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 STRYKER CORPORATION AND STRYKER  
 6 COMMUNICATIONS, INC.

7 **[ADDITIONAL COUNSEL  
 IDENTIFIED ON SIGNATURE PAGE]**  
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13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA  
 15 SAN FRANCISCO DIVISION

REED SMITH LLP  
 A limited liability partnership formed in the State of Delaware

17 KARL STORZ ENDOSCOPY-AMERICA, INC.,  
 18 Plaintiff,  
 19 vs.  
 20 STRYKER CORPORATION and STRYKER  
 COMMUNICATIONS, INC.,  
 21 Defendants.  
 22

Case No. C 09-0355 (WHA)  
~~PROPOSED~~ **STIPULATED DISMISSAL  
 OF CERTAIN PATENT RELATED  
 CLAIMS AND ORDER**

Honorable William H. Alsup

23 AND RELATED COUNTERCLAIMS  
 24

1 Plaintiff Karl Storz Endoscopy-America, Inc. ("KSEA") and Defendants Stryker Corporation  
2 and Stryker Communications, Inc. (collectively "Stryker"), through their respective counsel of  
3 record, hereby stipulate to entry of the following:

4 1. All claims and counterclaims relating to U.S. Patent No. 6,824,539 ("the '539 patent")  
5 are dismissed WITH PREJUDICE.

6 2. KSEA covenants not to sue Stryker or any of its divisions, subsidiaries, affiliates,  
7 distributors, customers, or successors, based on any claim that Stryker or any of its divisions,  
8 subsidiaries, affiliates, distributors, customers, or successors, directly, indirectly, contributorily, by  
9 inducement, or otherwise infringes any claim of the '539 patent, or any claim of any patent resulting  
10 from a reissue or reexamination of the '539 patent. The covenant not to sue applies to all of Stryker's  
11 past, present and future conduct and products. KSEA also covenants not to transfer any of its rights  
12 to the '539 patent to any person or entity unless that person or entity agrees to these terms.

13 3. This stipulation has no effect on the parties' claims and counterclaims relating to  
14 U.S. Patent No. 5,788,688 and U.S. Patent No. 6,397,286.

15  
16 IT IS SO STIPULATED.

17 Dated: February 14, 2011

18 Respectfully submitted,

19 /s/ Alfredo Bismonte  
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Attorneys for Plaintiff,  
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Dated: February 14, 2011

Respectfully submitted,

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Attorneys for Defendants,  
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Stryker Communications, Inc.

**CERTIFICATION**

I hereby attest that concurrence in the filing of this document has been obtained by the above named signatories.

DATED: February 14, 2011

REED SMITH LLP

By /s/ William R. Overend  
William R. Overend  
Attorneys for Defendants  
Stryker Corporation and  
Stryker Communications, Inc.

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**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: March 1, 2011



Honorable William H. Alsup  
United States District Judge