

United States District Court  
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DATEL HOLDINGS LTD,  
  
Plaintiff,  
  
v.  
  
MICROSOFT CORPORATION,  
  
Defendant.

No. C-09-05535 EDL

**ORDER GRANTING IN PART AND  
DENYING IN PART DEFENDANT’S  
MOTION TO COMPEL**

After considering the papers filed regarding Defendant Microsoft Corp.’s Motion to Compel Production of Documents and Things and the arguments of counsel, it is hereby ordered that Plaintiffs Datel Holdings Ltd. and Datel Design & Development, Inc. (“Datel” or “Plaintiffs”) shall:

1. To the extent not already produced, produce within 14 days of the order all emails held by Messrs. Armitt or Connors that relate to the reverse engineering of the Xbox 360 security system for accessories.
2. To the extent not already produced, produce within 14 days of this order all documents reflecting Datel's offers throughout the world to sell or license its technology for its security chip for the Xbox 360.
3. To the extent not already produced, produce within 7 days of this order samples of all current Xbox and Xbox 360 products previously requested by Microsoft, in the quantities previously requested by Microsoft. Datel may charge Microsoft for such products.
4. To the extent not already produced, produce with 14 days of this order, an inventory of all the past products and past versions of its products that Datel retains and samples of past

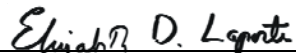
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products that Datel has offered for the Xbox 360 and that Datel retains. If Datel has more than one sample of any such past product, one sample shall be made available to Microsoft and Datel may charge Microsoft for such sample. If Datel has only one sample, that sample shall be made available for Microsoft to inspect at the offices of Datel's counsel in San Francisco.

The motion is DENIED with respect to documents relating to the Lite Blue Tool and other hacking products, but Datel may possibly in the future be precluded from making assertions about such products if discovery is not provided on these topics, and it would be unfair to Microsoft under the circumstances for Datel to do so.

**IT IS SO ORDERED.**

Dated: February 17, 2011

  
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ELIZABETH D. LAPORTE  
United States Magistrate Judge