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 16 **UNITED STATES DISTRICT COURT**
 17 **NORTHERN DISTRICT OF CALIFORNIA**
 18

19 SANDISK CORPORATION,
 20 Plaintiff and Counterclaim Defendant,
 21 vs.
 22 ROUND ROCK RESEARCH LLC,
 23 Defendant and Counterclaim Plaintiff.

Case No. 11-cv-05243-RS

**STIPULATED SUPPLEMENTAL
 JOINT CLAIM CONSTRUCTION
 STATEMENT AND [PROPOSED]
 MARKMAN SCHEDULE**

24
 25 SanDisk Corporation (“SanDisk”) and Round Rock Research LLP (“Round Rock”) submit
 26 the following Supplemental Joint Claim Construction Statement concerning United States Patent
 27 Nos. 5,286,344; 5,682,345; 5,783,282; 6,015,760; 6,272,586; 6,383,839; 6,570,791; 7,483,334; and
 28 6,845,053 (“Remaining Patents-In-Suit”).

1 **Reduction in Disputed Terms:**

2 After claim construction briefing was completed, the parties agreed to dismiss their claims
3 regarding U.S. Patent No. 7,021,520. [See Dkt. No. 115 (Order Dismissing '520 Patent).]
4 Accordingly, the Court can ignore the portions of the parties' claim construction briefs addressing
5 the '520 patent. In addition, subsequent to claim construction briefing, Round Rock agreed to
6 withdraw its assertion of claims 5-8 of United States Patent No. 6,383,839. Accordingly, the Court
7 can ignore the portions of the parties' claim construction briefs that address the terms "securing a
8 semiconductor device nonparallel relative to a substrate" and "maintain the nonparallel position of
9 the semiconductor device relative to the substrate."

10 **Remaining Disputed Terms:**

11 Pursuant to Patent Local Rule 4-3(c), the parties request that the Court conduct one claim
12 construction hearing on the remaining terms in dispute. The table below shows that the parties have
13 narrowed their disputes to essentially fourteen terms from seven of the Remaining Patents-In-Suit:

PATENT	CLAIMS	DISPUTED TERM/PHRASE
5,286,344	1-3, 6, 11, 12, 15	"high SiO ₂ etch rate"/"high level of selectivity"
	1-3, 6, 11, 12, 15	"the contact sidewalls of said SiO ₂ outer layer are perpendicular to the multilayer structure layers"
5,682,345	1	"control means" (35 U.S.C. § 112, ¶ 6)
	1	"program means" (35 U.S.C. § 112, ¶ 6)
	1	"recall means" (35 U.S.C. § 112, ¶ 6)
5,783,282	2, 4	"depositing a first material onto a semiconductor substrate"/ "sputtering the first material onto the semiconductor substrate"
	2, 4	"bias voltage"
6,272,586	30	"a length of a communication data stream"
6,383,839	1-4	"reconfiguring a connection pattern of a preexisting semiconductor device design"/"preexisting design"
	1-4	"semiconductor device"
	1-4	"toward a single edge"/"adjacent a single edge thereof"
6,570,791	1, 3, 4, 14	"flash memory"
	1, 3, 4	"detects a differential voltage from the array of non-volatile memory cells"
6,845,053	1, 3	"the adjustable current consumption being set to the low power mode"

1 **Proposed Claim Construction Hearing:**

2 A claim construction hearing is currently scheduled for January 16, 2013. If the Court is
3 amenable to addressing all fourteen disputed terms, the parties anticipate that a four hour hearing
4 would be sufficient to address all terms, with each side having two hours to present their positions.
5 The parties propose to address terms in a point/counterpoint fashion instead of having one party
6 present on all disputed terms followed by the other party presenting on all disputed terms.

7 **Technology Tutorial:**

8 A technology tutorial is currently scheduled for January 7, 2013. That date was scheduled
9 when the claim construction hearing was set for January 9, 2013. The parties propose that the
10 technology tutorial be rescheduled for either January 14, 2013 or immediately before the claim
11 construction hearing on January 16, 2013, with each party having one hour to present their
12 technology tutorial for the Remaining Patents-In-Suit.

13 Dated: December 20, 2012

VINSON & ELKINS LLP

14
15 By: /s/ Chuck P. Ebertin
Chuck P. Ebertin

16 Attorneys for Plaintiff and Counterclaim
17 Defendant SANDISK CORPORATION

18 Dated: December 20, 2012

DESMARAIS LLP

19
20 By: /s/ John C. Spaccarotella
John C. Spaccarotella (*admitted pro hac vice*)

21 Attorneys for Defendant and Counterclaim
22 Plaintiff ROUND ROCK RESEARCH LLC

23
24 **Civil L.R. 5-1(i)**

25 I, Chuck P. Ebertin, hereby attest that John Spaccarotella has concurred in the filing of this
26 document.

27 By: /s/ Chuck P. Ebertin
Chuck P. Ebertin


1 **[PROPOSED] MARKMAN SCHEDULE**

2 Pursuant to the above stipulation, the Court adopts the following claim construction
3 schedule:

- 4 • A claim construction hearing will be held on January 16, 2013, starting at 10:00 am, or
5 immediately following the technology tutorial. The parties can present arguments on
6 the fourteen disputed terms. Each side will have two hours to present their positions.
7 The parties will address terms in a point, counterpoint fashion instead of having one
8 party present on all disputed terms followed by the other party presenting on all
9 disputed terms.
- 10 • A technology tutorial will be held on [January 14, 2013] or ~~[January 16, 2013]~~, starting
11 at ~~10:00 a.m.~~ 2:00 p.m. Each party will have one hour to present its technology tutorial.

12 **IT IS SO ORDERED.**

13
14 Dated: 12/20/12


15 Honorable Richard Seeborg
16 United States District Judge