

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

SHARING SOUND, LLC,

Plaintiff,

v.

APPLE, INC.,  
SONY ERICSSON MOBILE  
COMMUNICATIONS AB,  
SONY ERICSSON MOBILE  
COMMUNICATIONS INC.,  
SONY CORPORATION OF AMERICA,  
SONY ELECTRONICS, INC.,  
SONY COMPUTER ENTERTAINMENT INC.,  
SONY COMPUTER ENTERTAINMENT  
AMERICA, INC.,  
SONY CORPORATION,  
RHAPSODY INTERNATIONAL, INC.,  
NAPSTER, L.L.C.  
BRILLIANT DIGITAL ENTERTAINMENT, INC.,  
MICROSOFT CORPORATION,

Defendants.

Case No. 2:10-cv-162

**JURY TRIAL DEMANDED**

**JOINT MOTION TO DISMISS WITHOUT PREJUDICE**

WHEREAS, Sony Ericsson Mobile Communications (USA) Inc. (“SEUS”) and Sony Ericsson Mobile Communications AB (“SEAB”) represent to Plaintiff Sharing Sound, LLC (“Sharing Sound”) that neither entity has control over the “Sony Connect” service.

WHEREAS, SEUS and SEAB represent to Plaintiff Sharing Sound that it has not received any revenues related to the “Sony Connect” service.

WHEREAS, SEUS and SEAB represent that neither entity will file a declaratory judgment action relating to any Sharing Sound patent for at least nine (9) months from the date of filing of this dismissal.

NOW, THEREFORE, based upon the above representations, Sharing Sound, through its attorneys of record, requests the Court to dismiss Sharing Sound's claims for relief against SEUS and SEAB without prejudice, and with all attorneys' fees, costs of court and expenses borne by the party incurring same.

Dated: May 24, 2010

/s/ Andrew W. Spangler  
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**Attorneys for Sharing Sound, LLC**

**CERTIFICATE OF SERVICE**

I hereby certify that the counsel of record who are deemed to have consented to electronic service are being served today with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

s/ Andrew W. Spangler  
Andrew W. Spangler