

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

**BEDROCK COMPUTER
TECHNOLOGIES LLC,**

Plaintiff,

v.

**SOFTLAYER TECHNOLOGIES, INC.,
et al.**

Defendants.

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CASE NO. 6:09-cv-269-LED

Jury Trial Demanded

**PLAINTIFF BEDROCK COMPUTER TECHNOLOGIES LLC'S
UNOPPOSED MOTION FOR LEAVE TO FILE ITS SURREPLY
IN OPPOSITION TO DEFENDANTS' MOTION TO COMPEL PLAINTIFF TO
COMPLY WITH PATENT RULE 3-1 AND TO EXTEND THE TIME
TO SERVE INVALIDITY CONTENTIONS UNDER SEAL**

Pursuant to Local Rule CV-5(a)(7), Plaintiff Bedrock Computer Technologies LLC (“Bedrock”) files this Unopposed Motion for Leave to File Its Surreply in Opposition to Defendants’ Motion to Compel Plaintiff to Comply with Patent Rule 3-1 and to Extend the Time to Serve Invalidity Contentions Under Seal, and respectfully shows the following:

Bedrock requests permission to file its Surreply in Opposition to Defendants’ Motion to Compel Plaintiff to Comply with Patent Rule 3-1 and to Extend the Time to Serve Invalidity Contentions (“Surreply”) under seal. The Surreply discusses Defendants’ responses to Bedrock’s interrogatories and attaches those interrogatory responses. The interrogatory responses contain information that Defendants have designated “HIGHLY CONFIDENTIAL – OUTSIDE COUNSEL ONLY,” presumably because such information is highly confidential to Defendants’ business and would cause Defendants harm if publicly disclosed. The parties are

currently negotiating a draft protective order, which they will then submit to the Court for its consideration. As of yet, however, a protective order has not been entered in this case. Counsel for Bedrock has conferred with counsel for the Defendants who filed the motion that the Surreply opposes (namely, Amazon.com, AOL, CME, Google, Match.com, MySpace, PayPal, and Yahoo!), and they are unopposed to the relief requested in this motion.

Accordingly, for the foregoing reasons, Bedrock respectfully requests leave to file its Surreply under seal.

DATED: January 19, 2010

Respectfully submitted,
McKOOL SMITH, P.C.

/s/ Douglas Cawley

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**ATTORNEYS FOR PLAINTIFF
BEDROCK COMPUTER
TECHNOLOGIES LLC**

CERTIFICATE OF CONFERENCE

The undersigned certifies that on January 19, 2010 counsel for Bedrock conferred with counsel for Defendants Amazon.com, AOL, CME, Google, Match.com, MySpace, PayPal, and Yahoo!, who do not oppose the relief requested in this motion.

/s/ Jonathan R. Yim
Jonathan R. Yim

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 have consented to electronic service on January 19, 2010. Local Rule CV-5(a)(3)(A).

/s/ Jonathan R. Yim
Jonathan R. Yim