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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ADVANCED MICRO DEVICES, et al.,

No. C 08-00986 SI

Plaintiffs and Counterdefendants,

**ORDER RE: OBJECTION TO CERTAIN
EVIDENCE OFFERED BY AMD
(Docket No. 471)**

v.

SAMSUNG ELECTRONICS CO., et al.,

Defendants and Counterclaimants.

Samsung has objected to AMD's proposed use at the summary judgment hearing of sample accused products loaded with third-party software to the extent such software is not sold with Samsung products. Samsung states that AMD's proposed demonstration is improper because AMD did not assert contributory or indirect infringement in its Final Infringement Contentions or show that Samsung sells the accused products with such software.

The objection is **OVERRULED** to the extent Samsung seeks to prevent AMD's demonstration at the summary judgment hearing. However, to the extent the Court concludes after the demonstration that the software falls outside the scope of AMD's claims, the Court will disregard the evidence in ruling on the summary judgment motion.

IT IS SO ORDERED.

Dated: May 17, 2010



SUSAN ILLSTON
United States District Judge

United States District Court
For the Northern District of California