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MICROBOARDS MANUFACTURING
LLC, MICROBOARDS TECHNOLOGY
LLC, OCTAVE SYSTEMS INC and DISC
MAKERS INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WORDTECH SYSTEMS INC.,

Plaintiff,

v.

MICROBOARDS MANUFACTURING, L.L.C.,
MICROBOARDS TECHNOLOGY, L.L.C.,
OCTAVE SYSTEMS, INC., VINPOWER, INC.,
DISK MAKERS INC., AND DOES 1-50,

Defendants.

Case No.: 3:09-cv-04612-SI

**STIPULATION TO VACATE THE
JANUARY 12, 2011 CLAIM
CONSTRUCTION HEARING AND
ORDER THEREON**

JUDGE: HON. SUSAN ILLSTON

TRIAL DATE: JULY 11, 2011

Plaintiff and Counterclaim Defendant, Wordtech Systems Inc. (“Plaintiff”) and Defendants and Counterclaimants Microboards Manufacturing, L.L.C., Microboards Technology, L.L.C., Octave Systems, Inc., Vinpower, Inc., Disk Makers Inc. (“Defendants”), (collectively, “the Parties”) jointly submit, by and through their respective counsel, this stipulation to vacate the claim construction hearing scheduled for January 12, 2011.

The Parties' agreed upon construction of the claim terms, phrases, and/or clauses for the Patents in Suit are listed below. Any term not otherwise agreed upon, construed, and identified below is subject to the plain and ordinary meaning of that term. The Parties have no disputed terms for the Court to construe and hereby stipulate and agree to the request for, and entry of, the following order to vacate the claim construction hearing currently scheduled for January 12, 2011.

AGREED UPON CLAIM CONSTRUCTIONS (PATENT L.R. 4-3(A))

DEFINITIONS	
Tower	A vertical structure.
Transport tower	A tower having a vertical axis about and along which disks are conveyed.
Pivotal transport tower	A transport tower having a vertical axis about which the arm rotates.
Arm	A structural member that displaces the transported disk from the vertical axis of the tower.
Disk spindle member	A "spindle" or other pin type column to hold disks in a stack.
Disk pickup mechanism	A mechanical or pneumatic assembly to engage, lift and retain a disk.
Electronic Controller	Electronic device that controls the electromechanical operations of a copy unit.
Disk reject area	A location where rejected disks are deposited.
Suction pick-up unit	Apparatus that engages and retains a disk by vacuum suction.
Print application unit	An apparatus for marking on disks.
Disk retainer member	A structure that holds disks in a stack
Disk receiving member or Disk receiving device	A structure positioned to receive a disk
Disk holding structure	A structure that holds disks in a stack

Means Plus Functions Claims, Patent No. 6,141,298

CLAIM – MEANS	FUNCTION	APPARATUS
12. (a) lifting means	for engaging and transporting a disk in a vertical direction	arm 56; suction pickup unit 54 or mechanical pickup unit operating with tower
(b) rotating transport means	for transporting the disk in a horizontal plane	tower 58; rotating base 102 axle 38; pulley assembly; stepper motor 32
(c) disk stacking means	for holding disks in a stack	disk spindle members 52
13. master disk data transfer means	for reading master data on a disk and then transferring the data onto a disk	computer software 260-350; input spindle 52a; output spindle 52b; host computer 12
14. user interface means	for pre-programming the control of the duplication of data	computer software 210 host computer 12, display 13

15. (a) defective CD-R disk detection means	for detecting defllective disks	computer software 610, 620
(b) ejection means	for ejecting defective disks	computer software 620; disk reject slide 92
16. labeling means	for the application of symbols on the upper face of the disks and transporting the labeled disks	computer software 630-643; print application unit 93, host computer 12

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

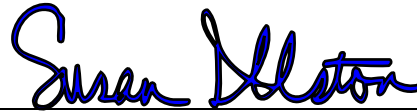
LT Pacific Law Group LLP

/s/ Jeff Lee (As authorized by email on 10/15/2010)
Counsel for Defendants

/s/ Christian J. Martinez
Counsel for Plaintiff

IT IS SO ORDERED.

Dated: _____



THE HONORABLE SUSAN ILLSTON
United States District Court Judge