

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

U.S. Ethernet Innovations, LLC,
Plaintiff,

v.

Acer, Inc., et al.,
Defendants,

and

Atheros Communications, Inc., et al.,
Intervenors.

AND RELATED THIRD PARTY
COMPLAINTS

AT&T Mobility, LLC, et al.,
Defendants

Case No.: 4:10-cv-03724 CW (LB)

~~[PROPOSED]~~ ORDER DISMISSING
CLAIMS BETWEEN USEI AND NVIDIA

Judge: Hon. Claudia Wilken
Courtroom: 2, 4th Floor

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) and the stipulation of Plaintiff U.S. Ethernet Innovations, LLC (“USEI”) and Intervenor Nvidia Corporation (“Nvidia”), it is hereby ORDERED that all claims, counterclaims, and affirmative defenses asserted by USEI and Nvidia against each other are dismissed with prejudice, except that Nvidia’s claims, counterclaims and defenses asserting invalidity or unenforceability are dismissed without prejudice. This dismissal encompasses all claims by USEI against Nvidia customers who are Defendants in this action, but only to the extent of USEI’s claims based on use of Nvidia products, including, for the avoidance of doubt, Acer, Inc., ACER America Corporation, Apple Inc., Asus Computer International, ASUSteK Computer Inc., Dell Inc., Fujitsu Ltd., Fujitsu America, Inc., Gateway, Inc., Hewlett Packard Co., Lenovo (United States) Inc., Toshiba Corporation, Toshiba America, Inc., and Toshiba America Information Systems, Inc., to the extent such claims are based upon their use, sale, offer of sale, or importation of Nvidia products. USEI and Nvidia shall bear their own fees and costs.

Dated: 1/6/2014


Honorable Claudia Wilken
Chief District Judge