

1 Ademia Multimedia LLC, Audio Communications Inc., Cyber Trend Inc., Innovative Ideas
2 International, Adult Revenue Service, Lightspeed Media Group Inc., New Destiny Internet Group
3 LLC, VS Media Inc., Offendale Commercial Limited BV, AskCS.com, Inc., and International Web
4 Innovations Inc. (collectively referred to in this Judgment as “Defendants”).

5 First, for the reasons set forth in the October 23 Order, with respect to Defendants’
6 counterclaims of invalidity under 35 U.S.C. § 112, ¶ 2 as to U.S. Patent Nos. 5,132,992 (“‘992
7 Patent”), 5,550,863 (“‘863 Patent”), 6,002,720 (“‘720 Patent”), and 6,144,702 (“‘702 Patent”),
8 respectively, judgment is entered in favor of Defendants and against Acacia. The Court declares
9 U.S. Patent Nos. ‘992, ‘863, ‘720, and ‘702 invalid.

10 Second, for the reasons set forth in the October 23 Order, with respect to Acacia’s claims for
11 infringement and Defendants’ counterclaims for a declaration of non-infringement of the ‘992, the
12 ‘863, the ‘720, and the ‘702 Patents, judgment is entered in favor of Defendants against Acacia. The
13 Court declares that U.S. Patent Nos. ‘992, ‘863, ‘720, and ‘702 not infringed by Defendants.

14 Third, because Acacia has voluntarily withdrawn all asserted claims of U.S. Patent No.
15 5,253,275 (“‘275 Patent”), judgment is entered in favor of Defendants and against Acacia on
16 Acacia’s claims for infringement and on Defendants’ counterclaims for declaration of
17 non-infringement of the ‘275 patent.

18 Fourth, Acacia’s state law claims and Defendants’ remaining counterclaims are dismissed
19 without prejudice.

20 The Court declares that Defendants are the prevailing parties and are entitled to recover costs
21 of suit. Accordingly, the Court finds that there is no just reason for delay of entry of final judgment
22 in favor of Defendants and against Plaintiff Acacia. This is a full and final adjudication of all issues
23 before this Court.

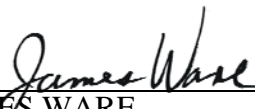
24

25 Dated: November 5, 2009

26

27

28



JAMES WARE
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

- 2 Adam R. Alper aalper@kirkland.com
- 3 Alan P. Block blocka@hbdlawyers.com
- 4 Albert L. Underhill aunderhill@swlaw.com
- 5 Annamarie A. Daley aadaley@rkmc.com
- 6 Asim M. Bhansali amb@kvn.com
- 7 Benjamin Hershkowitz bherhskowitz@gibsondunn.com
- 8 Bobby T. Shih bshih@mount.com
- 9 Bradford P. Lyerla blyerla@marshallip.com
- 10 Bryant Carroll Boren bryant.c.boren@bakerbotts.com
- 11 Christopher Scott Marchese marchese@fr.com
- 12 Christopher W Kennerly chris.kennerly@bakerbotts.com
- 13 Daniel Reisner dreisner@kayescholer.com
- 14 Daniel E. Jackson djackson@kvn.com
- 15 Daralyn J. Durie ddurie@durietangri.com
- 16 David Benyacar dbenyacar@kayescholer.com
- 17 David A. York david.york@lw.com
- 18 David Jason Silbert djs@kvn.com
- 19 David Michael Hymas dhymas@mofocom
- 20 David P. Pearson dpearson@winthrop.com
- 21 Emmett J. McMahon ejmcmahon@rkmc.com
- 22 Harold J. McElhinny HmcElhinny@mofocom
- 23 J. Timothy Nardell tim@jtnlaw.com
- 24 James Michael Slominski jslominski@hh.com
- 25 Jason A. Crotty jcrotty@mofocom
- 26 Jeffrey D. Sullivan jeffrey.sullivan@bakerbotts.com
- 27 Jeffrey H. Dean jdean@marshallip.com
- 28 John C. Englander jenglander@goodwinprocter.com
- Jon-Thomas Bloch jbloch@marshallip.com
- Jonathan Elliot Singer singer@fr.com
- Juanita R. Brooks brooks@fr.com
- Kevin D. Hogg khogg@marshallip.com
- Kevin G. McBride kgmcbride@jonesday.com
- Kevin I. Shenkman shenkman@hbdlawyers.com
- Maria Kara Nelson mknelson@jonesday.com
- Marsha Ellen Mullin memullin@jonesday.com
- Matthew Ian Kreeger mkreeger@mofocom
- Michael J. McNamara michael.mcnamara@bakerbotts.com
- Mitchell D. Lukin mitch.lukin@bakerbotts.com
- Morgan William Tovey morgantovey@quinnemanuel.com
- Patrick J. Whalen pwhalen@spencerfane.com
- Paul A. Friedman pafriedman@mofocom
- Rachel Krevans rkrevans@mofocom
- Richard R. Patch rrp@cpdb.com
- Robert Donald Carroll rcarroll@goodwinprocter.com
- Roderick G. Dorman dormanr@hbdlawyers.com
- Sean David Garrison sgarrison@lrlaw.com
- Stephen E. Taylor staylor@tcolaw.com
- Stephen P. Safranski spsafranski@rkmc.com
- Todd Glen Miller miller@fr.com
- Todd R. Tucker ttucker@rennerotto.com

United States District Court
For the Northern District of California

1 Victor de Gyarfas vdegyarfas@foley.com
Victor George Savikas vgsavikas@jonesday.com
2 William Joseph Robinson wrobinson@foley.com
William R. Overend woverend@reedsmith.com
3 William R. Woodford woodford@fr.com

4

5 **Dated: November 5, 2009**

Richard W. Wieking, Clerk

6

By: /s/ JW Chambers
Elizabeth Garcia
Courtroom Deputy

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28