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Case No. 07-40037

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

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JOHNNY DOE, Minor Child of John and Jane Doe,

Plaintiff-Appellant,

v.

YAHOO! INC.,

Defendant-Appellee.

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On Appeal from the United States District Court  
for the Eastern District of Texas

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**BRIEF FOR AMICI CURIAE ASSOCIATION OF COMPETITIVE  
TECHNOLOGY, COMPUTER & COMMUNICATIONS INDUSTRY  
ASSOCIATION, INFORMATION TECHNOLOGY ASSOCIATION OF  
AMERICA, INTERNET COMMERCE COALITION, NETCHOICE,  
NETCOALITION, THE UNITED STATES INTERNET SERVICE  
PROVIDER ASSOCIATION, CENTER FOR DEMOCRACY AND  
TECHNOLOGY, AND ELECTRONIC FRONTIER FOUNDATION IN  
SUPPORT OF YAHOO! INC.**

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July 5, 2007

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Washington, DC 20036

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for the Eastern District of Texas

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**SUPPLEMENTAL STATEMENT OF INTERESTED PARTIES**

Pursuant to Circuit Rule 29.2, the undersigned counsel of record certifies that the following listed persons and entities have an interest in this amicus brief. These representations are made in order that the judges of this court may evaluate possible disqualification or recusal.

The Association for Competitive Technology (ACT), an incorporated association, is not a publicly-held corporation, does not have a parent corporation,

and no publicly-traded corporation owns ten percent or more of its stock. Its members include Microsoft, eBay, Oracle, VeriSign, and several hundred smaller information technology companies.

The Computer & Communications Industry Association (“CCIA”) is a non-profit 501(c)(6) trade association. CCIA has no parent corporation nor any issued stock or partnership shares of any kind, and as such, no publicly held corporation has an ownership stake of 10% or more in CCIA. A list of its members is included in Appendix A.

The Information Technology Association of America (“ITAA”) is not a publicly-held corporation, does not have a parent corporation, and no publicly-traded corporation owns ten percent or more of its stock. A list of its members is included in Appendix A.

The Internet Commerce Coalition, an incorporated association, is not a publicly held corporation, does not have a parent corporation, and no publicly traded corporation owns ten percent or more of its stock. The ICC’s members including leading e-commerce sites, such as Amazon.com, broadband ISPs, such as Verizon, and technology trade associations, such as the Information Technology Association of America.

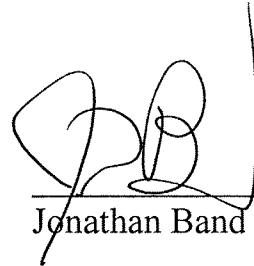
NetChoice, a coalition, is not a publicly-held corporation, does not have a parent corporation, and no publicly-traded corporation owns ten percent or more of its stock. NetChoice members include AOL, eBay, News Corporation, Oracle, VeriSign, and Yahoo!.

NetCoalition is not a publicly-held corporation, does not have a parent corporation, and no publicly-traded corporation owns ten percent or more of its stock. A list of its members is included in Appendix A.

The United States Internet Service Provider Association (“USISPA”), an incorporated association, is not a publicly-held corporation, does not have a parent corporation, and no publicly-traded corporation owns ten percent or more of its stock. A list of its members is included in Appendix A.

The Center for Democracy & Technology (“CDT”), a non-profit public interest and Internet policy organization, is not a publicly-held corporation, does not have a parent corporation, and no publicly-traded corporation owns ten percent or more of its stock.

The Electronic Frontier Foundation (“EFF”), a non-profit organization, is not a publicly-held corporation, does not have a parent corporation, and no publicly-traded corporation owns ten percent or more of its stock.



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Jonathan Band

## APPENDIX A

### **Members of CCIA:**

Ada Core Technologies, Atreus Corporation, Broadvoice, CAI/SISCO, Cybersurf, DevIS, E-GovOS, Entegrity Solutions Corp., Foresight Institute, Fujitsu Limited, Gnome Foundation, Google, Intuit, Inc., Linux Foundation, Linux Professional Institute, M5, Microsoft, Monster Government Solutions, MYSQL, NetCom Solutions International, Nortel Networks, Novak Biddle Venture Partners, On2 Technologies, OpenConnect Systems, Oracle Corporation, Red Hat, Sima, SimDesk Technologies, Inc., Sun Microsystems, Inc., ViON Corporation, Yahoo! Inc.

### **Members of ITAA:**

1105 Government Information Group, 1FORCE Government Solutions, 463 Communications, Accenture, Acquisition Solutions Inc., ACS, ActivIdentity, Inc., Adobe, AITC, Ajilon LLC, Akamai Technologies, Alien Technology Corporation, Alon, AMERICAN SYSTEMS, Analex Corporation AOL, Inc., Apogen Technologies Inc., Apple, Inc., Aprea and Micheli, Arcot Systems, AT&T, Authentify, Inc., Autodesk, Inc., Avaya Inc., AVIEL Systems, BAE SYSTEMS Information Technology, Baker & McKenzie Global Services LLC, Barnes & Thornburg LLP, BEA Government Systems, Inc., BearingPoint,

BigFix, BizConnex, LLC, BMC Software Distribution, Inc., Bob Steele Consulting, Boeing Company, Booz Allen Hamilton, Bull Services, Business Objects, CA, Inc., CACI International Inc., Caine Farber & Gordon, Inc., Canvas LLC, Capgemini, CAST Software, CDW Government (CDW-G), CenZic, Inc., CGI, Cherokee Information Services, ChoicePoint, CIBER, Inc., Circle Consulting Services, Inc., Cisco Systems, Inc., CLMS (Calibrated Lifecycle Management Services), Cognizant Technology Solutions, Cohen & Grigsby, PC, COLMAR Corporation, Compass Rose International, Compubahn, Inc., Computer Frontiers, Inc., Computer Generated Solutions, Inc., Computer Marketing Associates, Inc. (CMA), Computer Sciences Corporation, Computer Task Group, Inc. (CTG), Configuresoft, Consist International, Inc., Courion Corporation, COVAD Communications Company, Covansys, Covert Security Solutions, Crowell & Moring, LLP, Curam Software, Daon, Inc., DATA Inc. USA, Data Systems Analysts, Inc., Decru, A NetApp Company, Dell, Deloitte, Deutsche Telekom, DeVry University, Dickstein Shapiro LLP, Digimarc, DLA Piper LLC, Donnell Systems, Inc., Dynamics Research Corporation, E Smith Consulting, LLC, Eagle Collaborative Computing Services Inc., EarthLink, Inc., eBay, Inc., EDS Corporation, Electrosoft Services, Inc., EMC Federal Systems, EquaTerra, EWA Information & Infrastructure, Exegy, Inc., Extreme Networks, Fakhoury & Lum

PLC, Fenwick & West LLP, Forrester Research, Fortress Technologies, Fragomen, Del Rey, Bernsen & Loewy P.C., Friedman & Associates, Fujitsu Limited, GAGE, GCS, Inc., Gemalto North America, General Dynamics Information Technology, Gibson, Dunn & Crutcher, Global Governments, Inc., Global TechPro, Goel & Anderson, LLC, GoodToulz, Gordee, Nowicki & Arnold LLP, GovConnection, Inc., Grant Thornton LLP, GTSI, Corp., Guerra, Kiviat, Inc., GXS, Hanover & Associates, Ltd., Harmony Information Systems, Inc., Harris Corporation, Health eShare Technologies, Health Hero Network Inc., Hendela System Consultants, Inc., Hewlett-Packard Co., Hexaware Technologies, Inc., HID Global, High Performance Technology, Inc., Hobbs and Hobbs, LLC, Hogan & Hartson, Holland & Knight LLP, Howard Systems International, Inc., Hyperion Solutions Corp., IBM Corporation, ID Analytics, Idea Integration, Identity Matters, LLC, IdenTrust, Inc., Ifour, Imadgen LLC, ImageWare Systems, Inc., IMC, immixGroup, Inc., Infoition News Services, Infosys Technologies Ltd., Initiate Systems, Inc., Innovative Management & Technology (IMTS, LLC), INPUT, Integic Corporation, Intel Corporation, Intelligroup, Inc., International Direct Selling Technology Corp., International Info Systms Secrty Certificatn Consortium, IT Governance Group, IT Policy Solutions, LLC, ITS Corporation, ITT Educational Services, Inc., Jefferson Consulting Group, JVKellyGroup, Inc.,

Kanbay Inc., Kearney & Company, Kenexa Government Solutions, Kirkpatrick, Kirkpatrick & Lockhart Preston Gates Ellis LLP, Knowledge Consulting Group, KPMG LLP, L. Kenneth Johnson, L-1 Identity Solutions, L3 Communications Services Group, Lagan, Inc., Larsen and Toubro Infotech. Ltd., LaunchDreams, LCG Systems, Inc., Lee Technologies, Levi, Ray & Shoup, Inc., LexisNexis Government Services, Lexmark International, Inc., Life is Great, Liquid Machines, Lockheed Martin Information Technology, LogicaCMG, Lumedx, ManTech International Corporation, Mastek, MAXIMUS, Mayer, Brown, Rowe & Maw, McAfee Inc., McConnell International, LLC, McDermott Will & Emery, McDonald Bradley, Inc., McKenna, Long & Aldridge, Microsoft Corporation, Milton Cooper, PA, Montage Management, Morrison & Foerster, LLP, Motorola, Natoma Technologies, Inc., nCircle Proactive Network Security, Neal Fox Consulting, NEC Corporation of America, Netezza, netForensics, Inc., NetReflector.com, Inc., NewVectors LLC, NIIT (USA) Inc., Nortel Government Solutions, Northrop Grumman Information Technology, Novell, NTMI/LTS (New Technology Management, Inc., NTT Corp., OpTech, Inc., Passlogix, Performance Technology Partners, LLC, Perot Systems, Phil Butler & Associates, Ltd., Pillsbury Wintrop ShawPittman, Polaris Software Lab, Ltd., Politec, Inc., Potomac Forum, Pragmatics, Inc., PricewaterhouseCoopers LLP (PwC) Washington Federal

Practice, Primavera, PSC Group, Inc. The, Quest Software, Qwest Government Services, Inc., R&D Tax Credit Company, R. Newware IT Inc., Raytheon Company, Reality Mobile LLC, Red Hat, Inc., Reliable Integration Services, Rex Lint, Consultant, Richard A. Slifer and Associates, Robbins-Gioia, LLC, Rogers, Joseph, O'Donnell, & Phillips, Sagem Morpho, Inc., SAIC, Salesforce.com, Inc., Samara & Associates, SAP Americas, Satyam Computer Services, Ltd., Securicon LLC, Securify, Seed Capital Partners, Self Group, The LLC, Serendipity Consulting, SGI Federal, SI International, Inc., Sigaba Corporation, SignaCert, Inc., Software AG, Americas, Software Consortium, Specifics, Inc., SRA International, Inc., Stanford Group Company, Stifel Nicolaus, Summit Strategies International, LLC, Sun Microsystems Federal, SunGard Availability Services, Sybase, Inc., Symantec Corporation, Symantec Federal Region, Synergia Infotech, Synova, Inc., Syntel, Inc., System 1, Inc., SysTest Labs, TCS – America, Teksystems, The Borland Group, The Dalton Group, Inc., The Flyzik Group, TIBCO Government Solutions, Tower Software, TPI, Inc., Transportation Costing Group, Inc., Tripwire Inc., Trusted Computer Solutions, Tumbleweed Communications, Turnberry Group, The, Unisys Federal Systems, USinternetworking, Inc. (USi), Vangent, Inc., VCampus Corporation, Venable, LLP, VeriSign, Inc., Verizon, Vertex Inc., VIACK Corporation, Virginia Center

For Innovative Technology, Virtusa, Visionary Integration Professionals, Inc.,  
VJA Lexis Consulting, Vodafone Global Platform Group, Wachovia Corporation,  
Walter R. McDonald & Associates, Inc., Ways Consulting Services, Wipro  
Technologies, Womble Carlyle Sandridge & Rice, PLLC, Woodruff-Sawyer &  
Co., Xerox Corporation, Yahoo! Inc., and Zelinger Associates

**Members of NetCoalition:**

Bloomberg, CNET Networks, Google, IAC/InterActiveCorp, Yahoo!,  
California ISP Association, North Carolina Consortium of ISPs, Ohio ISP  
Association, Washington ISP Association, Wyoming ISP Association, Virginia ISP  
Alliance, The River, Shreve.net, Worldnet, Atlanta Broadband, Tucows, Thing.net,  
and DSLi.com.

**Members of USISPA:**

AOL, AT&T, BellSouth, EarthLink, Microsoft, SAVVIS, United Online,  
Verizon, and Yahoo!.

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