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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 INVALIDITY
 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 Invalidity. 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 Invalidity is GRANTED.

Dated:

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