

**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

ORDER OF DISMISSAL 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.

IT IS THEREFORE ORDERED that Sharing Sound's claims for relief against SEUS and SEAB are dismissed without prejudice.

IT IS FURTHER ORDERED that all attorneys' fees, costs of court and expenses shall be borne by each party incurring the same.