

**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.

§
§
§
§
§
§
§
§
§
§
§
§
§

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

JURY TRIAL DEMANDED

**PLAINTIFF’S RESPONSE TO DEFENDANT YAHOO! INC.’S MOTION FOR
HEARING ON MOTION TO TRANSFER AND IN THE ALTERNATIVE FOR
CONTINUANCE OF CLAIM CONSTRUCTION DEADLINES**

TO THE HONORABLE COURT:

1. Software Rights Archive, LLC does not join in Yahoo!’s request for an oral hearing on the motion to transfer and does not think such a hearing is necessary, but is happy to appear and argue should the Court set a hearing.
2. SRA opposes the alternative request by Yahoo! for an extension of the claim construction-related deadlines. There is no logical relationship between the request for hearing and a delay of the claim construction deadlines. Those actions will be required for claim construction regardless of venue, and there is no reason for delay. This is especially true since Defendants waited fifteen months to submit their motion to transfer, choosing to litigate the standing issue.

Respectfully submitted,



Lee L. Kaplan
LEAD ATTORNEY
State Bar No. 11094400
SMYSER KAPLAN & VESELKA, L.L.P.
700 Louisiana, Suite 2300
Houston, Texas 77002
(713) 221-2323
(713) 221-2320 (fax)
lkaplan@skv.com

Victor G. Hardy
State Bar No. 00790821
Andrew G. DiNovo
State Bar No. 00790594
Adam G. Price
State Bar No. 24027750
Jay D. Ellwanger
State Bar No. 24036522
DI NOVO PRICE ELLWANGER HARDY LLP
7000 North MoPac Expressway
Suite 350
Austin, Texas 78731
(512) 681-4060
(512) 628-3410 (fax)
vhardy@dpelaw.com

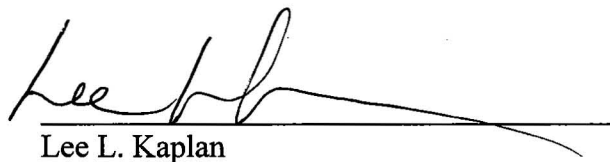
Of counsel:

S. Calvin Capshaw
State Bar No. 03783900
Elizabeth L. DeRieux
State Bar No. 05770585
CAPSHAW DERIEUX
1127 Judson Road, Suite 220
P.O. Box 3999
Longview, TX 75606-3999
(903) 236-9800
(903) 236-8787 (fax)
ccapshaw@capshawlaw.com

Robert M. Parker
State Bar No. 15498000
Robert C. Bunt
State Bar No. 00787165
Charles Ainsworth
State Bar No. 0078352
PARKER, BUNT & AINSWORTH, P.C.
100 East Ferguson, Suite 1114
Tyler, Texas 75702
(903) 531-3535
(903) 533-9687 (fax)

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 March 18th, 2010.


Lee L. Kaplan