

1 Robert F. McCauley (SBN 162056)
 Robert.mccauley@finnegan.com
 2 FINNEGAN, HENDERSON, FARABOW,
 GARRETT & DUNNER, LLP
 3 Stanford Research Park
 3300 Hillview Avenue
 4 Palo Alto, CA 94304-1203
 Telephone: (650) 849-6600
 5 Facsimile: (650) 849-6666

6 Vincent P. Kovalick (*Pro Hac Vice*)
 Vincent.kovalick@finnegan.com
 7 Barry W. Graham (*Pro Hac Vice*)
 Barry.graham@finnegan.com
 8 Richard H. Smith (*Pro Hac Vice*)
 Richard.smith@finnegan.com
 9 Troy E. Grabow (*Pro Hac Vice*)
 Troy.grabow@finnegan.com
 10 Laura P. Masurovsky (*Pro Hac Vice*)
 Laura.masurovsky@finnegan.com
 11 Rajeev Gupta (*Pro Hac Vice*)
 Rajeev.gupta@finnegan.com
 12 Kenie Ho (*Pro Hac Vice*)
 Kenie.ho@finnegan.com
 13 Cecilia Sanabria (*Pro Hac Vice*)
 Cecilia.sanabria@finnegan.com
 14 Jia Lu (*Pro Hac Vice*)
 Jia.lu@finnegan.com
 15 Robert D. Wells (*Pro Hac Vice*)
 Robert.wells@finnegan.com
 16 FINNEGAN, HENDERSON, FARABOW,
 GARRETT & DUNNER, LLP
 17 901 New York Avenue, N.W.
 Washington, D.C. 20001-4413
 18 Telephone: (202) 408-4000
 Facsimile: (202) 408-4400

19 *Attorneys for Linex Technologies, Inc.*

20
 21 UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 22 OAKLAND DIVISION

23 LINEX TECHNOLOGIES, INC.,
 24
 Plaintiff,
 25 v.
 26 HEWLETT-PACKARD COMPANY, APPLE
 COMPUTER INC., ARUBA NETWORKS, INC.,
 27 MERU NETWORKS, INC., RUCKUS
 WIRELESS, INC.,
 28 Defendants.

CASE NO. 4:13-cv-00159-CW (MEJ)

**STIPULATION REGARDING
 ERRATA TO DKT. NO. 333 ORDER
 REGARDING CLAIM
 CONSTRUCTION AND MOTIONS
 FOR SUMMARY JUDGMENT;
 [PROPOSED] ORDER**

1 Plaintiff Linex Technologies, Inc. (“Linex”) and Defendants Hewlett-Packard Company
2 (“HP”), Apple Inc. (“Apple”), Aruba Networks, Inc. (“Aruba”), Meru Networks, Inc. (“Meru”), and
3 Ruckus Wireless Inc. (“Ruckus”) (collectively “Defendants”) through their counsel, hereby stipulate,
4 subject to the approval of the Court as follows:

5 1. The parties have reviewed the Court’s May 20, 2014 Order Regarding Claim
6 Construction and Motions for Summary Judgment. Dkt. No. 333. The parties respectfully submit
7 that the Order contains clerical errors that may be corrected under Fed. R. Civ. P. 60(a). The
8 United States Court of Appeals for the Federal Circuit has granted leave for the parties and this
9 Court to correct these errors under Fed. R. Civ. P. 60(a). Order at 2, *Linex Tech., Inc. v. Hewlett-*
10 *Packard Co.*, Appeal No. 2014-1561 (Fed. Cir. issued Aug. 28, 2014) (Dkt. No. 50), a true and
11 correct copy of which is attached as Exhibit A to the Declaration of Kenie Ho supporting this
12 stipulation.

13 2. On March 18, 2014, Linex filed a Stipulation of Dismissal of Certain Claims with
14 Prejudice and Certain Counterclaims with Prejudice. Dkt. No. 309. The Court granted the
15 stipulation on March 20, 2014. Dkt. No. 311. The dismissed claims were as follows:

- 16 • Claims 9 and 10 of U.S. Patent No. 6,757,322 (“the ’322 patent”);
- 17 • Claims 109, 119, 120, 133, 144 and 145 of U.S. Patent No. RE42,219 (“the ’219
18 patent”);
- 19 • Claim 106 of U.S. Patent No. RE,43,812 (“the ’812 patent”).

20 Dkt. No. 309 at 1.

21 3. On May 20, 2014, the Court issued an Order Regarding Claim Construction and Motions
22 for Summary Judgment. Dkt. No. 333. At the time the Court issued its Order, claims 97, 107, 108,
23 121, 131, and 132 of the ’219 patent and claims 97, 98, 101, and 102 of the ’812 patent were at
24 issue. The Order Regarding Claim Construction and Motions for Summary Judgment incorrectly
25 refers to claim 107 (rather than claim 109) of the ’219 patent as dismissed and claims 107-109
26 (rather than 97, 107-108) of the ’219 patent as asserted claims. Dkt. No. 333 at 4. The parties seek
27 to correct these typographical errors in the Court’s Order in the various instances the Order refers to
28 the dismissed and asserted claims.

1 4. The parties also respectfully submit that the Court’s Order Regarding Claim Construction
2 and Motions for Summary Judgment contains certain typographical errors when referring to the
3 claims that include the claim language that the Court construed in its Order. Through this
4 stipulation, the parties also seek to correct those typographical errors.

5 5. The following are the corrections to the Court’s May 20, 2014 Order Regarding Claim
6 Construction and Motions for Summary Judgment that the parties submit are necessary:

- 7 • On page 4, line 15, “claims 107” should read --claims 109--.
- 8 • On page 4, line 17, “claims 107-109” should read --claims 97, 107-108--.
- 9 • On page 11, lines 6-7, “‘219 patent, claims 107-109, 121, 131-132” should read --’219
10 patent, claims 97, 107-108, 121, 131-132--.
- 11 • On page 11, line 11, “claim 109” should read --“claim 97”--
- 12 • On page 11, lines 13-19,

13 “109. A method for recovering data conveyed in data symbols by a plurality of
14 different signals transmitted on separate carrier waves from a single source over a
15 wireless channel, said signals being differentiated by different **codes** conveyed along
16 with said signals, comprising the steps of:

17 Receiving said signals at plural receiving antennas;

18 Demodulating the signals received at each receiving antenna and separating said
19 signals by detecting said different **codes** conveyed in said signals;

20 [. . .]” should read

21 ---97. A receiver system for recovering data conveyed in data symbols by a plurality
22 of different signals transmitted on separate carrier waves from a single source over a
23 wireless channel, said signals being differentiated by different **codes** conveyed along
24 with said signals, comprising:

25 Plural receiving antennas for receiving said signals;

26 Receiver circuitry connected to each receiving antenna for demodulating said
27 received signals and for separating said signals by detecting said different **codes**
28 conveyed in said signals;

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

[. . .]---

- On page 13, line 5, “claim 109” should read --claim 97--.
- On page 15, lines 19-21, “‘219 patent, claims 107-109, 121, 131-132” should read --’219 patent, claims 97, 107-108, 121, 131-132--.
- On page 19, lines 19-20, “‘219 patent, claims 109, 121, 133,” should read --’219 patent, claims 97, 121--.
- On page 19, line 24, “claims 109, 121, 133” should read --claims 97, 121--.
- On page 19, line 28, “claim 109” should read --claim 97--.
- On page 26, line 4, “claim 109” should read --claim 97--.
- On page 29, line 9, “claims 107-109” should read --claims 97, 107-108--.
- On page 35, line 3, “Claims 107-109” should read --Claims 97, 107-108--.

6. This Stipulation is supported by the accompanying Declaration of Kenie Ho, counsel for Linex.

Filer’s Attestation: Pursuant to Civil L.R. 5-1(i)(3), I attest under penalty of perjury that concurrence in the filing of the document has been obtained from each of its signatories.

Dated: September 15, 2014

/s/ Eric C. Rusnak
 Michael J. Bettinger (Sbn 122196)
 Shane Brun (SBN 179079)
 Meghana RaoRane (SBN 253531)
 K&L GATES LLP
 4 Embarcadero Center, Suite 1200
 San Francisco, California 94111-5994
 Telephone: 415.882.8200
 Facsimile: 415.882.8220
 mike.bettinger@klgates.com
 shane.brun@klgates.com
 meghana.raorane@klgates.com

Eric C. Rusnak (*Pro Hac Vice*)
 K&L GATES LLP
 1601 K Street, NW
 Washington, DC 20006
 Telephone: 202.778.9000
 Facsimile: 202.778.9100
 eric.rusnak@klgates.com

/s/ Laura P. Masurovsky
 Robert F. McCauley (SBN 162056)
 Robert.mccauley@finnegan.com
 FINNEGAN, HENDERSON, FARABOW,
 GARRETT & DUNNER, LLP
 Stanford Research Park
 3300 Hillview Avenue
 Palo Alto, CA 94304-1203
 Telephone: (650) 849-6600
 Facsimile: (650) 849.6666

Vincent P. Kovalick (*Pro Hac Vice*)
 Vincent.kovalick@finnegan.com
 Barry W. Graham (*Pro Hac Vice*)
 Barry.graham@finnegan.com
 Richard H. Smith (*Pro Hac Vice*)
 Richard.smith@finnegan.com
 Troy E. Grabow (*Pro Hac Vice*)
 Troy.grabow@finnegan.com
 Rajeev Gupta (*Pro Hac Vice*)
 Rajeev.gupta@finnegan.com

1 L. Scott Oliver
K&L Gates LLP
630 Hansen Way
2 Palo Alto, CA 94304
Telephone: (650) 798-6700
3 Facsimile: (650) 69-6701
scott.oliver@klgates.com

4 Attorneys for Defendant
5 *Aruba Networks, Inc.*

6 /s/ Scott Oliver

7 L. Scott Oliver
K&L Gates LLP
630 Hansen Way
8 Palo Alto, CA 94304
Telephone: (650) 798-6700
9 Facsimile: (650) 69-6701
Email: scott.oliver@klgates.com

10 Attorneys for Defendant
11 *Meru Networks, Inc.*

12 /s/ Scott Oliver

13 L. Scott Oliver
K&L Gates LLP
630 Hansen Way
14 Palo Alto, CA 94304
Telephone: (650) 798-6700
15 Facsimile: (650) 69-6701
16 Email: scott.oliver@klgates.com

17 Attorneys for Defendant
18 *Ruckus Wireless, Inc.*

19 s/ Elizabeth M. Reilly

20 Mark C. Scarsi
Miguel Ruiz
21 Jennifer L Miremadi
Ashlee N. Lin
Michael Sheen
22 Milbank, Tweed, Hadley & McCloy LLP
601 South Figueroa Street, 30th Floor
23 Los Angeles, CA 90017
Telephone: (213) 892-4000
24 mscarsi@milbank.com
mruiz@milbank.com
25 jmiremadi@milbank.com
ashlee.lin@milbank.com
26 msheen@milbank.com

27 Mark D. Selwyn
Andrew L. Liao
28 Wilmer Cutler Pickering Hale and Dorr LLP

Kenie Ho (*Pro Hac Vice*)
Kenie.ho@finnegan.com
Cecilia Sanabria (*Pro Hac Vice*)
Cecilia.sanabria@finnegan.com
Jia Lu (*Pro Hac Vice*)
Jia.lu@finnegan.com
Robert D. Wells (*Pro Hac Vice*)
Robert.wells@finnegan.com
Laura P. Masurovsky (*Pro Hac Vice*)
Laura.masurovsky@finnegan.com
FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, LLP
901 New York Avenue, N.W.
Washington, D.C. 20001-4413
Telephone: (202) 408-4000
Facsimile: (202) 408-4400

Attorneys for Plaintiff
Linex Technologies, Inc.

/s/ Michael K. Plimack

Sarah J. O'Connell
Alan H. Blankenheimer
Laura E. Muschamp
COVINGTON & BURLING LLP
9191 Towne Centre Drive, Suite 600
San Diego, CA 92122
Telephone: (858) 678-1800
Facsimile: (858) 678-1600
soconnell@cov.com
ablankenheimer@cov.com
lmuschamp@cov.com

Michael K. Plimack
COVINGTON & BURLING LLP
One Front Street, 35th Floor
San Francisco, CA 94111-5356
Telephone: (415) 591-6000
Facsimile: (415) 591-6091
mplimack@cov.com

Robert T. Haslam
COVINGTON & BURLING LLP
333 Twin Dolphin Drive, Suite 700
Redwood Shores, CA 94065
Telephone: (650) 632-4700
Facsimile: (650) 632-4800
rhaslam@cov.com

Alexander D. Chinoy (*Pro Hac Vice*)
COVINGTON & BURLING LLP
1201 Pennsylvania Avenue, NW
Washington, DC 20004-2401

1 950 Page Mill Road
Palo Alto, CA 94304
Telephone: (650) 858-6031
2 Facsimile: (650) 858-6100
Mark.selwyn@wilmerhale.com
3 Andrew.liao@wilmerhale.com
William F. Lee
4 Dominic E. Massa
Elizabeth M. Reilly
5 Wilmer Cutler Pickering Hale and Dorr LLP
60 State Street
6 Boston, MA 02109
Telephone: (617) 526-6000
7 Facsimile: (617) 526-5000
William.lee@wilmerhale.com
8 Dominic.massa@wilmerhale.com
Beth.reilly@wilmerhale.com
9

Telephone: (202) 662-5559
achinoy@cov.com

Attorneys for Defendant
Hewlett-Packard Company

10 Attorneys for Defendant
Apple, Inc.

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 **[PROPOSED] ORDER**

2 **IT IS SO ORDERED**

3 The Court’s May 20, 2014 Order Regarding Claim Construction and Motions for Summary
4 Judgment (Dkt. No. 333) is amended to reflect the following changes:

- 5 • On page 4, line 15, “claims 107” should read --claims 109--.
- 6 • On page 4, line 17, “claims 107-109” should read --claims 97, 107-108--.
- 7 • On page 11, lines 6-7, “’219 patent, claims 107-109, 121, 131-132” should read --’219
8 patent, claims 97, 107-108, 121, 131-132--.
- 9 • On page 11, line 11, “claim 109” should read --“claim 97”--
- 10 • On page 11, lines 13-19,

11 “109. A method for recovering data conveyed in data symbols by a plurality of
12 different signals transmitted on separate carrier waves from a single source over a
13 wireless channel, said signals being differentiated by different **codes** conveyed along
14 with said signals, comprising the steps of:

15 Receiving said signals at plural receiving antennas;

16 Demodulating the signals received at each receiving antenna and separating said
17 signals by detecting said different **codes** conveyed in said signals;

18 [. . .]” should read

19 ---97. A receiver system for recovering data conveyed in data symbols by a plurality
20 of different signals transmitted on separate carrier waves from a single source over a
21 wireless channel, said signals being differentiated by different **codes** conveyed along
22 with said signals, comprising:

23 Plural receiving antennas for receiving said signals;

24 Receiver circuitry connected to each receiving antenna for demodulating said
25 received signals and for separating said signals by detecting said different **codes**
26 conveyed in said signals;

27 [. . .]---

- 28 • On page 13, line 5, “claim 109” should read --claim 97--.

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

- On page 15, lines 19-21, “’219 patent, claims 107-109, 121, 131-132” should read --’219 patent, claims 97, 107-108, 121, 131-132--.
- On page 19, lines 19-20, “’219 patent, claims 109, 121, 133,” should read --’219 patent, claims 97, 121--.
- On page 19, line 24, “claims 109, 121, 133” should read --claims 97, 121--.
- On page 19, line 28, “claim 109” should read --claim 97--.
- On page 26, line 4, “claim 109” should read --claim 97--.
- On page 29, line 9, “claims 107-109” should read --claims 97, 107-108--.
- On page 35, line 3, “Claims 107-109” should read --Claims 97, 107-108--.

Dated: 9/16/2014


Hon. Claudia Wilken
United States District Judge