IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

PRAGMATUS TELECOM, LLC,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Civil Action No. 12-cv-00095-RGA
	§	
SIRIUS XM RADIO INC.	§	
	§	
Defendant.	§	

JOINT STIPULATION OF DISMISSAL OF PRAGMATUS TELECOM, LLC AND SIRIUS XM RADIO INC.

IT IS HEREBY STIPULATED by Pragmatus Telecom, LLC ("Pragmatus") and Sirius XM Radio Inc. ("Sirius XM") as follows:

1. Pragmatus has brought the above-captioned patent infringement action (the "Action") based on three patents identified in paragraph 2 of the Complaint (the "Pragmatus Patents"). Pragmatus alleges that the Pragmatus Patents encompass click-to-chat functionality that is a form of web-based communication in which a person clicks an object (e.g., button, image or text) to request an immediate connection with another person in real-time by text chat (referred to herein as the "Live Chat Services").

2. Sirius XM represents that the Live Chat Services have been and are currently exclusively provided by RightNow Technologies, Inc. ("RightNow"). Sirius XM further represents that it has never, within the past seven (7) years, used any Live Chat Services that was not provided by RightNow.

3. Based on the foregoing representation by Sirius XM, Pragmatus hereby dismisses WITH PREJUDICE all claims in the Action to the extent exclusively relating to the Live Chat

Services exclusively provided by RightNow to Sirius XM. Pragmatus dismisses all other claims WITHOUT PREJUDICE.

4. Sirius XM hereby dismisses WITH PREJUDICE all counterclaims in the Action (*i.e.*, Counts I-III and VII) relating to the Live Chat Services provided by RightNow to Sirius XM. Sirius dismisses all other counterclaims WITHOUT PREJUDICE.

Date: April 10, 2012

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Respectfully submitted,

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SO ORDERED this 11th day of April, 2012.

UNITED STATES DISTRICT JUDGE