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 APPLE COMPUTER, INC.
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10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
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13 APPLE COMPUTER, INC.,
 14 Plaintiff,
 15 v.
 16 BURST.COM, INC.,
 17 Defendants.

Case No. 3:06-CV-00019 MHP

**PLAINTIFF APPLE COMPUTER, INC.'S
 NOTICE OF WITHDRAWAL OF
 MOTION FOR SUMMARY JUDGMENT
 OF NON-INFRINGEMENT**

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Pursuant to Northern District of California Local Rule 7-7(e), plaintiff Apple Inc. respectfully withdraws without prejudice its Motion for Summary Judgment of Non-Infringement Based On The “Stored Time Compressed Representation” Limitation, filed January 4, 2007. No Opposition has yet been filed to this Motion.

Dated: June 5, 2007

WEIL, GOTSHAL & MANGES LLP

By /s/ Nicholas A. Brown
Nicholas A. Brown
Attorney for Plaintiff Apple
Computer, Inc.