IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ORACLE CORPORATION and ORACLE U.S.A. INC.,	)	
Plaintiffs,	)	C.A. No. 06-414-SLR
v.	)	**JURY TRIAL DEMANDED**
EPICREALM LICENSING, LP,	)	
Defendant.	)	

NOTICE OF RULE 30(b)(6) DEPOSITION
OF ORACLE CORPORATION (TOPIC NOS. 31-37)

PLEASE TAKE NOTICE that on January 30, 2008 at 9:00 a.m. at the Garden Court Hotel, 520 Cowper Street, Palo Alto, California 94301, or at such other time and place as agreed by the parties, defendant and counter-plaintiff epicRealm Licensing, LP, pursuant to Fed. R. Civ. P. 26 and 30, shall take the deposition upon oral examination of plaintiff and counter-defendant Oracle Corporation. The deposition will continue from day to day until completed and shall be taken before a duly certified court reporter and notary public or other person authorized by law to administer oaths. The deposition will be recorded by stenographic, sound and video means.

Pursuant to Fed. R. Civ. P. 30(b)(6), Oracle Corporation shall designate one or more officers, directors, managing agents or other representatives who consent to testify on its behalf, to testify to matters known or reasonably available to Oracle Corporation regarding the topics listed herein. To the extent more than one deponent is identified, Oracle Corporation shall state in advance of the deposition which portions of this notice each deponent is prepared to address.

Rule 30(b)(6) Deposition Topics

In accordance with Fed. R. Civ. P. 30(b)(6), epicRealm identifies the following matters for examination:

31. The facts, documents, testimony and other information upon which Oracle relies in support of its allegation that "epicRealm's claim for relief and prayer for damages are barred, in whole or in part, by the doctrine of laches" as set forth in Oracle's Answer to epicRealm's Counterclaims.

32. The "prejudice" Oracle has allegedly suffered "attributable to epicRealm's unreasonable and unexplained delay" as set forth in Oracle's Response to Interrogatory No. 4.

33. The "substantial resources" that Oracle has allegedly "continued to invest....in the Oracle Accused Products throughout the period of epicRealm's delay" as set forth in Oracle's Response to Interrogatory No. 4.

34. The "documents and other information relevant to the claims and defenses in this case" that Oracle contends "have been lost or discarded" as set forth in Oracle's Response to Interrogatory No. 4.

35. The identities of the witnesses whose "memories have faded during the period of epicRealm's delay" as set forth in Oracle's Response to Interrogatory No. 4, and the relevant subject matter in which those witnesses had knowledge.

36. EpicRealm's "actions taken in the U.S. Patent and Trademark Office" that allegedly estop epicRealm "from arguing certain claim constructions and/or claiming infringement of the epicRealm patents" as set forth in Oracle's Answer to epicRealm's Counterclaims.

37. EpicRealm's "admissions or representations taken in this or any other litigation" that allegedly estop epicRealm "from arguing certain claim constructions and/or claiming infringement of the epicRealm patents" as set forth in Oracle's Answer to epicRealm's Counterclaims.

For purposes of Topic Nos. 31-37, "Oracle" means Oracle Corporation and Oracle U.S.A. Inc., plaintiffs and counter-defendants in this action, and all predecessors, successors,

subsidiaries, divisions, parents and/or affiliates thereof, past or present, and all past or present officers, directors, affiliates, agents, employees, attorneys, consultants, representatives and any other person acting or purporting to act on behalf of Oracle.

You are invited to attend and exercise your rights under the Federal Rules of Civil Procedure.

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Dated: January 15, 2008
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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CERTIFICATE OF SERVICE

I, David E. Moore, hereby certify that on January 15, 2008, the attached document was electronically filed with the Clerk of the Court using CM/ECF which will send notification to the registered attorney(s) of record that the document has been filed and is available for viewing and downloading.

I further certify that on January 15, 2008, I have Electronically Mailed the document to the following person(s):

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