

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

SOFTWARE RIGHTS ARCHIVE, LLC

Plaintiff,

v.

**GOOGLE INC., YAHOO! INC.,
IAC SEARCH & MEDIA, INC., AOL LLC,
and LYCOS, INC.**

Defendants.

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Civil Action No. 2:07-cv-511-CE

JURY TRIAL DEMANDED

**PLAINTIFF'S UNOPPOSED MOTION FOR (1) AN EXTENSION OF TIME
TO FILE SUR-REPLY OPPOSING DEFENDANTS' MOTION
TO DISMISS AND (2) AN INCREASED PAGE LIMIT**

Plaintiff Software Rights Archive, LLC ("SRA") respectfully moves this Court for an unopposed extension of time to file a Sur-reply opposing Defendants' Motion to Dismiss for Lack of Standing, and for an increased page limit for the Sur-reply. In support of the request for an extension, Plaintiff states as follows:

1. This patent infringement action was commenced on November 21, 2007. The deadlines for the *Markman* hearing and trial are November 10, 2010 and May 2, 2011, respectively.

2. Defendants filed a Motion to Dismiss for Lack of Standing on July 16, 2008 (Docket No. 66).

3. The parties have previously agreed to extend deadlines for filing the Response brief and the Reply brief, and Plaintiff has previously agreed to Defendants' request for extra pages on the Reply brief as well. Defendants consented to a request by the Plaintiff for an extension for SRA to file its Response, which SRA filed on August 25, 2008. (Docket No. 76).

After securing Plaintiff's agreement to an extension and a 30-page limit, Defendants filed their 30-page Reply on November 10, 2008 (Docket No. 102).

4. Under the Local Rules of this Court, Plaintiff's Sur-reply is currently due on November 18, 2008, and may be no more than 10 pages.

5. Given the length of Defendants' Reply Brief, Plaintiff requests up to 25 pages, excluding attachments, and (in view of the Thanksgiving holiday) up to 30 days to file a sur-reply. Accordingly, Plaintiff requests leave to file a Sur-reply of up to 25 pages, excluding attachments, on or before December 10, 2008.

6. The relief requested in this motion is not opposed by Defendants.

WHEREFORE, Plaintiff respectfully requests that it be granted an extension of time until December 10, 2008 to file its Sur-reply opposing Defendants' Motion to Dismiss for Lack of Standing, and that the Sur-reply brief be limited to 25 pages, excluding attachments.

DATED: November 12, 2008

Respectfully Submitted,



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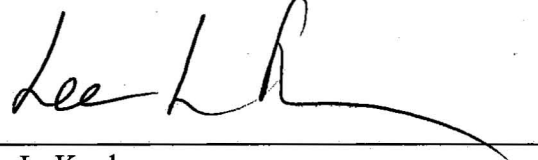
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CERTIFICATE OF CONFERENCE

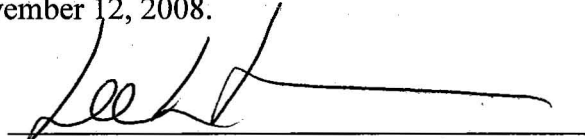
The undersigned hereby certifies that a conference was held with Defendants' counsel regarding the relief requested herein by Plaintiff – that Plaintiff will be allowed until and including December 10, 2008 to file its Sur-reply to Defendants' Motion to Dismiss and to increase the page limit to 25 pages. Counsel for each Defendant stated that the Defendant does not oppose this request.



Lee L. Kaplan

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 November 12, 2008.



Lee L. Kaplan