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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

VOLTERRA SEMICONDUCTOR CORPORATION,  
  
Plaintiff,  
  
v.  
  
PRIMARION, INC., a Delaware Corporation, INFINEON TECHNOLOGIES AG, a German Corporation, and INFINEON TECHNOLOGIES NORTH AMERICA CORPORATION, a Delaware Corporation  
  
Defendants.

**CASE NO. C 08-05129 JCS**  
  
**STIPULATION AND JOINT REQUEST THAT THE COURT CONSTRUE THE CLAIM TERM “FABRICATED ON A SURFACE OF THE SUBSTRATE”**

AND RELATED COUNTERCLAIMS.

Plaintiff Volterra Semiconductor Corporation (“Plaintiff”) and Defendants Primarion, Inc., Infineon Technologies AG and Infineon Technologies North America Corp. (“Defendants”), by and through their respective counsel, jointly stipulate and make the following request:

1. The Court has not construed the claim term “fabricated on a surface of the substrate,” which appears in asserted claims 26 and 34 of the U.S. Patent No. 6,278,264 (“the

1 '264 Patent") and asserted claims 22 and 24 of U.S. Patent No. 6,462,522 ("the '522 Patent")  
2 (collectively, the "Burstein Patents"). The meaning of this claim term is disputed between the  
3 parties.

4 2. The parties are in agreement that the Court's construction of the claim term  
5 "fabricated on a surface of the substrate" is highly likely to resolve all remaining claim  
6 construction issues with respect to the above mentioned claims of the Burstein Patents in this case  
7 at the District Court level, although the parties reserve their right to appeal. This Stipulation will  
8 also streamline discovery and may assist the parties in their settlement discussions and mediation  
9 scheduled for June 22.

10 3. Accordingly, the parties therefore request that the Court construe the term  
11 "fabricated on a surface of the substrate" in the Burstein Patents. To accomplish this objective,  
12 the parties propose to submit limited briefing to assist the Court regarding the construction of this  
13 term and further agree that neither side would attach any additional evidence or expert testimony,  
14 but may attach evidence that is already in the record of this case.

15 4. The parties therefore stipulate and propose that, assuming the Court's approval of  
16 this stipulation, plaintiff Volterra would file an opening brief of no more than three pages to  
17 address the meaning of this claim term on May 14, 2010. Defendants will file a responsive brief  
18 of no more than six total pages by May 21, 2010 and Volterra would file a reply brief of no more  
19 than three pages by May 28, 2010. The parties are agreeable to submitting the construction of  
20 this claim term for decision by the Court without oral argument, but would certainly be available  
21 to present a brief oral argument on this claim term if the Court desires.

22  
23 AGREED AND SO STIPULATED:

24 DATED: April 29, 2010

FARELLA BRAUN & MARTEL LLP

25 By: /s/ James W. Morando  
26 James W. Morando  
27 Attorneys for Plaintiff  
28 VOLTERRA SEMICONDUCTOR  
CORPORATION

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DATED: April 29, 2010

McDERMOTT WILL & EMERY LLP

By: /s/ David H. Dolkas  
David H. Dolkas  
Attorneys for Defendants  
PRIMARION, INC., INFINEON  
TECHNOLOGIES AG and  
INFINEON TECHNOLOGIES  
NORTH AMERICA CORP.

APPROVED AND SO ORDERED:

DATED: 04/30/2010

