

ROBINS, KAPLAN, MILLER & CIRESI L.L.P.
ATTORNEYS AT LAW
LOS ANGELES

1 Ronald J. Schutz (*Pro Hac Vice*), RJSchutz@rkmc.com
Richard M. Martinez (*Pro Hac Vice*), RMMartinez@rkmc.com
2 Sang Young A. Brodie (*Pro Hac Vice*), SYBrodie@rkmc.com
ROBINS, KAPLAN, MILLER & CIRESI L.L.P.
3 800 LaSalle Avenue, 2800 LaSalle Plaza
Minneapolis, MN 55402
4 Telephone: (612) 349-8500
Facsimile: (612) 339-4181

6 David Martinez, (CA Bar No. 193183), DMartinez@rkmc.com
ROBINS, KAPLAN, MILLER & CIRESI L.L.P.
7 2049 Century Park East, Suite 3400
Los Angeles, CA 90067-3208
8 Telephone: (310) 552-0130
Facsimile: (310) 229-5800

9 Attorneys for Plaintiff,
10 TV INTERACTIVE DATA CORPORATION

11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**

13 TV INTERACTIVE DATA CORPORATION, a
California Corporation,
14
Plaintiff,
15
v.
16 SONY CORPORATION, et al.,
17
Defendants.

Case No. C 10-00475 PJH

**STIPULATION OF DISMISSAL
OF CLAIMS WITH PREJUDICE
BETWEEN PLAINTIFF AND
DEFENDANTS KONINKLIJKE
PHILIPS ELECTRONICS N.V.
(NAMED IN THE COMPLAINT
AS ROYAL PHILIPS
ELECTRONICS N.V.) AND
PHILIPS ELECTRONICS NORTH
AMERICA CORPORATION AND
[PROPOSED] ORDER**

21 Pursuant to Rule 41 of the Federal Rules of Civil Procedure, Civ. L.R. 7-12 and the
22 agreement of the parties, TV Interactive Data Corporation (“TVI”) and Defendants Koninklijke
23 Philips Electronics N.V. (named in the Complaint as Royal Philips Electronics N.V.) and Philips
24 Electronics North America Corporation (collectively, “Philips”), by and through their respective
25 counsel of record, hereby stipulate and agree as follows:
26
27
28

1 1. TVI filed this action in the United States District Court for the Northern District of
2 California asserting claims for patent infringement under U.S. Patent Nos. 5,597,307, 5,795,156,
3 6,249,863, and 6,418,532.

4 2. Philips filed its Answer and Counterclaims to the Original Complaint but has not
5 yet filed its Answer and Counterclaims to the First Amended Complaint (D.E. 333).

6 3. TVI and Philips have now reached an agreement to settle their differences relating
7 to the above-captioned action.

8 4. All claims TVI asserted against Philips in the above-captioned action are hereby
9 dismissed with prejudice. The foregoing dismissal shall have no impact whatsoever on TVI's
10 claims and rights against any party other than Philips. TVI is dismissing only its claims against
11 Philips, and expressly maintains all of TVI's claims for relief against all other parties to this
12 action.

13 5. All counterclaims Philips asserted against TVI in the above-captioned action are
14 hereby dismissed with prejudice.

15 6. TVI and Philips each shall bear their own costs and attorneys' fees in connection
16 with the action.

17 7. TVI and Philips request that the Court reserve jurisdiction over this matter to
18 oversee and enforce the agreement between TVI and Philips.

19 I, Sang Young A. Brodie, the filer of this document attest that concurrence in the filing of
20 this document has been obtained from Steven Yovits.

21 ///

22 ///

23 ///

24

25

26

27

28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DATED:

ROBINS, KAPLAN, MILLER & CIRESI L.L.P.

By: /s/ Sang Young A. Brodie
Ronald J. Schutz (*Pro Hac Vice*)
Richard M. Martinez (*Pro Hac Vice*)
Sang Young A. Brodie (*Pro Hac Vice*)
ROBINS, KAPLAN, MILLER & CIRESI L.L.P.
800 LaSalle Avenue, 2800 LaSalle Plaza
Minneapolis, MN 55402
Telephone: (612) 349-8500
Facsimile: (612) 339-4181

David Martinez, (CA Bar No. 193183)
ROBINS, KAPLAN, MILLER & CIRESI L.L.P.
2049 Century Park East, Suite 3400
Los Angeles, CA 90067-3208
Telephone: (310) 552-0130
Facsimile: (310) 229-5800

Attorneys for Plaintiff TV Interactive Data Corporation

DATED:

MAYER BROWN LLP

By: /s/ Steven Yovits

Steven Yovits (*Pro Hac Vice*)
MAYER BROWN LLP
71 South Wacker Drive
Chicago, IL 60606-4637
syovits@mayerbrown.com
Telephone: (312) 782-0600
Facsimile: (312) 701-7711

Eric B. Evans (SBN 232476)
MAYER BROWN LLP
Two Palo Alto Square
Suite 300
3000 El Camino Real
Palo Alto, CA 94306-2112
Telephone: (650) 331-2000
Facsimile: (650) 331-2060

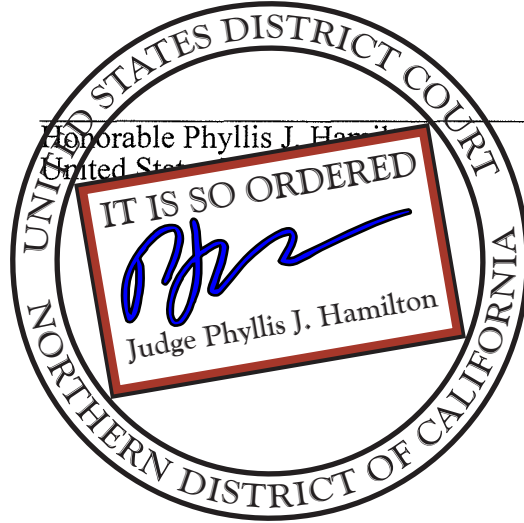
*Attorneys for Defendants and Counterclaimants
Royal Philips Electronics N.V. and Philips
Electronics North America Corporation*

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PURSUANT TO STIPULATION, ALL CLAIMS TVI ASSERTED AGAINST
PHILIPS AND ALL COUNTERCLAIMS PHILIPS ASSERTED AGAINST TVI IN THE
ABOVE-CAPTIONED ACTION ARE HEREBY DISMISSED WITH PREJUDICE.

IT IS SO ORDERED.

DATED: 11/4/11



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

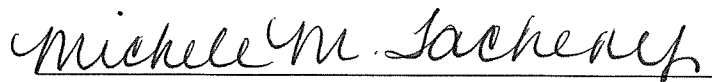
I am employed in the County of Hennepin, State of Minnesota. I am over the age of 18 and not a party to the within action; my business address is 800 LaSalle Avenue 2800 LaSalle Plaza, Minneapolis Minnesota 55402.

On November 3, 2011 I served the foregoing document described as **STIPULATION OF DISMISSAL OF CLAIMS WITH PREJUDICE BETWEEN PLAINTIFF AND DEFENDANTS KONINKLIJKE PHILIPS ELECTRONICS N.V. (NAMED IN THE COMPLAINT AS ROYAL PHILIPS ELECTRONICS N.V.) AND PHILIPS ELECTRONICS NORTH AMERICA CORPORATION AND [PROPOSED] ORDER** on the interested parties in this action by placing a true and correct copy thereof enclosed in a sealed envelope addressed as follows:

See Attached Service List

- BY MAIL:** I caused such envelope to be deposited in the mail at Minneapolis, Minnesota. The envelope was mailed with postage thereon fully prepaid. I am "readily familiar" with this firm's practice of collection and processing correspondence for mailing. It is deposited with U.S. postal service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.
- BY FEDERAL EXPRESS - OVERNIGHT:** I caused such envelope to be deposited in a box or other facility regularly maintained by Federal Express in an envelope or package designated by Federal Express with delivery fees paid.
- BY FACSIMILE:** I served a true copy of the document(s) described on all parties to this action by facsimile transmission, and the transmission was reported as complete and without error. Facsimile transmissions were sent and addressed as stated above.
- BY PERSONAL SERVICE:** I caused such envelope to be delivered by hand to the offices of the addressees.
- BY E-MAIL:** I served a true copy of the document(s) on all parties to this action via e-mail transmission. E-mail transmissions were sent and addressed as stated above.
- (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction service was made.

Executed on November 3, 2011 at Minneapolis, Minnesota.


Michele M. Tacheny

SERVICE LIST

TV Interactive Data Corporation v. Sony, et al.
U.S.D.C. Northern District of California Case No. 10-CV-00475 EMC

Kevin W. Kirsch (<i>registered ECF user</i>)	Alan Grimaldi (<i>registered ECF user</i>)
John F. Bennett (<i>registered ECF user</i>)	Brian Rosenthal (<i>registered ECF user</i>)
Matthew P. Hayden (<i>registered ECF user</i>)	Robert E. McBride
David A. Mancino (<i>registered ECF user</i>)	Mayer Brown LLP
Baker & Hostetler LLP	1999 K St. NW
312 Walnut Street	Washington, DC 20006-1101
Suite 3200	E-mail: agrimaldi@mayerbrown.com
Cincinnati, OH 45202	E-mail: broenthal@mayerbrown.com
E-mail: kkirsch@bakerlaw.com	E-mail: rmcbride@mayerbrown.com
E-mail: jbennett@bakerlaw.com	
E-mail: mhayden@bakerlaw.com	Steven Yovits (<i>registered ECF user</i>)
E-mail: dmancino@bakerlaw.com	Mayer Brown LLP
	71 S. Wacker Drive
Hayes F. Michel (<i>registered ECF user</i>)	Chicago, IL 60606
Baker & Hostetler LLP	E-mail: syovitx@mayerbrown.com
12100 Wilshire Blvd.	
Los Angeles, CA 90025	Eric Evans (<i>registered ECF user</i>)
E-mail: hmichel@bakerlaw.com	Mayer Brown LLP
	Two Palo Alto Square
<i>Funai Electric Co. Ltd.; and</i>	3000 El Camino Real/Suite 300
<i>Funai Corporation, Inc.</i>	Palo Alto, CA 94306-2112
	E-mail: eevans@mayerbrown.com
Steven J. Routh	
T. Vann Pearce (<i>registered ECF user</i>)	<i>Philips Electronic North America</i>
Sten A. Jensen	<i>Corporation; and</i>
Trevor C. Hill (<i>registered ECF user</i>)	<i>Royal Philips Electronics N.V.</i>
Orrick Herrington & Sutcliffe LLP	
1152 15th St. NW	Ronald L. Yin (<i>registered ECF user</i>)
Columbia Center	Mark D. Fowler (<i>registered ECF user</i>)
Washington, DC 20005	Gerald T. Sekimura
E-mail: srouth@orrick.com	Erik R. Fuehrer (<i>registered ECF user</i>)
E-mail: vpearce@orrick.com	DLA Piper LLP
E-mail: sjensen@orrick.com	2000 University Ave.
E-mail: thill@orrick.com	East Palo Alto, CA 94303
	E-mail: Toshiba-TVInteractive@dlapiper.com
William H. Wright (<i>registered ECF user</i>)	
Orrick Herrington & Sutcliffe LLP	<i>Toshiba Corporation;</i>
777 S. Figueroa St./Suite 3200	<i>Toshiba America, Inc.; and</i>
Los Angeles, CA 90017	<i>Toshiba America Consumer Products, LLC</i>
E-mail: wwright@orrick.com	
<i>Victor Company of Japan, Ltd.; and</i>	
<i>JVC Americas Corp.</i>	

81152554.1

- 2 -

1 Gregory G. Gewirtz (*registered ECF user*)
Jonathan A. David (*registered ECF user*)
2 Fahd K. Majiduddin (*registered ECF user*)
3 Lerner David Littenberg Krumholz
& Mentlik
4 600 South Ave. West
Westfield, NJ 07090
5 E-mail: ggewirtz@ldlkm.com
E-mail: j david@ldlkm.com
6 E-mail: fmajiduddin@ldlkm.com

7 Duane M. Geck
8 Philip Barilovits (*registered ECF user*)
Severson & Werson
9 One Embarcadero Center
Suite 2600
10 San Francisco, CA 94111
11 E-mail: dmg@severson.com
E-mail: pb@severson.com

12 *Sony Corporation; Sony Computer*
13 *Entertainment Inc.; Sony Computer*
14 *Entertainment America, Inc., Sony*
15 *Corporation of America; and*
Sony Electronics, Inc.

16
17
18
19
20
21
22
23
24
25
26
27
28