

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

ALOFT MEDIA, LLC

Plaintiff,

v.

ORACLE CORPORATION, et al.,

Defendants.

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CIVIL ACTION NO. 6:09-CV-304 (LED)

NOTICE OF APPEARANCE OF COUNSEL

Defendants SAP AG and SAP America, Inc. (collectively “SAP”), file this Notice of Appearance of Counsel, to notify the Court that Benjamin C. Elacqua, of the law firm Fish & Richardson PC, located at One Houston Center, 1221 McKinney Street, Suite 2800, Houston, TX 77010 is appearing as counsel for SAP in the above-referenced matter. All pleadings, discovery, correspondence, and other materials may be served upon counsel at the above-referenced physical address or via email at elacqua@fr.com for the purposes of Local Rule CV-5.

Dated: December 30, 2009

Respectfully submitted,

/s/ Benjamin C. Elacqua
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CERTIFICATE OF SERVICE

The undersigned hereby 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. 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 and/or fax, on this 30th day of December, 2009.

/s/ Benjamin C. Elacqua