

1 SEYFARTH SHAW LLP  
Lawrence E. Butler (SBN 111043)  
2 Email: lbutler@seyfarth.com  
560 Mission Street, Suite 3100  
3 San Francisco, California 94105  
Telephone: (415) 397-2823  
4 Facsimile: (415) 397-8549

5 Attorneys for defendants and counter-claimants  
CHIPMOS TECHNOLOGIES INC. and  
6 CHIPMOS U.S.A. INC.

7  
8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 OAKLAND DIVISION

11 TESSERA, INC.,

12 Plaintiff, Counter-defendant,

13 v.

14 ADVANCED MICRO DEVICES, INC. et al.,

15 Defendants, Counter-claimants.  
16

CASE No. 4:05-cv-04063-CW

**JOINT STIPULATION AND  
[PROPOSED] ORDER CHANGING THE  
DATE OF UPCOMING CASE  
MANAGEMENT CONFERENCE AND  
RELATED DATES**

1           1.       WHEREAS, this Court stayed the case known as *Tessera, Inc. v. Advanced Micro*  
2 *Devices, Inc. et al*, Case No. C 05-04063 (CW) (the “AMD case”) by its order of May 24, 2007  
3 with respect to International Trade Commission Investigation 337-TA-605 “until the  
4 determination of the ITC, including appeals becomes final,” and WHEREAS, on August 5, 2008  
5 the Court ordered that the stay of the AMD case “shall be extended until a determination in the  
6 International Trade Commission Investigation 337-TA-649, including appeals, becomes final;”  
7 and

8           2.       WHEREAS, the Court issued a Related Case Order on September 11, 2008 in the  
9 AMD case finding that the three cases known as, *Siliconware Precision Industries Co., Ltd. et al.*  
10 *v. Tessera*, Case No. C 08-03667 RS; *Advanced Semiconductor Engineering Inc. et al. v.*  
11 *Tessera*, Case No. C 08-03726 EMC; and *Chipmos Technologies Inc. et al. v. Tessera, Inc.*, Case  
12 No. C 08-03827 CW, were related to the AMD case (these three cases are collectively the  
13 “Related Cases”); and

14           3.       WHEREAS the Court stayed all proceedings in the Related Cases, to include all  
15 claims and counterclaims, by its order of December 19, 2008 “[i]n light of the decision by the  
16 International Trade Commission (‘ITC’) granting Tessera’s motion to amend the Complaint and  
17 Notice of Investigation adding U.S. Patent No. 5,663,106 to the investigation” known as 337-  
18 TA-649 and the stipulation of the parties in the Related Cases; and

19           4.       WHEREAS, by its orders of December 16, 2009 this Court subsequently set a  
20 Case Management Conference in both the AMD case and the Related Cases for June 22, 2010 at  
21 2:00 p.m; and

22           5.       WHEREAS the parties in the AMD and Related Cases, by their undersigned  
23 counsel, report to the Court that the current status of the pending International Trade  
24 Commission Investigation 337-TA-605 is that the Final Determination is under appeal to the  
25 Federal Circuit in Case Number 09-1460. The appeal is now fully briefed and oral argument is  
26 scheduled for June 9, 2010, and;

27           6.       WHEREAS, since a final resolution of ITC’s 337-TA-605 investigation,  
28

1 including appeals, is unlikely to occur before December 1, 2010, the parties in the AMD case  
2 and in the Related Cases believe that it would be most efficient to further postpone the case  
3 management conference and related activity in the AMD case and the Related Cases until  
4 approximately December 14, 2010; and

5 7. WHEREAS, the parties appearing below agree that there would be no prejudice to  
6 the parties in moving the case management conference, as these cases are currently stayed;

7 THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the  
8 parties appearing below through their undersigned respective attorneys of record, based on the  
9 foregoing, and subject to the approval of this Court, that:

10 8. The case management conference currently scheduled for June 22, 2010 at 2:00  
11 p.m. in the AMD shall be rescheduled for 12/14/2010 at 2:00 p.m., or as soon thereafter as  
12 the Court is available;

13 PURSUANT TO STIPULATION, IT IS SO ORDERED.

14  
15 Dated this 11th day of June, 2010.



16 Honorable Claudia Wilken  
17 United States District Judge





