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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MFORMATION TECHNOLOGIES, INC.

No. C-08-4990 EMC

Plaintiff,

v.

**ORDER GRANTING PLAINTIFF'S
MOTION TO CORRECT JUDGMENT**

RESEARCH IN MOTION LIMITED, *et al.*

(Docket No. 1085)

Defendants.

_____ /

Having considered the motion, all papers that are related thereto, and the argument of counsel, for the reasons stated on the record, the Court hereby **GRANTS** Mformation's Motion to Correct Judgment Pursuant to Federal Rules of Civil Procedure 59(e) and 60(a).

The Court hereby amends its judgment to read as follows:

Pursuant to the Court's November 18, 2010 Order (Docket No. 355), December 19, 2011 Order (Docket No. 691), and August 8, 2012 Order Granting RIM's Renewed Motion for Judgment as a Matter of Law (Docket No. 1074), judgment is hereby entered in favor of Defendants Research in Motion Limited and Research in Motion Corporation against Plaintiff Mformation Technologies, Inc. that Claims 1, 6, 21-25 and 27 of U.S. Patent No. 6,970,917 ("the '917 Patent") are not infringed by Defendants.

Pursuant to the Court's July 5, 2012, ruling (Trial Tr., Docket No. 1013, at 2056-2062), judgment is hereby entered in favor of Defendants Research in Motion Limited and Research in Motion Corporation against Plaintiff Mformation Technologies, Inc. that claims 1, 6, 21-25 and 27

1 of the '917 patent are not willfully infringed by Defendants.

2 Pursuant to the Court's November 18, 2010 Order (Docket No. 355), judgment is entered in
3 favor of Defendants Research in Motion Limited and Research in Motion Corporation against
4 Plaintiff Mformation Technologies, Inc. that Claims 2, 3, 9-20 and 28-48 of the '917 Patent are
5 invalid for lack of utility and enablement.

6 Pursuant to the Court's December 19, 2011 Order (Docket No. 691), judgment is hereby
7 entered in favor of Defendants Research in Motion Limited and Research in Motion Corporation
8 against Plaintiff Mformation Technologies, Inc. that Plaintiff was required to mark its products to
9 claim pre-suit damages and failed to do so and Plaintiff cannot claim damages prior to October 27,
10 2008.

11 Pursuant to the Court's December 19, 2011 Order (Docket No. 691), judgment is entered in
12 favor of Plaintiff Mformation Technologies, Inc. against Defendants Research in Motion Limited
13 and Research in Motion Corporation on Defendants' counterclaim of unenforceability of U.S. Patent
14 No. 6,970,917 based upon inventorship or failure to properly disclose the Parkinson, Dimech or
15 Geiger references.

16 Pursuant to the April 8, 2011 Order on the Joint Stipulation of Dismissal (Docket No. 450),
17 Plaintiff Mformation Technologies, Inc. dismissed with prejudice all claims of infringement of U.S.
18 Patent No. 7,343,408 against Defendants Research in Motion Limited and Research in Motion
19 Corporation. Defendants' remaining counterclaims with respect to U.S. Patent No. 7,343,408 are
20 dismissed without prejudice as moot.

21 Pursuant to the Court's August 8, 2012 Order Granting RIM's Renewed Motion for
22 Judgment as a Matter of Law (Docket No. 1074), Defendants' remaining counterclaims for a
23 judgment of invalidity with respect to claims 1, 6, 21-25 and 27 of the '917 Patent are dismissed
24 without prejudice as moot. Defendants may reinstate their counterclaims and renew their Motion for
25 Judgment as a Matter of Law on all remaining grounds in the event that the United States Court of
26 Appeals for the Federal Circuit remands this case back to this Court, in whole or in part.

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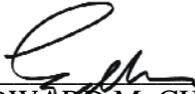
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Plaintiff's claims of infringement of claims 4 and 5 of the '917 Patent were not presented to the jury and are therefore dismissed with prejudice. RIM's counterclaim of invalidity of claims 4 and 5 of the '917 Patent is dismissed without prejudice as moot.

This order disposes of Docket No. 1085.

IT IS SO ORDERED.

Dated: November 6, 2012



EDWARD M. CHEN
United States District Judge