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 8 **BACKWEB TECHNOLOGIES, LTD.**

10 UNITED STATES DISTRICT COURT
 11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 12 OAKLAND DIVISION

13 BACKWEB TECHNOLOGIES, LTD.,
 14 Plaintiff,
 15 v.
 16 MICROSOFT CORPORATION;
 17 IANYWHERE SOLUTIONS, INC.; SYBASE,
 INC.; and SYMANTEC CORPORATION
 18 Defendants.
 19

Case No. CV 09-1224 CW

**STIPULATED MOTION TO EXTEND
 CERTAIN DATES RELATING TO
 CLAIMS CONSTRUCTION AND
 ORDER**

22 Pursuant to stipulation by and between the parties hereto, plaintiff BackWeb
 23 Technologies, Ltd. (“BackWeb”) and defendants Microsoft Corporation (“Microsoft”); and
 24 Symantec Corporation (“Symantec”), through their respective attorneys of record, hereby
 25 request that the Court set the dates of certain events relating to claims construction in this
 26 patent case, on the dates set forth below.
 27

1 An Initial Case Management Conference was held in this case on September 15, 2009.
2 An initial schedule was set forth in the Minute Order and Case Management Order filed
3 September 22, 2009. On December 10, 2009, pursuant to stipulation of the parties, the Court
4 set February 23, 2010 for the filing of the joint claim chart and hearing statement. The parties
5 have exchanged their proposed constructions and identification of intrinsic and extrinsic
6 evidence. They wish to have additional time to meet and confer on whether they can reach
7 agreement on some of the claim term meanings. Thus, the parties propose that the current date
8 be extended to March 19, 2010.
9

10 The parties represent that this extension will not delay any other dates set forth in the
11 current schedule. Accordingly, the parties stipulate and request that the Court order the
12 following deadlines for the following case events:

Event	Dates
Filing of Joint Claim Chart, Worksheet and Hearing Statement [Pat. L.R. 4.3]	March 19, 2010

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18 Dated: February 19, 2010

Respectfully submitted,

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21 /s/ Bruce Wecker
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SYMANTEC CORPORATION

CERTIFICATION PURSUANT TO GENERAL ORDER 45

Pursuant to General Order 45X.B, I, George F. Bishop, attest that the above signatories for the Defendants have concurred and consented to the filing of this document.

DATED: February 19, 2010

/s/ Bruce Wecker
Bruce Wecker

1 **PURSUANT TO STIPULATION IT IS ORDERED THAT**

2 The parties to this action will comply with the dates set forth in the accompanying
3 Stipulated Motion.

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5 Dated: February 23, 2010



Honorable Claudia Wilken
U.S. DISTRICT COURT JUDGE

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