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9 Attorneys for Plaintiff
and Third-Party Defendants

10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
12 **SAN FRANCISCO DIVISION**

13 MYCONE DENTAL SUPPLY CO., INC.,
14 D/B/A KEYSTONE RESEARCH &
15 PHARMACEUTICAL,
16 a New York Corporation,

17 Plaintiff,

18 v.

19 CREATIVE NAIL DESIGN, INC.,
20 a California corporation,

21 Defendant.

22 YOUNG NAILS, INC., CACEE, INC. AND
23 NAIL SYSTEMS INTERNATIONAL,

24 Third-Party Defendants.

Case No. 3:12-cv-00747-RS

JOINT STIPULATION AND ~~PROPOSED~~
ORDER EXTENDING TIME FOR THE
PARTIES TO EXCHANGE CLAIM
CONSTRUCTION BRIEFS

25 Pursuant to Local Rule 6-1, Plaintiff Mycone Dental Supply Co., Inc., d/b/a/ Keystone
26 Research and Pharmaceutical (“Keystone”); Third-Party Defendants Young Nails, Inc., Cacee,
27 Inc., and Nail Systems International; and Defendant Creative Nail Design, Inc. hereby stipulate

28 JOINT STIPULATION AND PROPOSED ORDER EXTENDING TIME
FOR THE PARTIES TO EXCHANGE CLAIM CONSTRUCTION
BRIEFS
Case No. 3:12-cv-00747-RS

1 and agree, subject to the Court's approval, to extend the deadlines for the parties to exchange
2 their claim construction briefing pursuant to Patent Local Rule 4-5 as follows:

- 3 • opening claim construction briefs extended from January 9, 2013
4 to January 18, 2013
- 5 • responsive claim construction briefs extended from January 30,
6 2013 to February 8, 2013
- 7 • reply claim construction briefs is extended from February 8, 2013
8 to February 15, 2013.

9
10 These extensions will not affect the date of the claim construction hearing or any other
11 deadlines set by the Court.

12 On January 3, 2013, Keystone and Third Party Defendants revised their position with
13 respect to the term "methacrylate urethane resin" in claim 14 of U.S. Patent No. 6,803,394 and
14 informed counsel for CND of this revision. Keystone and Third Party Defendants no longer
15 contend that the term is indefinite, and proposed a new construction. The proposed extensions
16 will allow the parties more time to develop their claim construction arguments in light of this
17 change and/or to further meet and confer regarding the construction of the term "methacrylate
18 urethane resin."
19

20 In accordance with General Order No. 45, Section X(B), the filer of this document hereby
21 attests that the concurrence to the filing of this document has been obtained from the other
22 signatory hereto.
23
24
25
26

1 Dated: January 7, 2013

Respectfully submitted,

2 FISH & RICHARDSON, PC

3 /s/ John M. Farrell

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and Third-Party Defendants

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~~PROPOSED~~ **ORDER**

PURSUANT TO THE FOREGOING STIPULATION, IT IS ORDERED THAT the deadline for serving opening claim construction briefs is extended from January 9, 2013 to January 18, 2013, the deadline for serving responsive claim construction briefs is extended from January 30, 2013 to February 8, 2013, and the deadline for serving reply claim construction briefs is extended from February 8, 2013 to February 15, 2013.

IT IS SO ORDERED.

Dated: January 10, 2013



Hon. Richard Seeborg
United States District Judge