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request an extension of the Defendants' deadline for serving their invalidity contentions until January 8, 2010, with the understanding that, if the Court enters a Docket Control Order on or before January 8, 2010, the invalidity contention deadline in that Docket Control Order will control.

Dated: December 22, 2009:

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CERTIFICATE OF SERVICE

I hereby certify that on his 22nd day of December, 2009, I caused a true and correct copy of the foregoing to be served on all counsel of record via the Court's ECF filing system in accordance with the Federal Rules of Civil Procedure and the Local Rules for the Eastern District of Texas.

/s/Anthony P. Miller
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