

# **EXHIBIT 5**

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July 16, 2009

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Via Electronic Mail

Victor G. Hardy  
DiNovo Price Ellwanger & Hardy LLP  
7000 N. MoPac Expressway, Suite 350  
Austin, Texas 78731

Re: *Software Rights Archive, LLC v. Google Inc., et al.*, No. 07-CV-511 (E.D. Tex.)

Dear Victor:

Thank you for your letter of July 8, 2009 concerning Defendants' Invalidation Contentions. I write on behalf of all defendants.

Our March 27, 2009 letter addressed many of the points you raise in your most recent letter. Among other things, it explained why Defendants' contentions are adequate under *Saffran*. For your convenience, that letter is attached.

As we noted in our prior letter, in the spirit of cooperation, we are willing to re-review our Invalidation Contentions and amend them to provide greater specificity, as appropriate. Before doing so, however, we repeat our prior request that SRA first amend its Infringement Contentions to identify specifically how each and every one of the accused products and services allegedly infringes. We again refer you to the March 27th letter for greater detail on why SRA's infringement contentions are inadequate and why SRA's amendment of its own contentions will assist our ability to amend our contentions.

With respect to source code for prior art systems, Defendants' investigation and discovery is ongoing and Defendants will provide such source code as it becomes available. Defendants note that they have yet to receive source code for the alleged systems and products disclosed by Libertech, Site/Tech and Site Technologies, Inc. Moreover, these systems are relevant to Defendants' Invalidation Contentions.

In the meantime, with respect to the articles mentioned on page four of your letter, please see Defendants' production at DEF001202-211, DEF001220-243 and DEF000412-435, which were produced to you.

sf-2712035

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As always, please let us know if you would like to further discuss these issues by telephone.

Sincerely,

*/s/ Rebecca Snavely Saelao*

Rebecca Snavely Saelao