

## LOBBYING REPORT

Lobbying Disclosure Act of 1995 (Section 5) - **All Filers Are Required To Complete This Page**

1. Registrant Name:

**KIRKPATRICK & LOCKHART PRESTON GATES ELLIS LLP**

2. Address:

1735 NEW YORK AVE NW #500, WASHINGTON, DC 20006

3. Principal place of business (if different from line 2):

4. Contact Name: TERRI ALDER

Telephone: 2026613881

E-mail (optional): terri.alder@klgates.com

Senate ID #: 32098-2536

House ID #: 31355-177

7. Client Name:  Self

**PHOENIX TECHNOLOGIES**

### TYPE OF REPORT

8. Year 2006 Midyear (January 1 - June 30):  **OR** Year End (July 1 - December 31):

9. Check if this filing amends a previously filed version of this report:

10. Check if this is a Termination Report:  => Termination Date: Sep 04, 2006 11. No Lobbying Activity:

### INCOME OR EXPENSES

Complete Either Line 12 **OR** Line 13

#### 12. Lobbying Firms

**INCOME** relating to lobbying activities for this reporting period was:

Less than \$10,000:

\$10,000 or more:  => Income (nearest \$20,000): 80,000.00

Provide a good faith estimate, rounded to the nearest \$20,000, of all lobbying related income from the client (including all payments to the registrant by any other entity for lobbying activities on behalf of the client).

#### 13. Organizations

**EXPENSES** relating to lobbying activities for this reporting period were:

Less than \$10,000:

\$10,000 or more:  => Expenses (nearest \$20,000): \_\_\_\_\_

#### 14. Reporting Method.

Check box to indicate expense accounting method. See instructions for description of options.

- Method A.** Reporting amounts using LDA definitions only  
 **Method B.** Reporting amounts under section 6033(b)(8) of the Internal Revenue Code  
 **Method C.** Reporting amounts under section 162(e) of the Internal Revenue Code

Registrant Name: KIRKPATRICK & LOCKHART PRESTON GATES ELLIS LLP Client Name: PHOENIX TECHNOLOGIES

**LOBBYING ACTIVITY**

Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

15. General issue area code: CPI (one per page)

16. Specific lobbying issues:

Federal procurement; computer network security; device authentication; data recovery.

17. House(s) of Congress and Federal agencies contacted:

Commerce, Dept of (DOC)  
HOUSE OF REPRESENTATIVES  
SENATE

18. Name of each individual who acted as a lobbyist in this issue area:

Name: HEIMAN, BRUCE  
Covered Official Position (if applicable): N/A  
Name: KIRK, WILLIAM  
Covered Official Position (if applicable): N/A  
Name: O'NEIL, MICHAEL  
Covered Official Position (if applicable): N/A  
Name: STEPHENS, DENNIS  
Covered Official Position (if applicable): N/A  
Name: STIMERS, PAUL  
Covered Official Position (if applicable): N/A  
Name: VALENTINE, STEVEN  
Covered Official Position (if applicable): N/A

19. Interest of each foreign entity in the specific issues listed on line 16 above. **None**

Registrant Name: KIRKPATRICK & LOCKHART PRESTON GATES ELLIS LLP Client Name: PHOENIX TECHNOLOGIES

**LOBBYING ACTIVITY**

Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

15. General issue area code: SCI (one per page)

16. Specific lobbying issues:

Federal procurement; computer network security.

17. House(s) of Congress and Federal agencies contacted:

Commerce, Dept of (DOC)  
HOUSE OF REPRESENTATIVES  
SENATE

18. Name of each individual who acted as a lobbyist in this issue area:

Name: HEIMAN, BRUCE

Covered Official Position (if applicable): N/A

Name: KIRK, WILLIAM

Covered Official Position (if applicable): N/A

Name: O'NEIL, MICHAEL

Covered Official Position (if applicable): N/A

Name: STEPHENS, DENNIS

Covered Official Position (if applicable): N/A

Name: STIMERS, PAUL

Covered Official Position (if applicable): N/A

Name: VALENTINE, STEVEN

Covered Official Position (if applicable): N/A

19. Interest of each foreign entity in the specific issues listed on line 16 above. **None**

Signature: ON FILE Date: Feb 05, 2007

Printed Name and Title: BRUCE HEIMAN, PARTNER -