

E-filing

[Counsel Listed On Signature Page]

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PAGEMELDING, INC.,)	Civil Action File
)	
Plaintiff,)	
)	
vs.)	No. 08-CV-3484 CRB
)	
FEEVA TECHNOLOGY, INC., HITWISE)	
USA, INC., KINDSIGHT, INC.,)	JOINT STIPULATION TO DISMISS ALL
MICROSOFT CORPORATION, AND)	CLAIMS AND COUNTERCLAIMS
NEBUAD, INC.,)	
)	
Defendants.)	

IT IS HEREBY STIPULATED by and between Plaintiff PageMelding, Inc. ("PageMelding") and Defendant Microsoft Corporation ("Microsoft") (collectively, the "Parties"), by and through the Parties' designated counsel as follows:

WHEREAS, PageMelding filed an action in the Northern District of California against Microsoft and several other defendants alleging patent infringement of U.S. Patent No. 6,442,577, which action has been assigned Case No. CV-08-3484-CRB (the "Action");

WHEREAS, the Parties have entered a settlement of all claims asserted by PageMelding against Microsoft and asserted by Microsoft against PageMelding in the Action;

WHEREAS, pursuant to the terms of the settlement between PageMelding and Microsoft, the Parties agree that all claims and counterclaims asserted against one another, including PageMelding's claims and Microsoft's counterclaims, should be dismissed in their entirety;

WHEREAS, each Party shall bear its own costs and attorneys' fees in connection with the Action;

1 IT IS SO STIPULATED by and between the Parties through their designated counsel that
2 all of PageMelding's claims against Microsoft in the above-captioned matter shall be dismissed
3 with prejudice and all of Microsoft's counterclaims against PageMelding in the above-captioned
4 action shall be dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1).

5
6 Dated: December 18, 2009

Respectfully submitted,

7
8 COUGHLIN STOIA GELLER RUDMAN
& ROBBINS, LLP

9 By: /s/ E. Joseph Benz III
10 John C. Herman
11 Ryan K. Walsh
E. Joseph Benz III

12 Attorneys for Plaintiff PageMelding,
13 Inc.

14 FISH & RICHARDSON P.C.

15
16 /s/ Kelly C. Hunsaker

17 Frank E. Scherkenbach
18 225 Franklin Street
19 Boston, Massachusetts 02110-2804
Telephone: (617) 542-5070
20 Facsimile: (617) 542-8906
scherkenbach@fr.com

21 Kelly C. Hunsaker
22 Leeron Kalay
FISH & RICHARDSON P.C.
23 500 Arguello Street, Suite 500
Redwood City, CA 94063
24 Telephone: (650) 839-5070
Facsimile: (650) 839-5071
hunsaker@fr.com

25 Jason W. Wolff
26 FISH & RICHARDSON P.C.
12390 El Camino Real
27 San Diego, CA 92130
Telephone: (858) 678-5070
28 Facsimile: (858) 678-5099

wolff@fr.com

Attorneys for Defendant Microsoft Corporation

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

I hereby certify that on December 18, 2009, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on December 18, 2009.

s/ E. Joseph Benz III
E. Joseph Benz III

COUGHLIN STOIA GELLER
RUDMAN & ROBBINS LLP
3424 Peachtree Road, N.E., Suite 1650
Atlanta, GA 30326
Telephone: 404/504-6500
404/504-6501 (fax)

E-mail: jbenz@csgrr.com

1 [Counsel Listed On Signature Page]

E-filing

2
3
4 UNITED STATES DISTRICT COURT
5 NORTHERN DISTRICT OF CALIFORNIA
6

7 PAGEMELDING, INC.,)

Civil Action File

8 Plaintiff,)

9 vs.)

No. 08-CV-3484 CRB

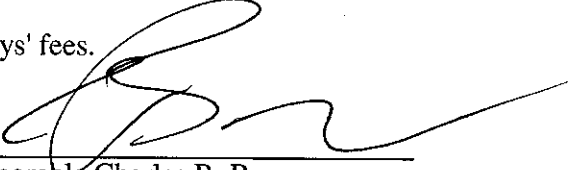
10 FEEVA TECHNOLOGY, INC., HITWISE)
11 USA, INC., KINDSIGHT, INC.,)
12 MICROSOFT CORPORATION, AND)
13 NEBUAD, INC.,)

[~~PROPOSED~~] ORDER

14 Defendants.)

15 Having read the foregoing Stipulation and good cause appearing therefore, all of
16 PageMelding's claims against Microsoft are hereby dismissed with prejudice and all of
17 Microsoft's counterclaims against PageMelding are hereby dismissed without prejudice. Each
18 party shall bear its own costs and attorneys' fees.

19 Dated: December 29, 2009

20 
21 Honorable Charles R. Beyer
22 Judge of the United States District Court for the
23 Northern District of California
24
25
26
27
28