

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the Eastern District of Texas

2011 SEP -9 AM 9:48

EASTERN DISTRICT OF TEXAS

LODSYS, LLC

Plaintiff

v.

TAKE-TWO INTERACTIVE SOFTWARE

Defendant

Civil Action No. 2:11-cv-272

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Take-Two Interactive Software
Care of its Registered Agent:
Corporation Service Company d/b/a CSC
211 E. 7th Street, Suite 620
Austin, TX 78701

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: The Davis Firm, PC
111 W. Tyler Street
Longview, TX 75601

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 8/22/11



CLERK OF COURT

David Malone

Signature of Clerk or Deputy Clerk

Civil Action No. 2:11-cv-272

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* Vibrant Media, Inc.
was received by me on *(date)* 08/23/2011

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

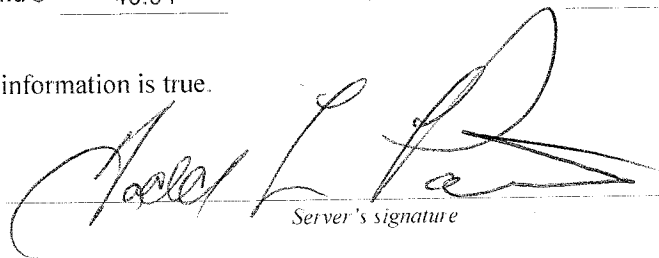
I returned the summons unexecuted because _____ ; or

Other *(specify)*: Service executed by delivering to Take-Two Interactive Software, Inc. %Corporation
Service Company d/b/a CSC at 211 E 7th Street, Ste. 620, Austin, TX 78701 by Certified
Mail #7008 1830 0003 9416 9940. See form 3811 signed by S. A. Vertrees on
08/29/2011.

My fees are \$ 0.00 for travel and \$ 40.04 for services, for a total of \$ 40.04

I declare under penalty of perjury that this information is true.

Date: 09/05/2011



Server's signature

Todd L. Parish Process Server
Printed name and title

606 W. Tyler Street, Ste. C
Gilmer, TX 75644

Server's address

Additional information regarding attempted service, etc:

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Take-Two Interactive Software
Care of its Registered Agent:
Corporation Service Company d/b/a CSC
211 E. 7th Street, Suite 620
Austin, TX 78701

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent
X *SA Vertrees* Addressee
- B. Received by (Printed Name) *SA Vertrees* C. Date of Delivery *8/29/11*
- D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.
4. Restricted Delivery? (Extra Fee) Yes

2. Article Number
(Transfer from service label)

7008 1830 0003 9416 9940