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Attorneys for Defendants
 EOLAS TECHNOLOGIES
 INCORPORATED; and THE REGENTS OF
 THE UNIVERSITY OF CALIFORNIA

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

19 GOOGLE INC.,
 20
 21 Plaintiff,
 22 v.
 23 EOLAS TECHNOLOGIES, INC.; and
 24 THE REGENTS OF THE UNIVERSITY
 OF CALIFORNIA,
 25 Defendants.

Case No. 13-CV-05997-JST
**STIPULATION AND ~~PROPOSED~~
 ORDER TO DISMISS ACTION**

1 Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), and Local Rules 7-1 and 7-12, Plaintiff Google
2 Inc. (“Google”) and Defendants Eolas Technologies Incorporated (“Eolas”) and The Regents of
3 the University of California (the “Regents”) (collectively, “Defendants”) hereby stipulate through
4 their respective counsel of record as follows:

5 WHEREAS, on November 17, 2014, the Court entered an Order (Dkt. 97) on Defendants’
6 then-pending Motion to Dismiss (Dkts. 77, 78 and 84), granting the Motion to Dismiss in part;

7 WHEREAS, in the Court’s November 17, 2014 Order, the Court dismissed without
8 prejudice Google’s claims of non-infringement of the patents-in-suit; dismissed with prejudice
9 Defendants’ counterclaims of infringement, including direct and indirect infringement, of the
10 patents-in-suit against Google; and dismissed with prejudice any and all claims of infringement,
11 including direct and indirect infringement, of the patents-in-suit that Eolas or the Regents has or
12 may have in the future, including any claims of past, present or future infringement of the patents-
13 in-suit against: (a) Google; (b) any Google affiliates; and/or (c) any users, customers, or Google
14 partners with respect to Google products and/or services (including but not limited to services,
15 components, hardware, software, websites, processes, machines, manufactures, and any
16 combinations and components thereof, that are designed, developed, sold, licensed, or made, in
17 whole or substantial part, by or on behalf of Google);

18 WHEREAS, the Parties desire to dismiss and to close the above-captioned Action;

19 **THEREFORE, IT IS HEREBY AGREED AND STIPULATED**, by and between
20 Defendants and Google through their designated counsel, that:

- 21
- 22 • This Action shall be dismissed pursuant to the Court’s Order Granting in Part
23 Defendants’ Motion to Dismiss (Dkt. 97);
 - 24 • The Clerk shall close the case.

25 IT IS SO STIPULATED.

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1 Dated: December 03, 2014

KASOWITZ, BENSON, TORRES & FRIEDMAN LLP

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By: /s/ Robert P. Watkins III
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Attorney for Plaintiff
GOOGLE INC.

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Dated: December 03, 2014

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Attorney for Defendants
EOLAS TECHNOLOGIES
INCORPORATED; and
THE REGENTS OF THE
UNIVERSITY OF CALIFORNIA

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I hereby attest pursuant to L.R. 5.1(i)(3) that concurrence in the electronic filing of this document has been obtained from the other signatories.

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Dated: December 03, 2014

/s/ Robert P. Watkins III
Robert P. Watkins III

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PROPOSED ORDER

The Court having considered the stipulation of the Parties, orders as follows:

- This Action is dismissed pursuant to the Court's Order Granting in Part Defendants' Motion to Dismiss (Dkt. 97);
- The Clerk is instructed to close the case.

PURSUANT TO THE PARTIES' STIPULATION, IT IS SO ORDERED.

Dated: December 4, 2014



Honorable Jon S. Tigar
United States District Judge