

**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**

**JOINT MOTION TO EXTEND CERTAIN SCHEDULING DEADLINES**

Come now Plaintiff Software Rights Archive, LLC and Defendants Google, Inc., Yahoo! Inc., IAC Search & Media, Inc., AOL, LLC, and Lycos, Inc. and file this Joint Motion to Extend Certain Scheduling Deadlines, and in support of same would show the Court as follows:

1. The parties have reached an agreement to extend certain scheduling deadlines in this matter. The current deadlines and the agreed to extended deadlines appear in the chart below:

<u>EVENT</u>	<u>CURRENT DEADLINE</u>	<u>NEW AGREEMENT</u>
Deadline for all parties to exchange any supplemental claim terms for construction. All parties agree that they will only supplement claim terms to the extent that a party believes in good faith that Plaintiff's new infringement contentions require such supplementation.		June 15, 2010
Deadline for all parties to exchange preliminary claim constructions and extrinsic evidence on supplemental		July 6, 2010

claim terms or to modify preliminary claim constructions and extrinsic evidence exchanged on June 15, 2010. To the extent a party believes that another party's proposed supplemental terms have not been proposed in good faith, the party can seek relief from the Court.		
Comply with P.R. 4-3 – Joint Claim Construction and Prehearing Statement	June 25, 2010	July 9, 2010
Deadline for all parties to exchange a brief description of the substance of the testimony of the percipient and expert witnesses they contend support their respective claim constructions pursuant to P.R. 4-2.		July 12, 2010
Deadline to amend pleadings <b>(It is not necessary to file a Motion for Leave to Amend before the deadline to amend pleadings except to the extent the amendment seeks to add a new patent in suit. It is necessary to file a Motion for Leave to Amend After the amended pleadings date set forth herein.)</b>	June 23, 2010	July 23, 2010
Deadline for all parties to supplement P.R. 4-3 chart on supplemental claim terms/modified constructions		July 28, 2010
Discovery deadline – claims construction issues	July 16, 2010	July 30, 2010
Comply with P.R. 4-5(a) - Plaintiff's Opening Claim Construction Brief	August 6, 2010	August 20, 2010
Deadline to respond to amended pleadings	July 21, 2010	August 20, 2010
Comply with P.R. 4-5(b) – Defendants' Response Claim	September 10, 2010	September 22, 2010

Construction Brief		
Comply with P.R. 4-5(c) – Plaintiff’s Reply Claim Construction Brief	October 8, 2010	October 20, 2010
Comply with P.R. 4-5(d) – Joint Claim Construction Chart	October 29, 2010	November 1, 2010
Claim Construction Hearing	November 10, 2010	November 10, 2010

2. The above agreed to extended deadlines will not adversely affect any other of the Court’s deadlines. For example, jury selection is not scheduled to occur until May 2, 2011.

This Motion is not sought for delay, but that justice might be done.

WHEREFORE, the parties jointly and respectfully request that the above deadlines be extended as agreed to by the parties as set forth in the chart above.

Respectfully Submitted,



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*\*Signed by Lee L. Kaplan with permission*

**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 June 23, 2010.

Lee L. Kaplan  
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