

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

NETFLIX, INC., a Delaware corporation,

Case No. C 06 2361 WHA (JCS)

Plaintiff,

v.

**[PROPOSED] ORDER GRANTING
SUMMARY JUDGMENT OF
INVALIDITY AND NON-
INFRINGEMENT IN FAVOR OF
BLOCKBUSTER INC.**BLOCKBUSTER INC., a Delaware
corporation,

Defendant.

AND RELATED COUNTERCLAIMS

Blockbuster's Motion for Summary Judgment of Invalidity and Non-Infringement of United States Patent Nos. 6,584,450 ("the '450 patent") and 7,024,381 ("the '381 patent") came on regularly for hearing before this Court on August 2, 2007. After full consideration of the moving and opposing papers of each party, the arguments of counsel, and all other matters presented to the Court, IT IS HEREBY ORDERED that summary judgment is GRANTED in favor of Blockbuster as to its claims of invalidity of the '450 and '381 patents and non-infringement of the asserted claims thereof.

DATED this _____ day of _____, 2007.

Honorable William H. Alsup
United States District Judge