

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

PERFORMANCE PRICING, INC.,)	
)	
Plaintiff,)	CASE NO. 2:07-cv-432 (LED)
)	
v.)	
)	JURY TRIAL DEMANDED
GOOGLE INC. and AOL LLC,)	
)	
)	
Defendants.)	

**DEFENDANTS' UNOPPOSED MOTION TO
SUPPLEMENT SUMMARY JUDGMENT RECORD**

On November 18, 2009, Defendants Google Inc. and AOL LLC (“Defendants”) filed a Motion for Summary Judgment of Invalidity Under 35 U.S.C. §§ 102 and 103 (Doc. No. 254). Exhibit C to that motion is a Japanese to English translation of Asahi Shinbun Company prior art. Defendants respectfully move the Court to supplement the summary judgment record with a corrected Exhibit C that includes a translation verification statement. A copy of the corrected Exhibit C is attached hereto at Tab 1. Plaintiff was provided a copy of the translation verification statement on November 25, 2009. *See* Tab 2.

Plaintiff is unopposed to this motion.

WHEREFORE, Defendants respectfully request that the Court supplement Defendants’ Motion for Summary Judgment of Invalidity Under 35 U.S.C. §§ 102 and 103 (Doc. No. 254) with the corrected Exhibit C attached hereto.

DATED: December 4, 2009

Respectfully submitted,

QUINN EMANUEL URQUHART OLIVER &
HEDGES, LLP

By /s/ Jamie L. Lisagor

Charles K. Verhoeven, *pro hac vice*
charlesverhoeven@quinnemanuel.com

Attorney In Charge

David A. Perlson, *pro hac vice*
davidperlson@quinnemanuel.com

Jamie L. Lisagor, *pro hac vice*
jamielisagor@quinnemanuel.com

Antonio R. Sistos, *pro hac vice*
antoniosistos@quinnemanuel.com

Emily C. O'Brien, *pro hac vice*
emilyobrien@quinnemanuel.com

Joshua L. Sohn, *pro hac vice*
joshuasohn@quinnemanuel.com

QUINN EMANUEL URQUHART OLIVER &
HEDGES, LLP

50 California Street, 22nd Floor
San Francisco, California 94111

Telephone: (415) 875-6600

Facsimile: (415) 875-6700

BECK REDDEN & SECREST, L.L.P.

David J. Beck

Michael Ernest Richardson

One Houston Center
1221 McKinney St. Suite 4500
Houston, Texas 77010-2010

Telephone: (713) 951-3700

Facsimile: (713) 951-3720

jbeck@brsfirm.com

mrichardson@brsfirm.com

Attorneys for Defendants Google Inc. and
AOL LLC

CERTIFICATE OF SERVICE

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

/s/ Jamie L. Lisagor

Jamie L. Lisagor

CERTIFICATE OF CONFERENCE

Counsel for Defendants Google Inc. and AOL LLC has conferred with Counsel for Plaintiff Performance Pricing Inc. regarding the foregoing motion and Plaintiff is unopposed to same.

s/ Jamie L. Lisagor

Jamie L. Lisagor