

1 Daniel S. Mount (77571)  
 Mount, Spelman & Fingerman, P.C.  
 2 RiverPark Tower, Suite 1650  
 333 West San Carlos Street  
 3 San Jose, CA 95110-2740  
 Tel.: 408.279.7000  
 4 Fax: 408.998.1473  
 Email: dan@mount.com

5  
 6 Larisa Migachyov (264669)  
 Law Offices of Larisa Migachyov  
 Post Office Box 2061  
 7 San Francisco, California 94126-2061  
 Tel.: 650.218.5480  
 8 Email: larisa@lvmpatents.com

9 *Attorneys for Plaintiff*  
 SMARTDATA, S.A.

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

14 SMARTDATA, S.A.,

15 Plaintiff,

16 v.

17 ROKU, INC.,

18 Defendant.

CASE NO. CV 13-01838 SI

**STIPULATION DISMISSING PLAINTIFF  
 SMARTDATA, S.A.'S AMENDED  
 COMPLAINT FOR PATENT  
 INFRINGEMENT; AND [~~PROPOSED~~]  
 ORDER**

19  
 20 WHEREAS, Plaintiff SmartData, S.A. ("SmartData") filed a Complaint against  
 21 Defendant Roku, Inc. ("Roku"), for patent infringement on April 23, 2013 (Dkt. #1).

22 WHEREAS, SmartData amended its complaint on July 18, 2013 (Dkt. #19).

23 WHEREAS, the parties have resolved their dispute with respect to all claims by  
 24 SmartData against Roku.

25 IT IS HEREBY STIPULATED that all claims brought by Plaintiff SmartData against  
 26 Defendant Roku be dismissed with prejudice pursuant to Fed. R. Civ. P. 41(a)(1)(ii) and the  
 27 parties' Settlement Agreement, each party to bear its own costs and fees.

28  
 STIPULATED DISMISSAL  
 OF CLAIMS AGAINST DEFENDANT  
 Case No. CV 13-01838 SI

1 DATED: November 20, 2013

Respectfully submitted,  
MOUNT, SPELMAN & FINGERMAN, P.C.  
LAW OFFICES OF LARISA MIGACHYOV

2

3

4

5

By: /s/ Larisa Migachyov  
LARISA MIGACHYOV  
Attorneys for Plaintiff SMARTDATA, S.A.

6

7

8 DATED: November 20, 2013

Respectfully submitted,

LATHAM & WATKINS LLP

9

10

11

12

By: /s/ Richard G. Frenkel  
RICHARD G. FRENKEL  
Attorneys for Defendant ROKU, INC.

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**[PROPOSED] ORDER GRANTING DISMISSAL**

Pursuant to the parties' Stipulation,

IT IS ORDERED that all claims asserted against Defendant, ROKU, INC. by Plaintiff, SMARTDATA, S.A. are dismissed with prejudice; and

IT IS FURTHER ORDERED, that all attorneys' fees, costs of court and expenses shall be borne by each party incurring the same.

IT IS SO ORDERED.



Dated: 11/21, 2013

---

SUSAN ILSTON  
United States District Judge