

**WIRELESS RECOGNITION
TECHNOLOGIES LLC,**

Plaintiff,

vs.

**NOKIA CORPORATION and RICOH
COMPANY, LTD.,**

Defendants.

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Civil No. 2:10-CV-00578-JRG

**DEFENDANTS’ MOTION FOR LEAVE TO FILE SUPPLEMENTAL BRIEF
ADDRESSING THE IMPACT OF THE DISMISSAL OF RICOH INNOVATIONS, INC.
AND RICOH COMPANY, LTD. ON THE DEFENDANTS’ MOTIONS TO TRANSFER**

Pursuant to Local Rule CV-7(k), Defendants A9.com, Inc., Amazon.com, Inc., Google Inc., Nokia Inc., and Nokia Corporation respectfully request leave to file a two-page brief addressing the impact that the dismissals of Ricoh Innovations, Inc. (“RII”) and Ricoh Company, Ltd. (“RCL”) from the above-captioned cases have on Defendants’ pending motions to transfer (Dkt. Nos. 62 (2:10-cv-364), 21 (2:10-cv-365), 36 (2:10-cv-577), and 22 (2:10-cv-578).)

At the time that the motions to transfer were filed in the above-captioned cases, RII was a party to the -364 and -577 cases, and RCL was a party to the -365 and -578 cases. Thus, in the briefing on the motions to transfer, the RII employees were addressed as party witnesses located in the Northern District of California, the proposed transferee venue. Now that RII and RCL have been dismissed, the Court may believe that the RII employees are no longer relevant to the venue analysis. Thus, Defendants request leave to file a short, supplemental brief to address this change in facts in order to show that some of the RII witnesses in the Northern District of California remain highly relevant to the disputed issues in these cases, but now as third-party witnesses. (*See* Attachment A hereto.)

In particular, in their invalidity contentions, Defendants have cited to five separate prior art patents on which Ricoh employees are the named inventors, a prior art publication by several of those Ricoh employees, and a prior art notebook that reflects the prior invention by one of those employees. Thus, the dismissal of RII and RCL has created a material change in fact, rendering these former party witnesses as third-party witnesses located in the proposed transferee district.

Thus, Defendants request leave to file a short, supplemental brief on this material change in fact relevant to the pending motions to transfer.

Dated: January 31, 2012

Respectfully submitted,

/s/ Michael C. Smith

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email, on this 31st day of January, 2012.

/s/ Michael C. Smith

Michael C. Smith

CERTIFICATE OF CONFERENCE

On January 31, 2012, pursuant to Local Rule CV-7(h), and on behalf of the Defendants filing this motion, Daniel Shvodian, counsel for Defendants A9.com, Inc., Amazon.com, Inc., Google Inc. held a teleconference with Plaintiff's counsel, Cameron Tousi, regarding Defendants' Motion for Leave to File Supplemental Brief Addressing the Impact of the Dismissal of Ricoh Innovations, Inc. and Ricoh Company, Ltd. on Their Motions to Transfer. The discussions conclusively ended in an impasse with Plaintiff's counsel indicating he would oppose the motion.

Dated: January 31, 2012

/s/ Michael C. Smith

Michael C. Smith