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 6 IPVENTURE, INC.

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 8  
 9 IN THE UNITED STATES DISTRICT COURT  
 10 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 11 SAN FRANCISCO DIVISION

12	IPVENTURE, INC.	)	
		)	
13	Plaintiff,	)	Case No. 3:12-cv-04143 JSW
	v.	)	
14		)	STIPULATION TO STAY CLAIMS IN
15	ASUSTEK COMPUTER INC. AND	)	THIS ACTION RELATING TO '668 & '993
	ASUS COMPUTER INTERNATIONAL	)	PATENTS ONLY AND ORDER THEREON
16	Defendants.	)	
		)	
17		)	
18		)	

19 Plaintiff IpVenture, Inc. and Defendants ASUSTeK Computer Inc. and ASUS Computer  
 20 International (together "ASUS"), by and through their respective counsel of record, hereby  
 21 stipulate as follows:

22 1. On March 22, 2013, ASUS filed a Motion To Stay IpVenture's Claims on U.S.  
 23 Patent Nos. 6,487,668 (the '668 patent) and 7,167,993 (the '993 patent). *See* D.I.169. The motion  
 24 is noticed for hearing on May 10, 2013 in the above-captioned Court.

25 2. The claims of the '668 patent and '993 patent are presently the subject of appeal  
 26 proceedings in the United States Court of Appeals for the Federal Circuit entitled *C. Douglass*  
 27 *Thomas v. Jack Pippin*, Federal Circuit Case No. 2013-1142 (consolidated with Nos. 2013-1143  
 28

1 and 2013-1144) (the "Federal Circuit Appeal"). The Appeal is from a September 19, 2012  
2 decision in an interference proceeding rendered by the United States Patent and Trademark Office  
3 ("USTPO") Patent Trial and Appeal Board ("PTAB").

4 3. Subject to the approval of the Court, IpVenture's claims against ASUS in this  
5 action under the '668 patent and '993 patent shall be stayed pending the Federal Circuit's final  
6 disposition of the Appeal.

7 4. The parties shall inform the Court promptly of a final decision in the Appeal to  
8 allow the Court to enter such orders as may be appropriate.

9 5. As part of the stipulation, ASUS withdraws its Motion To Stay IpVenture's Claims  
10 on U.S. Patent Nos. 6,487,668 and 7,167,993, D.I. No. 169. However, this stipulation and  
11 withdrawal is without prejudice to ASUS renewing the motion, including after the final  
12 disposition of the Appeal, and IpVenture opposing such motion, depending on future  
13 circumstances. The stipulation is further without prejudice to either party moving to stay other  
14 parts of the present case or to oppose such motion. The hearing for the motion to stay on May 10,  
15 2013 in the above-captioned Court is removed from the calendar. The hearing for ASUS' motion  
16 to dismiss on May 10, 2013 in the above-captioned Court remains on calendar.

17 6. The foregoing stay applies to the '668 and '993 patents only and not to IpVenture's  
18 claims against ASUS, or any counterclaims that ASUS might assert in the future, with respect to  
19 U.S. Patent Nos. 7,506,190 and 7,937,599.

20 7. Except as expressly stated above, the parties make no admissions and reserve all  
21 rights. This stipulation does not, and is not intended to, create any rights or immunities, express or  
22 implied, in any other persons or entities. This stipulation does not constitute an admission by any  
23 of the parties regarding, and has no bearing whatsoever on, any patents not specifically listed  
24 above or on any of the parties' claims or contentions in any other matter.

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Dated: April 12, 2013

*By: Richard Birnholz*

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Dated: April 12, 2013

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ASUS COMPUTER INTERNATIONAL

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**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: April 30, 2013



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Jeffery S. White  
UNITED STATES DISTRICT JUDGE