

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.; APPLE, INC.; eBAY, INC.;  
FACEBOOK, INC.; GOOGLE INC.;  
NETFLIX, INC.; OFFICE DEPOT, INC.;  
OFFICEMAX INC.; STAPLES, INC.;  
YAHOO! INC.; AND YOUTUBE, LLC,

Defendants.

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

**STIPULATED MOTION TO  
SERVE AMENDED  
INFRINGEMENT CONTENTIONS**

**JURY DEMAND**

Plaintiff Interval Licensing LLC (“Interval”) and defendants eBay Inc., Office Depot, Inc., Staples, Inc., and Netflix, Inc. (collectively “Stipulating Defendants”) respectfully move under Local Patent Rule 124 for an order authorizing Interval to serve amended infringement contentions on each of the Stipulating Defendants.

Consistent with the Court’s scheduling order, Interval served infringement contentions on all defendants on December 28, 2010. Subsequently, counsel for Interval and for the Stipulating Defendants held a meet and confer session and exchanged emails

1 addressing a number of concerns that the Stipulating Defendants raised about the  
2 infringement contentions. The parties were able to reach temporary agreement on these  
3 issues with the condition that Interval provide amended contentions reflecting the  
4 clarifications and modifications agreed upon in the meet and confer sessions. Interval  
5 contends that it requires source code from the Stipulating Defendants to address fully the  
6 concerns raised by the Stipulating Defendants regarding the infringement contentions, and  
7 the Stipulating Defendants have agreed to defer further resolution of their concerns until  
8 after they make source code available for Interval's inspection.

9  
10 Local Patent Rule 124 requires leave of Court to serve amended infringement  
11 contentions after the deadline established in the scheduling order. Interval has prepared and  
12 served a copy of the proposed amended infringement contentions on each of the Stipulating  
13 Defendants. Therefore, Interval respectfully requests that the Court enter an Order  
14 authorizing service of these amended infringement contentions as of the date of this motion.  
15 The Stipulating Defendants have no objection and join in this motion.

16 Dated: April 1, 2011

/s/ Edgar Sargent

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**CERTIFICATE OF SERVICE**

I hereby certify that on April 1, 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:

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