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 14 CSR TECHNOLOGY INC.

15 UNITED STATES DISTRICT COURT
 16 NORTHERN DISTRICT OF CALIFORNIA
 17 SAN FRANCISCO DIVISION

18 CSR TECHNOLOGY INC., a Delaware
 19 Corporation,

20 Plaintiff,

21 v.

22 FREESCALE SEMICONDUCTOR, INC.,
 23 a Delaware Corporation,

24 Defendant.

CASE NO. 3:12-cv-02619-JST

STIPULATION AND ¹³⁷~~PROPOSED~~ ORDER
 OF DISMISSAL WITH PREJUDICE OF
 FIFTH CLAIM FOR RELIEF RELATING
 TO U.S. PATENT NO. 6,882,827 AND
 RELATED COUNTERCLAIMS

FILED

MAR 27 2013

RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

1 Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), Plaintiff and Counter-defendant CSR
2 Technology Inc. ("CSR"), on one hand, and Defendant and Counterclaimant Freescale
3 Semiconductor, Inc. ("Freescale"), on the other hand, by and through their respective counsel of
4 record, hereby stipulate and agree as follows:

5 1. In this action, CSR asserts claims of patent infringement under United States
6 Patent Nos. 6,388,590 (the "'590 patent'"), 6,388,591 (the "'591 patent'"), 6,933,886 (the "'886
7 patent'") and 6,882,827 (the "'827 patent'") (collectively, "the patents-in-suit") against Freescale.¹

8 2. Freescale filed an Answer and asserted Counterclaims of declaratory judgment of
9 non-infringement and invalidity as to each of the patents-in-suit.

10 3. CSR's Fifth Claim Of Relief for infringement of the '827 patent against Freescale
11 in the above-captioned action is hereby dismissed with prejudice. CSR is dismissing only its
12 Fifth Claim for Relief – claims against Freescale relating to the '827 patent – and expressly
13 maintains all of CSR's claims for relief against Freescale concerning the '590 patent (First Claim
14 for Relief), '591 patent (Second Claim for Relief) and '886 patent (Third Claim for Relief) to this
15 action.

16 4. Freescale's Count V counterclaim in the above-captioned action for declaratory
17 judgment of invalidity of the '827 patent is hereby dismissed without prejudice and for
18 declaratory judgment of non-infringement of the '827 patent is hereby dismissed with prejudice.

19 5. CSR and Freescale each shall bear its own costs and attorneys' fees in connection
20 with the dismissal of CSR's Fifth Claim for Relief for infringement of the '827 patent and
21 Freescale's Count V counterclaim for declaratory judgment of invalidity and non-infringement of
22 the '827 patent.

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26 ¹ On October 19, 2012, the parties stipulated to the dismissal without prejudice of all claims
27 and counterclaims concerning United States Patent No. 6,757,324 (Doc. No. 36). On October 25,
28 2012, pursuant to stipulation, the Court ordered dismissal without prejudice of all claims and
counterclaims concerning United States Patent No. 6,757,324 between CSR Technology Inc. and
Freescale Semiconductor, Inc. (Doc. No. 37).

1 Dated: March 11, 2013

2 DLA PIPER LLP (US)

3
4 By /s/ Michael Schwartz

5 MARK D. FOWLER
6 TIMOTHY LOHSE
7 MICHAEL G. SCHWARTZ
8 ROBERT WILLIAMS
9 ERIK R. FUEHRER
10 SUMMER KRAUSE

11 Attorneys for Plaintiff/Counter-defendant
12 CSR TECHNOLOGY INC.

13 Dated: March 11, 2013

14 JONES DAY

15 By /s/ David Witcoff

16 Patrick T. Michael
17 David L. Witcoff (Pro Hac Vice)
18 Timothy J. Heverin (Pro Hac Vice)
19 Thomas W. Ritchie (Pro Hac Vice)

20 Attorneys for Defendant/Counter-plaintiff
21 FREESCALE SEMICONDUCTOR, INC.

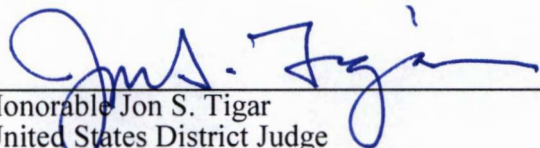
PURSUANT TO STIPULATION, IT IS HEREBY ORDERED AS FOLLOWS:

1. CSR's Fifth Claim Of Relief for infringement of the '827 patent against Freescale in the above-captioned action is hereby dismissed with prejudice;

2. Freescale's Count V counterclaim in the above-captioned action for declaratory judgment for invalidity of the '827 patent is hereby dismissed without prejudice and for declaratory judgment of non-infringement of the '827 patent is hereby dismissed with prejudice; and

3. CSR and Freescale each shall bear its own costs and attorneys' fees in connection with the dismissal of CSR's Fifth Claim for Relief for infringement of the '827 patent and Freescale's Count V counterclaim for declaratory judgment for invalidity and non-infringement of the '827 patent.

DATED: 3/27/13


Honorable Jon S. Tigar
United States District Judge

ECF CERTIFICATION

I, Michael G. Schwartz, am the ECF User whose identification and password are being used to file this Stipulation And [Proposed] Order Of Dismissal With Prejudice Of Fifth Claim For Relief Relating To U.S. Patent No. 6,882,827 And Related Counterclaims in compliance with General Order No. 45, Section X(B). I hereby attest that David L. Witcoff has concurred in this filing.

DATED: March 11, 2013

/s/ Michael Schwartz

MICHAEL G. SCHWARTZ