1	[COUNSEL LISTED ON SIGNATURE PAG	E]
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8	UNITED STATES	S DISTRICT COURT
9	NORTHERN DISTE	RICT OF CALIFORNIA
10	OAKLAN	ND DIVISION
11	MONOLITHIC POWER SYSTEMS, INC.,	Case No. C 08-4567 CW
12	Plaintiff,	STIPULATED DISMISSAL WITH PREJUDICE AS TO UNITED STATES
13	v.	PATENT NOS. 6,809,938; 6,856,519; 6,900,993 AND 7,120,035
14	O2 MICRO INTERNATIONAL LIMITED,	
15	Defendant	
16	O2 MICRO INTERNATIONAL LIMITED,	
17	Counterclaimant,	
18	v.	
19	MONOLITHIC POWER SYSTEMS, INC.,	
20	ASUSTEK COMPUTER INC., ASUS COMPUTER INTERNATIONAL, BENQ	
21	CORPORATION, AND BENQ AMERICA CORP.,	
22	Counterclaim-Defendants	
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28		Stipulated Dismissal of Claims and Counterclaims Case No. C 08-4567-CW

1	Plaint	iff Monolithic Power Systems, Inc. ("MPS"), Defendant O2 Micro International
2	Limited ("O2	Micro"), and Counterclaim Defendants ASUSTeK Computer Inc. and ASUS
3	Computer Int	ernational, hereby stipulate to a dismissal with prejudice of their respective claims
4	for relief cond	cerning U.S. Patent Nos. 6,809,938 ("'938 patent"); 6,856,519 ("'519 patent");
5	6,900,993 ("'	993 patent") and 7,120,035 ("'035 patent") (collectively, the "'519 Patent Family")
6	based on the	following premises:
7	(1)	Whereas, on October 1, 2008, MPS filed this action seeking a declaratory
8		judgment that its power inverter controller products do not infringe any claim of
9		the '519 Patent Family and that the claims of the '519 Patent Family are invalid;
10	(2)	Whereas, on February 11, 2009, O2 Micro filed an amended Answer that included
11		a counterclaim for infringement of U.S. Patent No. 7,417,382 ("'382 patent"), as
12		well as infringement of the '938, '519, and '035 patents;
13	(3)	Whereas, on May 5, 2009, MPS filed a Second Amended Complaint seeking a
14		declaration that (i) its power inverter controller products do not infringe any claim
15		of the '519 Patent Family or the '382 patent; (ii) that the claims of the '519 Patent
16		Family and the '382 patent are invalid; and (iii) that the claims of the '519 Patent
17		Family and the '382 patent are unenforceable due to inequitable conduct;
18	(4)	Whereas, in the course of discovery, the parties have identified the following as
19		MPS's CCFL inverter controller products: MP1007, MP1008, MP1009, MP1010,
20		MP1010A, MP1010B, MP1011, MP1011A, MP1012, MP1013, MP1015,
21		MP1016, MP1017, MP1018, MP1018C, MP1021, MP1022, MP1022A, MP1023,
22		MP1024, MP1025, MP1025A, MP1026, MP1027, MP1028, MP1029, MP1030,
23		MP1031, MP1032, MP1033, MP1035, MP1037, MP1038, MP1039, MP1041,
24		MP1046, MP1048, MP1052, MP1060, MP1061, MP1070, MP1080, MP1088,
25		MP1251, MP1872, MP1900, MP10091, VN800, VN801, VN830, and VN831;
26	(5)	Whereas, by its signature to this stipulation as of the date of its signature, O2
27		Micro covenants not to assert the '519 Patent Family against MPS or MPS's
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1	direct or indirect customers for past or future infringement by (i) the following	
2	MPS CCFL inverter controller products in their currently existing form: MP1007,	
3	MP1008, MP1009, MP1007, MP1008, MP1009, MP1010, MP1010A, MP1010B,	
4	MP1011, MP1011A, MP1012, MP1013, MP1015, MP1016, MP1017, MP1018,	
5	MP1018C, MP1021, MP1022, MP1022A, MP1023, MP1024, MP1025,	
6	MP1025A, MP1026, MP1027, MP1028, MP1029, MP1030, MP1031, MP1032,	
7	MP1033, MP1035, MP1037, MP1038, MP1039, MP1041, MP1046, MP1048,	
8	MP1052, MP1060, MP1061, MP1070, MP1080, MP1088, MP1251, MP1872,	
9	MP1900, MP10091, VN800, VN801, VN830, and VN831; (ii) any MPS CCFL	
10	inverter controller products incorporating only insubstantial changes to the design	
11	and relevant operation of the products listed in (i); and (iii) and any MPS CCFL	
12	inverter modules and end-user devices incorporating such MPS CCFL inverter	
13	controller products described in (i) and (ii) above.	
14	If, despite the existence of this stipulation, O2 Micro alleges infringement of the '519	
15	Patent Family against MPS or MPS's direct or indirect customers based on their use of the	
16	aforementioned MPS products, any lawsuit must be filed in the Northern District of California.	
17	O2 Micro agrees that any assignment or exclusive license to the '519 Patent Family will be	
18	subject to this Stipulation.	
19	As a consequence of this Stipulation, the only patent remaining in this action is U.S.	
20	Patent No. 7,417,382.	
21		
22	Dated: June 30, 2009 Respectfully submitted,	
23	LATHAM & WATKINS LLP	
24	By: /s/ Mark A. Flagel	
25		
26	Attorneys for Plaintiff and Counterclaim-Defendant Monolithic Power Systems, Inc.	
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28	Stipulated Dismissal of Claims and Counterclaims	

1	Dated: June 30, 2009	HOWREY LLP
2		By: /s/ K.T. Cherian
3		Attorneys for Defendant and Counterclaimant
4		O2 Micro International, Ltd.
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6		
7	Dated: June 30, 2009	FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.
8		By:S/ Scott R. Mosko
9		
10 11		Attorneys for Plaintiff and Counterclaim-Defendant Monolithic Power Systems, Inc. and Counterclaim-Defendants ASUSTeK Computer Inc. and
12		ASUS Computer International
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1	<u>ORDER</u>
2	Pursuant to stipulation, it is SO ORDERED. All claims and counterclaims asserted
3	herein as to U.S. Patent Nos. 6,809,938; 6,856,519; 6,900,993 and 7,120,035 are hereby
4	DISMISSED with prejudice in accordance with the terms of and with respect to products as set
5	forth in the Stipulation of the parties.
6 7	The only patent remaining in this action is U.S. Patent No. 7,417,382.
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9	Dated: 7/14/09
10	Chidealeit
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12	THE HONORABLE CLAUDIA WILKEN UNITED STATES DISTRICT JUDGE
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28	Stipulated Dismissal of Claims and Counterclaims

1	<u>Filer's Attestation</u>
2	I, Mark A. Flagel, am the ECF User whose identification and password are being used to
3	file this Stipulated Dismissal With Prejudice As To United States Patent Nos. 6,809,938;
4	6,856,519; 6,900,993 and 7,120,035. Pursuant to General Order No. 45, § X(B), I attest under
5	penalty of perjury that concurrence in the filing of the document has been obtained from K.T.
6	Cherian and Scott R. Mosko.
7	Data da Jana 20, 2000
8	Dated: June 30, 2009 By: /s/ Mark A. Flagel
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