated: February 10, 2009

Respectfully submitted,

/s/ Michael E. Jones

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**PERFORMANCE PRICING, INC.**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that all 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 Local Rule CV-5(a)(3) on February 10, 2009. Any other counsel of record will be served by First Class U.S. mail on this same date.

*/s/ Michael E. Jones* \_\_\_\_\_