

Hon. Marsha J. Pechman

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

INTERVAL LICENSING LLC,

Plaintiff,

v.

AOL, INC.,

Defendant.

Case No. 2:10-cv-01385-MJP

**STIPULATED MOTION TO
SERVE AMENDED
INFRINGEMENT CONTENTIONS
AND NONINFRINGEMENT
CONTENTIONS**

Hearing Date: 5/26/11

JURY DEMAND

Plaintiff Interval Licensing LLC (“Interval”) and defendant AOL, Inc. (“AOL”) respectfully move under Local Patent Rule 124 for an order authorizing Interval to serve amended infringement contentions on AOL, and authorizing AOL to serve amended noninfringement contentions on Interval.

Consistent with the Court’s scheduling order, Interval served infringement contentions on all defendants on December 28, 2010. Subsequently, counsel for Interval and for AOL held a meet and confer session and exchanged emails addressing a number of concerns that AOL raised about the infringement contentions. Following the meet and confer session, Interval provided an amended claim chart addressing one of the concerns raised by AOL. During a subsequent telephone call between the parties, AOL agreed to Interval making this amendment.

1 In addition, AOL served its preliminary noninfringement contentions on
 2 Interval on February 28, 2011. On April 20, 2011, AOL sent Interval a proposed
 3 amended version of its noninfringement claim chart for the accused AOL website
 4 “Autoblog” (Exhibit A-15-1 to AOL’s noninfringement contentions). AOL
 5 indicated that it intended to make the same amendment to each of its
 6 noninfringement claim charts for the ’507 patent. During a subsequent telephone
 7 call between the parties, Interval agreed to AOL making these amendments.

8 Local Patent Rule 124 requires leave of Court to serve amended infringement
 9 contentions after the deadline established in the scheduling order. Interval and
 10 AOL have prepared and served copies of their respective proposed amended
 11 contentions on each other. Interval and AOL respectfully request that the Court
 12 enter an Order authorizing service of these amended contentions as of the date of
 13 this motion.

14
 15 Dated: May 26, 2011

/s/Edgar Sargent _____

16 Justin A. Nelson
 WA Bar No. 31864
 E-Mail: jnelson@susmangodfrey.com
 17 Edgar G. Sargent
 WA Bar No. 28283
 E-Mail: esargent@susmangodfrey.com
 18 Matthew R. Berry
 WA Bar No. 37364
 E-Mail: mberry@susmangodfrey.com
 19 SUSMAN GODFREY L.L.P.
 1201 Third Ave, Suite 3800
 20 Seattle, WA 98101
 Telephone: (206) 516-3880
 21 Facsimile: (206) 516-3883

22
 23
 24 Max L. Tribble, Jr.
 E-Mail: mtribble@susmangodfrey.com
 25 SUSMAN GODFREY L.L.P.
 1000 Louisiana Street, Suite 5100
 26 Houston, Texas 77002
 Telephone: (713) 651-9366
 27

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Facsimile: (713) 654-6666

Oleg Elkhunovich
E-Mail: oelkhunovich@susmangodfrey.com
SUSMAN GODFREY L.L.P.
1901 Avenue of the Stars, Suite 950
Los Angeles, California 90067
Telephone: (310) 789-3100
Facsimile: (310) 789-3150

Michael F. Heim
E-mail: mheim@hpcellp.com
Eric J. Enger
E-mail: eenger@hpcellp.com
Nate Davis
E-mail: ndavis@hpcellp.com
HEIM, PAYNE & CHORUSH, L.L.P.
600 Travis, Suite 6710
Houston, Texas 77002
Telephone: (713) 221-2000
Facsimile: (713) 221-2021

Attorneys for INTERVAL LICENSING LLC

By: /s/ Cortney Alexander
Molly A. Terwilliger
E-mail: mollyt@summitlaw.com
SUMMIT LAW GROUP
315 Fifth Avenue S, Suite 1000
Seattle, WA 98104
Telephone: (206) 676-7000
Facsimile: (206) 676-7001

Cortney Alexander
E-mail: cortney.alexander@finnegan.com
Robert Burns
E-mail: robert.burns@finnegan.com
Elliot Cook
E-mail: elliot.cook@finnegan.com
FINNEGAN, HENDERSON, FARABOW, ET AL
Two Freedom Square
11955 Freedom Drive
Reston, Virginia 20190-5675
Telephone: (571) 203-2700

Gerald Ivey
E-mail: gerald.ivey@finnegan.com
FINNEGAN, HENDERSON, FARABOW, ET AL

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901 New York Avenue, NW
Washington, DC 20001-4413
Telephone: (202) 408-4110

CERTIFICATE OF SERVICE

I hereby certify that on May 26, 2011, 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 counsel of record:

Attorneys for AOL, Inc.

Cortney Alexander	cortney.alexander@finnegan.com
Robert Burns	robert.burns@finnegan.com
Elliot Cook	elliott.cook@finnegan.com
Gerald Ivey	gerald.ivey@finnegan.com
Scott Johnson	scott.johnson@stokeslaw.com
Molly Terwilliger	mollyt@summitlaw.com

Attorneys for Apple, Inc.

David Almeling	dalmeling@omm.com
Brian Berliner	bberliner@omm.com
George Riley	griley@omm.com
Jeremy Roller	jroller@yarmuth.com
Scott Wilsdon	wilsdon@yarmuth.com
Neil Yang	nyang@omm.com
Xin-Yi Zhou	vzhou@omm.com

Attorneys for eBay, Inc.

Chris Carraway	chris.carraway@klarquist.com
Kristin Cleveland	Kristin.cleveland@klarquist.com
Klaus Hamm	Klaus.hamm@klarquist.com
Arthur Horgan, Jr.	arthurh@dhl.com
Jeffrey Love	Jeffrey.love@klarquist.com
Derrick Toddy	derrick.toddy@klarquist.com
John Vandenberg	john.vandenberg@klarquist.com
Christopher Wion	chrisw@dhl.com

Attorneys for Facebook, Inc.

Chris Durbin	cdurbin@cooley.com
Heidi Keefe	hkeefe@cooley.com
Sudhir Pala	spala@cooley.com
Michael Rhodes	mrhodes@cooley.com
Elizabeth Stameshkin	lstameshkin@cooley.com
Mark Weinstein	mweinstein@cooley.com

Attorneys for Google, Inc.

Aaron Chase	achase@whitecase.com
Dimitrios Drivas	ddrivas@whitecase.com

5

1 John Handy jhandy@whitecase.com
2 Warren Heit wheat@whitecase.com
3 Scott Johnson scott.johnson@stokeslaw.com
4 Shannon Jost shannon.jost@stokeslaw.com
5 Kevin McGann kmcgann@whitecase.com
6 Wendi Schepler wschepler@whitecase.com
7 Theresa Wang theresa.wang@stokeslaw.com

8 **Attorneys for Netflix, Inc.**

9 Chris Carraway chris.carraway@klarquist.com
10 Kristin Cleveland kristin.cleveland@klarquist.com
11 Klaus Hamm klaus.hamm@klarquist.com
12 Arthur Harrigan, Jr. arthurh@dhl.com
13 Jeffrey Love jeffrey.love@klarquist.com
14 Derreck Toddy derrick.toddy@klarquist.com
15 John Vandenberg john.vandenberg@klarquist.com

16 **Attorneys for Office Depot, Inc.**

17 Chris Carraway chris.carraway@klarquist.com
18 Kristin Cleveland kristin.cleveland@klarquist.com
19 Klaus Hamm klaus.hamm@klarquist.com
20 Arthur Harrigan, Jr. arthurh@dhl.com
21 Jeffrey Love jeffrey.love@klarquist.com
22 Derreck Toddy derrick.toddy@klarquist.com
23 John Vandenberg john.vandenberg@klarquist.com

24 **Attorneys for OfficeMax, Inc.**

25 Kevin Baumgardner kbaumgardner@correronin.com
26 Steven Fogg sfogg@correronin.com
27 John Letchinger letchinger@wildman.com
28 Jeffrey Neumeyer JeffNeumeyer@officemax.com
Douglas Rupert rupert@wildman.com

29 **Attorneys for Staples, Inc.**

30 Chris Carraway chris.carraway@klarquist.com
31 Kristin Cleveland kristin.cleveland@klarquist.com
32 Klaus Hamm klaus.hamm@klarquist.com
33 Arthur Harrigan, Jr. arthurh@dhl.com
34 Jeffrey Love jeffrey.love@klarquist.com
35 Derrick Toddy derrick.toddy@klarquist.com
36 John Vandenberg john.vandenberg@klarquist.com

37 **Attorneys for Yahoo! Inc.**

38 Francis Ho fho@mofo.com
Richard S.J. Hung rhung@mofo.com

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Michael Jacobs
Matthew Kreeger
Dario Machleidt
Eric Ow
Mark Walters

mjacobs@mofo.com
mkreeger@mofo.com
dmachleidt@flhlaw.com
eow@mofo.com
mwalters@flhlaw.com

Attorneys for YouTube, LLC

Aaron Chase
Dimitrios Drivas
John Handy
Warren Heit
Scott Johnson
Shannon Jost
Kevin McGann
Wendi Schepler
Theresa Wang

achase@whitecase.com
ddrivas@whitecase.com
jhandy@whitecase.com
wheit@whitecase.com
scott.johnson@stokeslaw.com
shannon.jost@stokeslaw.com
kmcgann@whitecase.com
wschepler@whitecase.com
theresa.wang@stokeslaw.com

By: /s/ Edgar Sargent
Edgar Sargent