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13 Attorneys for Defendant
 GSI TECHNOLOGY, INC.

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

18 CYPRESS SEMICONDUCTOR
 CORPORATION,

19 Plaintiff,

20 v.

21 GSI TECHNOLOGY, INC.,

22 Defendant.
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**CASE NOS. 3:13-CV-02013-JST (JCS)
 3:13-CV-03757-JST (JCS)**

**STIPULATION AND ~~PROPOSED~~
 ORDER CONCERNING
 MODIFICATIONS TO THE
 CASE MANAGEMENT ORDER**

JURY TRIAL DEMANDED

1 Pursuant to Local Rules 6-2 and 7-12 of the United States District Court for the Northern
2 District of California, Defendant GSI Technology, Inc. (“GSI”) and Plaintiff Cypress
3 Semiconductor Corporation (“Cypress”) stipulate as follows:

4 WHEREAS, pursuant to the Court’s Case Management Order (Dkt 25), the deadline for
5 the disclosure of advice of counsel pursuant to Patent Local Rule 3-7 is set for 50 days after the
6 Markman Ruling;

7 WHEREAS, the Case Management Order (Dkt 25) further requires the parties to
8 participate in a settlement conference with a Magistrate Judge “following a ruling on claim
9 construction issues”;

10 WHEREAS, pursuant to the Court’s Scheduling Order; Order On Stipulation Concerning
11 Claim Construction Schedule And Procedure (Dkt 65), the Court modified certain deadlines
12 relating to the briefing on claim construction issues and set the claim construction hearing for
13 May 20, 2014;

14 WHEREAS, on April 24, 2014, GSI filed the Motion For Partial Stay Pending Inter
15 Partes Review (Dkt 92) (the “Motion”) requesting a partial stay of the case as to United States
16 Patent Nos. 6,069,839 (the “839 patent”) and 6,292,403 (the “403 patent”);

17 WHEREAS, in its Motion, GSI informed the Court that it had filed petitions for inter
18 partes review of United States Patent Nos. 6,385,128 (the “128 patent”), 6,445,645 (the “645
19 patent”) and 6,967,861 (the “861 patent”);

20 WHEREAS, the Court bifurcated the claim construction hearing for the Patents-in-Suit by
21 holding a claim construction hearing for the two remaining patents-in-suit that were not the
22 subject of any petition for inter partes review, United States Patent Nos. 7,142,477 (the “477
23 patent) and 6,651,134 (the “134 patent”), on May 20, 2014;

24 WHEREAS, the Court set a second claim construction hearing for October 28, 2014;

25 WHEREAS, on July 29, 2014, the Court issued the Order Construing Claims Of U.S.
26 Patent Nos. 6,651,134 And 7,142,477 (Dkt 114). Based on the current deadline set forth in the
27 Court’s Case Management Order (Dkt 25), the disclosure of the advice of counsel pursuant to
28 Patent Local Rule 3-7 for the ’477 and ’134 patents is due September 17, 2014;

-1-

1 WHEREAS, GSI filed its Renewed Motion For Partial Stay Pending Inter Partes Review
2 (the “Renewed Motion For Partial Stay”) requesting partial stay of the case as to the ’403, ’839,
3 ’128 and ’645 patents on August 21, 2014 (Dkt 118);

4 WHEREAS, Cypress has filed a response to GSI’s Renewed Motion For Partial Stay by
5 agreeing to stay the case with respect to the ’128 and ’645 patents, but opposing the stay with
6 respect to the ’403 and ’839 patents (Dkt 119);

7 WHEREAS, the Court will issue a second claim construction order after it holds the
8 October 28, 2014, claim construction hearing for the disputed claim terms of the ’861 patent and
9 the patents-in-suit (other than the ’477 and ’134 patents) that remain in the case, if any, following
10 the Court’s ruling on GSI’s Renewed Motion For Partial Stay;

11 WHEREAS, a hearing on GSI’s Renewed Motion For Partial Stay is scheduled for
12 October 2, 2014;

13 IT IS HEREBY AGREED AND STIPULATED by and between the parties, through their
14 respective counsel and subject to the Court’s approval, that the deadlines for the disclosure of the
15 advice of counsel pursuant to Patent Local Rule 3-7 and the timeline for participating in a
16 settlement conference with a Magistrate Judge shall be based upon the issuance of the Court’s
17 second claim construction order following the claim construction hearing on October 28, 2014.

18 Specifically, the parties agree that:

19 (1) The deadline for the disclosure of reliance on advice of counsel pursuant to Patent
20 Local Rule 3-7 for all of the patents-in-suit, including the ’477 and ’134 patents, that remain in
21 the case following the Court’s ruling on GSI’s Renewed Motion For Partial Stay will be set for 50
22 days after service by the Court of its second claim construction order; and

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(2) The parties will participate in a settlement conference with a Magistrate Judge following the Court's issuance of the second claim construction order.

Dated: September 12, 2014

Respectfully Submitted,

FISH & RICHARDSON, P.C.

By: /s/ David Hoffman, by permission
David Hoffman
Attorneys for Plaintiff
CYPRESS SEMICONDUCTOR CORP.

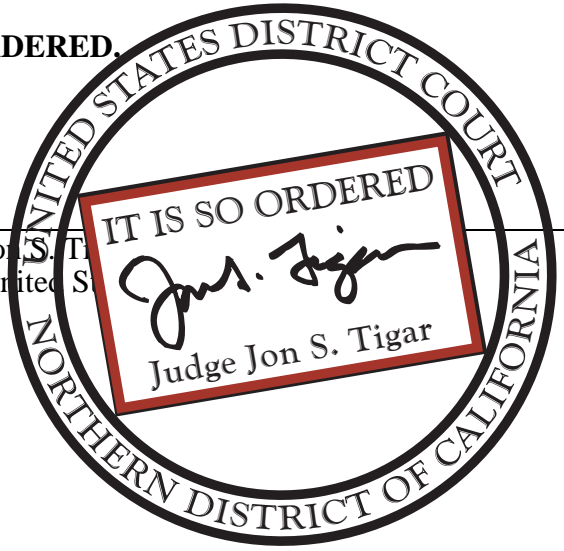
DLA PIPER LLP (US)

By: /s/ Michael G. Schwartz
Michael G. Schwartz
Attorneys for Defendant
GSI TECHNOLOGY, INC.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: September 15, 2014

By Jon S. Tigar
Jon S. Tigar
United States District Court



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SIGNATURE ATTESTATION

I, Michael Schwartz, am the ECF user whose identification and password are being used to file this STIPULATION AND [PROPOSED] ORDER CONCERNING MODIFICATIONS TO THE CASE MANAGEMENT ORDER in compliance with Civil L.R. 6-2 and 7-12. Concurrence to the filing of this document was obtained from David Hoffman, counsel for Cypress Semiconductor Corporation, on September 12, 2014.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Dated: September 12, 2014

DLA PIPER LLP (US)

/s/ Michael G. Schwartz
Michael G. Schwartz
Attorneys for Defendant
GSI TECHNOLOGY, INC.