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Attorneys for Plaintiff The SCO Group, Inc.

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH**

THE SCO GROUP, INC.,  
a Delaware corporation,  
  
Plaintiff,

vs.

NOVELL, INC., a Delaware corporation,  
  
Defendant.

**EXHIBIT ONE  
TO PLAINTIFF'S REPLY  
MEMORANDUM IN SUPPORT OF  
MOTION TO REMAND**

Civil No.: 2:04CV00139  
Judge Dale A. Kimball

Attached is Exhibit 1 to Plaintiff's Reply Memorandum In Support Of Motion To Remand.

DATED this 7th day of April, 2004.

By:   
HATCH, JAMES & DODGE  
Brent O. Hatch

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# Novell.

> news > press room

## Press Release

### Novell Statement on SCO Contract Amendment

**PROVO, Utah — June 6, 2003** — In a May 28th letter to SCO, Novell challenged SCO's claims to UNIX patent and copyright ownership and demanded that SCO substantiate its allegations that Linux infringes SCO's intellectual property rights. Amendment #2 to the 1995 SCO-Novell Asset Purchase Agreement was sent to Novell last night by SCO. To Novell's knowledge, this amendment is not present in Novell's files. The amendment appears to support SCO's claim that ownership of certain copyrights for UNIX did transfer to SCO in 1996. The amendment does not address ownership of patents, however, which clearly remain with Novell.

Novell reiterates its request to SCO to address the fundamental issue Novell raised in its May 28 letter: SCO's still unsubstantiated claims against the Linux community.

#### About Novell

Novell, Inc. is a leading provider of information solutions that deliver secure identity management (Novell Nsure), Web application development (Novell exteNd) and cross-platform networking services (Novell Nenterprise), all supported by strategic consulting and professional services (Novell Ngage). Novell's vision of one Net - a world without information boundaries - helps customers realize the value of their information securely and economically. For more information, call Novell's Customer Response Center at (888) 321-4CRC (4272) or visit <http://www.novell.com>. Press should visit <http://www.novell.com/pressroom>.

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<http://www.novell.com/news/press/archive/2003/06/pr03036.html>

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 7<sup>th</sup> day of April 2004, I caused to be mailed a true and correct copy of the foregoing via first class U.S. Mail, postage prepaid, to the following:

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