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

20 ADOBE SYSTEMS INCORPORATED, a  
 Delaware Corporation,  
 21  
 22 Plaintiff-Counterdefendant,  
 23 v.  
 24 KELORA SYSTEMS, LLC, a Delaware Limited  
 Liability Company,  
 25  
 26 Defendant-Counterclaimant.

Case No. CV11-03938 CW  
**STIPULATION REGARDING  
 DISMISSAL OF ALL CLAIMS AND  
 COUNTERCLAIMS; ~~PROPOSED ORDER~~**  
  
**Honorable Claudia Wilken**

27 AND RELATED COUNTERCLAIM.  
 28

1 On March 19, 2013, the Federal Circuit Court of Appeals affirmed this Court's grant of  
2 summary judgment of invalidity of U.S. Patent No. 6,275,821 in the related cases listed below, also  
3 assigned to this Court:

- 4 a. *eBay Inc. and Microsoft Corp. v. PartsRiver, Inc.*, No. 4:10-cv-4947-CW (filed Nov.  
5 2, 2010);  
6 b. *Cabela's Inc. v. Kelora Systems, LLC*, No. 3:11-cv-1398-CW (filed Mar. 23, 2011);  
7 and  
8 c. *Kelora Systems, LLC v. Target Corporation et al.*, No. 5:11-cv-1548-CW (filed Nov.  
8 8, 2010).

9 *See eBay Inc. v. Kelora Systems, LLC*, 2013 WL 1111071 (Fed. Cir. Mar. 19, 2013); *see also* Dkt.  
10 Nos. 189-190 in Case No. 4:10-cv-04947-CW; Dkt. Nos. 161-162 in Case No. 3:11-cv-1398-CW;  
11 and Dkt. Nos. 535-536 in Case No. 5:11-cv-1548-CW.

12 Pursuant to Fed. R. Civ. P. 41(a)(2), Plaintiff-Counterdefendant Adobe Systems Inc.  
13 ("Adobe") and Defendant-Counterclaimant Kelora Systems, LLC ("Kelora," collectively "the  
14 parties") hereby stipulate, through their respective counsel, to the dismissal of all Adobe's claims  
15 against Kelora without prejudice and of all Kelora's counterclaims against Adobe with prejudice.  
16 Each side agrees to bear its own costs and fees in this action.

17 DATED: June 14, 2013

DATED: June 14, 2013

18  
19 By: /s/ Neil Swartzberg

By: /s/ Olga I. May

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8 *Attorneys for Plaintiff-Counterdefendant*  
9 *Adobe Systems Incorporated*

10  
11 **SIGNATURE ATTESTATION**

12 Pursuant to General Order No. 45(X)(B), I hereby certify that concurrence in the filing of this  
13 document has been obtained from each of the other signatories shown above.

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*/s/ Olga I. May* \_\_\_\_\_

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**PROPOSED ORDER**


Having reviewed the parties' Stipulation regarding Dismissal of All Claims and Counterclaims, this Court adopts the Stipulation.

**IT IS HEREBY ORDERED THAT:**

1. All Adobe's claims against Kelora in this action are dismissed without prejudice;
2. All Kelora's counterclaims against Adobe in this action are dismissed with prejudice.
3. Each side agrees to bear its own costs and fees in this action.

**IT IS SO ORDERED.**

Dated: 6/19/2013

  
\_\_\_\_\_  
CLAUDIA WILKEN  
United States District Judge