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9	UNITED STATES DISTRICT COURT		
10	FOR THE NORTHERN DISTRICT OF CALIFORNIA		
11	SAN FRANCISCO DIVISION		
12	THOUGHT, INC., a California corporation,	Civil Action No. C12-5601 WHO	
13	Plaintiff,	ORDER RE NUMBER OF TERMS THE COURT WILL CONSTRUE AND ASSOCIATED PROCEDURES FOR THE CLAIM CONSTRUCTION BRIEFING AND HEARINGDate:February 5, 2014 Time:Date:February 5, 2014 Honorable William H. Orrick	
14	v.		
15	ORACLE CORPORATION, a Delaware corporation; ORACLE AMERICA, INC. a Delaware corporation; and ORACLE INTERNATIONAL CORPORATION, a		
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17	California corporation,		
18	Defendants.		
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	ORDER RE NUMBER OF TERMS THE COURT WILL CONSTRUE AND ASSOCIATED PROCEDURES FOR THE CLAIM CONSTRUCTION BRIEFING AND HEARING, CASE NO. C12-5601 WHO		

1	The Court, having reviewed and considered the parties Joint Administrative Motion on the	
2	Number of Terms the Court Will Construe and Associated Procedures for the Claim Construction	
3	Briefing and Hearing, orders that:	
4	The Court will receive briefing on up to 20 terms, as set forth in the Joint Claim	
5	Construction and Prehearing Statement (Dkt. 64).	
6	Thought will be allowed up to 40 pages in its opening brief, due February 13, 2014.	
7	Oracle will be allowed up to 40 pages in its responsive brief, due March 13, 2014.	
8	Thought will be allowed up to 24 pages in its reply brief, due March 28, 2014.	
9	After receipt of Thought's reply brief, Oracle may seek leave of Court to file a sur-reply and	
10	Thought may oppose such a motion.	
11	The technical tutorial is set for June 20, 2014, at 9 a.m. in Courtroom 12.	
12	The claim construction hearing is set for June 27, 2014 at 9 a.m. in Courtroom 12.	
13	The hearing is set for no more than three hours.	
14	The parties may present live expert testimony at the claim construction hearing, but only	
15	with respect to indefiniteness under 35 U.S.C. § $112 \ \mbox{\P} 2$ and as to the sufficiency of structure for the	
16	purposes of 35 U.S.C. 112 ¶ 6 analysis. The parties must disclose terms for which they will offer	
17	live expert witness testimony ten court days before the claim construction hearing. The parties may	
18	proffer expert testimony by deposition or, if declaration testimony is included in a party's claim	
19	construction brief, by declaration. The parties shall exchange designations of deposition testimony	
20	ten court days before the hearing, and counter-designations shall be exchanged five court days	
21	before the hearing.	
22	IT IS SO ORDERED.	
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25	DATED: December 30, 2013	
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27	<ul> <li>Honorable William H. Orrick United States District Judge</li> </ul>	
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	ORDER RE NUMBER OF TERMS THE COURT WILL CONSTRUE AND ASSOCIATED PROCEDURES FOR THE CLAIM CONSTRUCTION BRIEFING AND HEARING, CASE NO. C12-5601 WHO - 1 -	