

THE HONORABLE MARSHA J. PECHMAN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

INTERVAL LICENSING LLC,

Plaintiff,

v.

AOL, INC., et al,

Defendants.

No. C-10-1385-MJP

**DEFENDANT OFFICEMAX
INCORPORATED'S JOINDER IN
GOOGLE INC. AND YOUTUBE, LLC'S
REPLY IN SUPPORT OF THEIR
MOTION TO DISMISS FOR FAILURE
TO STATE A CLAIM UPON WHICH
RELIEF CAN BE GRANTED
PURSUANT TO FED. R. CIV. P. 12(B)(6)**

Oral Argument Requested

Defendant OfficeMax Incorporated ("OfficeMax") respectfully joins in Defendants Google Inc. and YouTube, LLC's Reply in Support of Motion to Dismiss for Failure to State a Claim Upon Which Relief Can Be Granted Pursuant to Fed. R. Civ. P. 12(b)(6) ("Google's Reply") (Docket No. 130). As discussed in Google's Reply, Plaintiff Interval Licensing LLC's claims against all defendants – including OfficeMax – fail to meet the pleading requirements of Fed. R. Civ. P. 8 as defined by the Supreme Court in *Ashcroft v. Iqbal*, 129 S. Ct. 1937 (2009) and *Bell Atlantic v. Twombly*, 550 U.S. 544 (2007). Accordingly, OfficeMax joins Google's Reply, and respectfully asks this Court to dismiss Plaintiff's complaint.

DEFENDANT OFFICEMAX INCORPORATED'S
JOINDER IN GOOGLE INC. AND YOUTUBE, LLC'S
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CORR CRONIN MICHELSON
BAUMGARDNER & PRECE LLP
1001 Fourth Avenue, Suite 3900
Seattle, Washington 98154-1051
Tel (206) 625-8600
Fax (206) 625-0900

DATED this 12th day of November, 2010.

CORR CRONIN MICHELSON
BAUMGARDNER & PREECE LLP

s/Steven W. Fogg

Kevin C. Baumgardner, WSBA No. 14263
Steven W. Fogg, WSBA No. 23528

Jeffrey D. Neumeyer, WSBA No. 35183
OfficeMax Incorporated
1111 West Jefferson Street, Suite 510
Boise, Idaho 83702
Tel.: 208-388-4177; Fax: 630-647-3864
Email: jeffneumeyer@officemax.com

John S. Letchinger (admitted pro hac vice)
Douglas S. Rupert (admitted pro hac vice)
Wildman, Harrold, Allen & Dixon LLP
225 West Wacker Drive, Suite 2800
Chicago, IL 60606
Phone: 312-201-2698
Phone: 312-201-2720
Email: letchinger@wildman.com
Email: rupert@wildman.com

Attorneys for Defendant OfficeMax
Incorporated

CERTIFICATE OF SERVICE

I hereby certify that on November 12, 2010, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Matthew R. Berry
Justin A. Nelson
Edgar G. Sargent
Susman Godfrey (WA)
1201 Third Avenue, Suite 3800
Seattle, WA 98101
mberry@susmangodfrey.com
jnelson@susmangodfrey.com
esargent@susmangodfrey.com
Counsel for Plaintiff

Max L. Tribble (*pro hac vice*)
Susman Godfrey (Houston)
1000 Louisiana St., Suite 5100
Houston, TX 77002
mtribble@susmangodfrey.com
Counsel for Plaintiff

Nathan J. Davis (*pro hac vice*)
Eric J. Enger (*pro hac vice*)
Michael F. Heim (*pro hac vice*)
Heim Payne & Chorush, LLP
600 Travis Street, Suite 6710
Houston, TX 77002
ndavis@hpcllp.com
eenger@hpcllp.com
mheim@hpcllp.com
Counsel for Plaintiff

Shannon M. Jost
Scott A.W. Johnson
Aneelah Afzali
Stokes Lawrence, P.S.
800 Fifth Avenue, Suite 4000
Seattle, WA 98104-3179
Shannon.jost@stokeslaw.com
Scott.johnson@stokeslaw.com
Aneelah.afzali@stokeslaw.com
Counsel for Defendants Google, Inc.,
YouTube, LLC and AOL Inc.

Robert L. Burns (*pro hac vice*)
Elliot C. Cook (*pro hac vice*)
Finnegan, Henderson, Farabow,
Garrett & Dunner, LLP
Two Freedom Square
11955 Freedom Drive
Reston, VA 20190-5675
robert.burns@finnegan.com
elliott.cook@finnegan.com
Counsel for Defendant AOL Inc.

Cortney S. Alexander (*pro hac vice*)
Finnegan, Henderson, Farabow, Garrett
& Dunner, LLP
3500 SunTrust Plaza
303 Peachtree Street, NE
Atlanta, GA 30308-3263
cortney.alexander@finnegan.com
Counsel for Defendant AOL Inc.

1 Gerald F. Ivey (*pro hac vice*)
2 Finnegan, Henderson, Farabow, Garrett
& Dunner, LLP
3 901 New York Avenue, NW
4 Washington, DC 20001-4413
5 gerald.ivey@finnegan.com
6 Counsel for Defendant AOL Inc.

7 Aaron Chase (*pro hac vice*)
8 Kevin X. McGann (*pro hac vice*)
9 John Handy (*pro hac vice*)
10 Dimitrios T. Drivas (*pro hac vice*)
11 White & Case LLP
12 1155 Avenue of the Americas
13 New York, NY 10036-2787
14 aaron.chase@whitecase.com
15 kmcgann@whitecase.com
16 jhandy@whitecase.com
17 ddrivas@whitecase.com
18 Counsel for Defendants Google, Inc.
19 and YouTube, LLC

20 Warren S. Heit (*pro hac vice*)
21 Wendi R. Schepler (*pro hac vice*)
22 White & Case LLP
23 3000 El Camino Real
24 Building 5, 9th Floor
Palo Alto, CA 94306
wheit@whitecase.com
wschepler@whitecase.com
Counsel for Defendants Google, Inc.
and YouTube, LLC

Scott T. Wilsdon
Jeremy E. Roller
Yarmuth Wilsdon Calfo PLLC
818 Stewart Street, Suite 1400
Seattle, WA 98101
wilsdon@yarmuth.com
jroller@yarmuth.com
Counsel for Defendant Apple Inc.

David S. Almeling (*pro hac vice*)
George A. Riley (*pro hac vice*)
O'Melveny & Myers LLP
Two Embarcadero Center, 28th Floor
San Francisco, CA 94111-3823
dalmeling@omm.com
griley@omm.com
Counsel for Defendant Apple Inc.

Brian M. Berliner (*pro hac vice*)
Neil L. Yang (*pro hac vice*)
O'Melveny & Myers LLP
400 South Hope Street
Los Angeles, CA 90071
bberliner@omm.com
nyang@omm.com
Counsel for Defendant Apple Inc.

Mark P. Walters
Dario A. Machleidt
Frommer Lawrence & Haug LLP
1191 Second Avenue, Suite 2000
Seattle, WA 98101
mwalters@flhlaw.com
dmachleidt@flhlaw.com
Counsel for Defendant Yahoo! Inc.

Eric W. Ow (*pro hac vice*)
Francis Ho (*pro hac vice*)
Matthew I. Kreeger (*pro hac vice*)
Michael A. Jacobs (*pro hac vice*)
Richard S.J. Hung (*pro hac vice*)
Morrison & Foerster
425 Market Street
San Francisco, CA 94105-2482
eow@mofocom
fho@mofocom
mkreeger@mofocom
mjacobs@mofocom
rhung@mofocom
Counsel for Defendant Yahoo! Inc.

1 J. Christopher Carraway
2 John D. Vandenberg
3 Klarquist Sparkman, LLP
4 121 S.W. Salmon Street, Suite 1600
5 Portland, OR 97204
6 chris.carraway@klarquist.com
7 john.vandenberg@klarquist.com
8 Counsel for Defendants eBay Inc.,
9 Netflix, Inc., Office Depot, Inc.,
10 and Staples, Inc.

11 Arthur W. Harrigan, Jr.
12 Christopher Wion
13 Danielson Harrigan Leyh &
14 Tollefson
15 999 Third Avenue, Suite 4400
16 Seattle, WA 98104
17 arthurh@dhlt.com
18 chrisw@dhlt.com
19 Counsel for Defendants eBay Inc.,
20 Netflix, Inc., Office Depot, Inc.,
21 and Staples, Inc.

22 Kristin L. Cleveland (*pro hac vice*)
23 Klaus H. Hamm (*pro hac vice*)
24 Klarquist Sparkman, LLP
121 S.W. Salmon St., Suite 1600
Portland, OR 97204
kristin.cleveland@klarquist.com
klaus.hamm@klarquist.com
Counsel for Defendants eBay Inc.,
Netflix, Inc., Office Depot, Inc.,
and Staples, Inc.

Christopher B. Durbin
Cooley LLP
719 Second Avenue, Suite 900
Seattle, WA 98104
cdurbin@cooley.com
Counsel for Defendant Facebook,
Inc.

Christen M.R. Dubois (*pro hac vice*)
Heidi L. Keefe (*pro hac vice*)
Elizabeth L. Stameshkin (*pro hac vice*)
Mark R. Weinstein (*pro hac vice*)
Cooley LLP
3175 Hanover St.
Palo Alto, CA 94304-1130
cdubois@cooley.com
hkeefe@cooley.com
lstameshkin@cooley.com
mweinstein@cooley.com
Counsel for Defendant Facebook,
Inc.

Michael G. Rhodes
Cooley LLP
101 California Street, 5th Floor
San Francisco, CA 94111-5800
mrhodes@cooley.com
Counsel for Defendant Facebook,
Inc.

s/Steven W. Fogg
Kevin C. Baumgardner, WSBA No.
14263
CORR CRONIN MICHELSON
BAUMGARDNER & PREECE LLP
1001 Fourth Avenue, Suite 3900
Seattle, Washington 98154-1051
Telephone: (206) 625-8600
Fax: (206) 625-0900