

Exhibit 40

From: Dotty Yackle [dyackle@gric.com]
Sent: Thursday, July 06, 2000 8:29 AM
To: 'Jim Schrempp'
Subject: RE: Audible Magic has a product!

Jim,

Congratulations. I will download it and try it out. I know that my teenagers will love it if you really want some beta testing.

I have also moved jobs. I am back at HP as of one week ago. I don't have an hp email account, and GRIC has forgotten to lock me out of theirs, but I have a hot mail account. (dyackle@hotmail.com) I will call later and tell you all about my changes.

Dotty Yackle
w 447-2038

-----Original Message-----

From: Jim Schrempp
To: j_schrempp@audiblemagic.com
Sent: 7/5/00 2:46 PM
Subject: Audible Magic has a product!

Hi all,

Sorry to spam you all, but I thought you'd like to know - - - we're announcing the birth of our baby! It's called "clango" (pronounced clang

o). We've been working hard on the product and just put a version of it out for alpha testing. This version doesn't have all the final features, but it does work - and it won't mess up your PC! It has a few rough edges you may run into, let us know if you find one.

What does it do? It tells you the exact song title, artist, and album of the song you are listening to on your PC. For clango to be of value to you, you have to be listening to music over the internet. Say you're listening to your favorite radio station from www.broadcast.com. You hear a song and wonder what the title is... press the little round button on clango and within 30 seconds we'll tell you what it is! Even more, if you want to buy the album, just click on the song title and we'll ship you off to a retailer to complete the purchase.

We would love to have people download the application, try it, and tell us about the experience.

You can get information and the download at: www.clango.com If you have any problems, email or call me. There's also a list of frequently asked questions on the web site that might help.

It's a little scary to be letting our piece of software out of the laboratory but, nothing ventured nothing gained.

Give it a whirl and clango away!

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JPB
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Exhibit 5
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Jim

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