

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

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MITEL NETWORKS CORP. and MITEL
(DELAWARE), INC.,

Case No. 13-cv-02073-EMC

Plaintiffs,

v.

FACEBOOK, INC.,

Defendant.

JOINT STIPULATION OF DISMISSAL AND CONSENT JUDGMENT ORDER

This Civil Action has come before the Court, upon the pleadings and proceedings of record, and it has been represented to the Court that Plaintiffs Mitel Networks Corp. and Mitel (Delaware), Inc. (collectively “Mitel”) and Defendant Facebook, Inc. (“Facebook”) have agreed to a final resolution of the claims between them in this action;

Wherefore, with the consent of the above-identified parties, through their undersigned attorneys, and with the approval of this Court, IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

- 1. This action is a claim for patent infringement arising under the patent laws of the

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

title 28, that the party (i.e., Facebook) has not sustained its burden of proving the
invalidity of any patent claim in suit, with all claims (1-5) of the '685 patent having
been in suit.

11. This stipulation shall not be construed as an admission by Facebook that any claim of
the '685 patent is valid or enforceable, or as an admission that Facebook agreed with
any of the arguments or positions presented by Mitel in any proceeding.

12. Each party shall bear its own costs and attorneys' fees.

13. This Court shall retain jurisdiction for purposes of enforcing the terms of the
Agreement and this Consent Judgment.

SUBMITTED BY:

/s/ Tamara Fraizer
Tamara Fraizer (SBN 215942)
FISH & RICHARDSON P.C.
500 Arguello Street, Suite 500
Redwood City, CA 94063
fraizer@fr.com
Tel: (650) 839-5070
Fax: (650) 839-5071

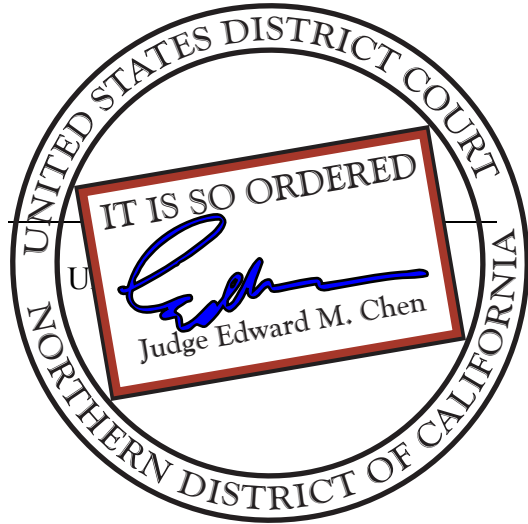
**Attorneys for Plaintiffs
MITEL NETWORKS CORP. and
MITEL (DELAWARE), INC.**

/s/ Heidi L. Keefe
Heidi L. Keefe (178960)
hkeefe@cooley.com
Mark R. Weinstein (193043)
mweinstein@cooley.com
COOLEY LLP
Five Palo Alto Square
3000 El Camino Real
Palo Alto, CA 94306-2155
Tel: 650-843-5000
Fax: 650-849-7400

**Attorneys for Defendant
Facebook, Inc.**

1 PURSUANT TO THE FOREGOING, IT IS SO ORDERED.

2 Dated: 7/12, 2013



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