

1 [Counsel listed on signature pages]

2

3

4

5

6

7

8

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

9

10

11

ORACLE AMERICA, INC.

Case No. CV 10-03561 WHA

12

Plaintiff,

**JOINT PROPOSED CLAIM  
CONSTRUCTION BRIEFING  
SCHEDULE**

13

v.

14

GOOGLE INC.

Judge: Honorable William H. Alsup

15

Defendant.

16

17

Pursuant to the Court’s tentative case schedule (Docket No. 50) Plaintiff Oracle America, Inc. (“Oracle”) and Defendant Google, Inc. (“Google”) propose the following claim construction briefing schedule:

18

19

20

21

22

23

24

25

26

27

28

Event / Filing	Date	Rule
Case Management Conference	November 18, 2010	Set by court
Deadline for filing proposed claim construction schedule	November 24, 2010	Set by court (Docket No. 50)
Last Day to Make Initial Disclosures and First Day to Serve Discovery Requests	December 02, 2010	Agreement of parties
Last Day for Oracle America to serve Disclosure of Asserted Claims and Preliminary Infringement Contentions and produce documents.	December 02, 2010	Patent L.R. 3-1, 3-2

<b>Event / Filing</b>	<b>Date</b>	<b>Rule</b>
Last day for Google to serve Preliminary Invalidity Contentions and produce documents	January 17, 2011	Patent L.R. 3-3, 3-4
Last day for parties to exchange Proposed Terms and Claims Elements for Construction	January 25, 2011	Patent L.R. 4-1; with shortened time proposed by parties
Last day for parties to exchange Preliminary Claim Constructions and Extrinsic Evidence	February 08, 2011	Patent L.R. 4-2; with shortened time proposed by parties
Last day for parties to file Joint claim Construction and Prehearing Statement	February 22, 2011	Patent L.R. 4-3; with shortened time proposed by parties
Complete claim construction discovery	March 01, 2011	Pat. L.R. 4-4; with shortened time proposed by parties
Parties file simultaneous claim construction briefs	March 17, 2011	Patent L.R. 4-5; with shortened time proposed by parties
Parties file simultaneous responsive claim construction briefs	March 31, 2011	Patent L.R. 4-5
No reply claim construction briefs without leave of court	None	Agreement of parties
Claim Construction Tutorial	April 06, 2011	Set by court (Docket No. 50)
Claim Construction Hearing	April 20, 2011	Set by court (Docket No. 50)

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

MORRISON & FOERSTER LLP  
MICHAEL A. JACOBS (Bar No. 111664)  
mjacobs@mofo.com  
MARC DAVID PETERS (Bar No. 211725)  
mdpeters@mofo.com  
755 Page Mill Road  
Palo Alto, CA 94304-1018  
Telephone: (650) 813-5600/Facsimile: (650)  
494-0792

BOIES, SCHILLER & FLEXNER LLP  
DAVID BOIES (*Admitted Pro Hac Vice*)  
dboies@bsflp.com  
333 Main Street  
Armonk, NY 10504  
Telephone: (914) 749-8200 / Facsimile: (914)  
749-8300  
STEVEN C. HOLTZMAN (Bar No. 144177)  
sholtzman@bsflp.com  
1999 Harrison St., Suite 900  
Oakland, CA 94612  
Telephone: (510) 874-1000/Facsimile: (510)  
874-1460

ORACLE AMERICA CORPORATION  
DORIAN DALEY (Bar No. 129049)  
dorian.daley@oracle.com  
DEBORAH K. MILLER (Bar No. 95527)  
deborah.miller@oracle.com  
MATTHEW M. SARBORARIA (Bar No.  
211600)  
matthew.sarboraria@oracle.com  
500 Oracle America Parkway  
Redwood City, CA 94065  
Telephone: (650) 506-5200/Facsimile: (650)  
506-7114

*Attorneys for Plaintiff*  
ORACLE AMERICA, INC.

Dated: November 24, 2010

By: /s/ Richard S. Ballinger

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DONALD F. ZIMMER, JR. (SBN 112279)  
fzimmer@kslaw.com  
CHERYL A. SABNIS (SBN 224323)  
csabnis@kslaw.com  
KING & SPALDING LLP  
101 Second Street – Suite 2300  
San Francisco, CA 94105  
Telephone: (415) 318-1200  
Facsimile: (415) 318-1300

SCOTT T. WEINGAERTNER (*Pro Hac Vice*)  
sweingaertner@kslaw.com  
ROBERT F. PERRY  
rperry@kslaw.com  
BRUCE W. BABER (*Pro Hac Vice*)  
bbaber@kslaw.com  
KING & SPALDING LLP  
1185 Avenue of the Americas  
New York, NY 10036-4003  
Telephone: (212) 556-2100  
Facsimile: (212) 556-2222

Attorneys for Defendant  
GOOGLE INC.

Dated: November 24, 2010

By: /s/ Donald F. Zimmer, Jr.  
DONALD F. ZIMMER, JR.

**Attestation of Concurrence**

I, Richard S. Ballinger, as the ECF user and filer of this document, attest that concurrence in the filing of this document has been obtained from each of the above signatories.

Dated: November 24, 2010

By: /s/ Richard S. Ballinger  
Counsel to Plaintiff  
ORACLE AMERICA, INC.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

IT IS SO ORDERED.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Honorable William H. Alsup  
United State District Court Judge