

1 MATTHEW D. POWERS (Bar No. 104795)  
 matthew.powers@weil.com  
 2 GARLAND T. STEPHENS (admitted N.D.C.A.,  
 Texas Bar No. 24053910)  
 3 garland.stephens@weil.com  
 NICHOLAS A. BROWN (Bar No. 198210)  
 4 nicholas.brown@weil.com  
 WEIL, GOTSHAL & MANGES LLP  
 5 Silicon Valley Office  
 201 Redwood Shores Parkway  
 6 Redwood Shores, CA 94065  
 Telephone: (650) 802-3000  
 7 Facsimile: (650) 802-3100

8 Attorneys for Plaintiff  
 APPLE COMPUTER, INC.

10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA

13 APPLE COMPUTER, INC.,  
 14 Plaintiff,  
 15 v.  
 16 BURST.COM, INC.,  
 17 Defendant.

Case No. C 06-0019 MHP

[PROPOSED] ORDER GRANTING  
 APPLE'S MOTION FOR SUMMARY  
 JUDGMENT OF NONINFRINGEMENT  
 OF THE "STORED TIME  
 COMPRESSED REPRESENTATION"  
 LIMITATION

Date: February 8, 2007  
 Time: 9:00 a.m.  
 Hon. Marilyn Hall Patel

Complaint Filed: January 4, 2006  
 Trial Date: February 26, 2008

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Before the Court is Apple Computer, Inc.'s Motion for Summary Judgment of Noninfringement Of The "Stored Time Compressed Representation" Limitation. The Court having considered the papers submitted in connection with the motion and the parties' arguments and, after that careful consideration:

IT IS HEREBY ORDERED that Apple's Motion For Summary Judgment of Noninfringement of the "Stored Time Compressed Representation" Limitation is GRANTED.

Dated:

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The Honorable Marilyn Hall Patel  
U.S. District Court Judge