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17 UNITED STATES DISTRICT COURT
 18 NORTHERN DISTRICT OF CALIFORNIA
 19 OAKLAND DIVISION

21 BACKWEB TECHNOLOGIES, LTD.,
 22 Plaintiff,
 23 v.
 24 MICROSOFT CORPORATION AND
 SYMANTEC CORPORATION,
 25 Defendants.

Case No. cv 09-1224 CW

**STIPULATION AND ~~PROPOSED~~
 ORDER GRANTING MICROSOFT
 EXTENSION TO SERVE ITS
 INVALIDITY CONTENTIONS AND
 PRODUCE ACCOMPANYING
 DOCUMENTS**

1 WHEREAS, Defendant Symantec Corporation (“Symantec”) will serve its
2 Invalidation Contentions pursuant to Patent Local Rule 3-3 on November 20, 2009; and

3 WHEREAS, Defendant Microsoft Corporation (“Microsoft”) wishes to serve its
4 Invalidation Contentions on the same day as Symantec; and

5 WHEREAS, Plaintiff BackWeb Technologies, Ltd. (“BackWeb”) does not object
6 to Microsoft serving its Invalidation Contentions on November 20, 2009;

7 IT IS HEREBY STIPULATED by and between BackWeb and Microsoft (the
8 “Parties”) through their designated counsel as follows:

9 1. The Parties agree that Microsoft shall have leave to serve its Invalidation
10 Contentions pursuant to Patent Local Rule 3-3 and produce documents pursuant to Patent Local
11 Rule 3-4 on November 20, 2009.

12
13 **IT IS SO STIPULATED.**

14 Dated: November 3, 2009

15 */ s / Eric L. Wesenberg / s /*
16 _____
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BACKWEB TECHNOLOGIES, LTD

CERTIFICATION PURSUANT TO GENERAL ORDER 45

Pursuant to General Order 45X.B, I, Eric L. Wesenberg, attests that the above signatories for the BackWeb Technologies, Ltd. have concurred and consented to the filing of this document.

DATED: November 3, 2009

/s/ Eric L. Wesenberg /s/

Eric L. Wesenberg

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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED THAT

Microsoft shall have leave to serve its Invalidity Contentions pursuant to Patent Local Rule 3-3 and produce documents pursuant to Patent Local Rule 3-4 on November 20, 2009.

DATED: 11/4, 2009



Honorable Claudia Wilken
U.S. DISTRICT COURT JUDGE