

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

MIRROR WORLDS, LLC,

Plaintiff,

v.

APPLE INC.,

Defendant.

Civil Action No. 6:08-CV-88 LED

JURY TRIAL DEMANDED

APPLE INC.,

Counterclaim Plaintiff,

v.

MIRROR WORLDS LLC,
MIRROR WORLDS TECHNOLOGIES,
INC.,

Counterclaim Defendants.

**APPLE INC.'S UNOPPOSED MOTION FOR LEAVE TO FILE
SECOND AMENDED ANSWER**

Defendant and Counterclaim Plaintiff Apple Inc. (“Apple”) hereby moves for leave to file its Second Amended Answer, Affirmative Defenses And Counterclaims. Good cause exists for the requested relief.

On June 2, 2009, the Court entered an order permitting Apple to file its First Amended Answer, Affirmative Defenses and Counterclaims. Apple now seeks leave to file the attached Second Amended Answer, Affirmative Defenses And Counterclaims in which it adds new

**UNOPPOSED MOTION FOR LEAVE
TO FILE SECOND AMENDED ANSWER**

claims for unenforceability of the patents-in-suit setting forth allegations of inequitable conduct based on information obtained in discovery.

Apple has informed Mirror Worlds of its request for leave to file the attached amended pleading and has provided Mirror Worlds with a copy of the pleading. Mirror Worlds does not oppose Apple's request for leave to file this amended pleading. However, Mirror Worlds reserves its right to challenge Apple's inequitable conduct claims on any ground, including, but not limited to moving to dismiss those claims.

WHEREFORE, PREMISES CONSIDERED, Apple respectfully requests the Court to grant its motion for leave and permit Apple to file its Second Amended Answer, Affirmative Defenses And Counterclaims.

Dated: August 27, 2009

Respectfully submitted,

/s/ Stefani C. Smith

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**Attorneys for Defendant and
Counterclaim Plaintiff
APPLE INC.**

CERTIFICATE OF CONFERENCE

The undersigned certifies that counsel for Apple discussed this motion with Richard An, counsel for the plaintiff, who advised that it is unopposed.

/s/ Stefani C. Smith _____
Stefani C. Smith

CERTIFICATE OF SERVICE

This is to certify 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 this the 27th day of August, 2009.

/s/ Stefani C. Smith _____
Stefani C. Smith