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11 Attorneys for Defendant
NIKON INC.

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14

15
16 EBAY INC., a Delaware Corporation,
17 Plaintiff,

Case No. C 05 00491 RS

JOINT STIPULATION OF DISMISSAL

18 v.

Judge: Hon. Richard Seeborg
Courtroom: 4, 5th Floor

19 NIKON INC., a New York corporation,
20 Defendants.

21
22 WHEREAS, Plaintiff eBay Inc., a Delaware corporation, and defendant Nikon Inc., a New
23 York corporation, by and through their respective counsel, have agreed to resolve this action in its
24 entirety as between themselves only;

25 ACCORDINGLY, IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES HEREIN,
26 subject to the approval of the Court, as follows:

- 27 1. The parties have entered into a separate settlement agreement and mutual
28 release and, pursuant thereto, the action is being dismissed in its entirety

eBay Inc., v. Nikon Inc.

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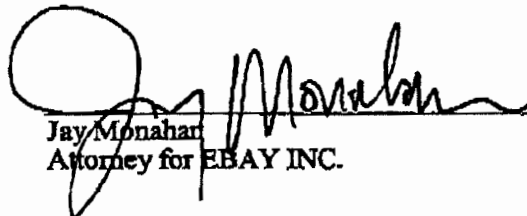
with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(2). The parties will bear their own costs and attorneys' fees in this action.

2. The Court shall retain jurisdiction over this matter to enforce the settlement reached by the parties.

Having read and understood the foregoing, and having obtained the express permission and consent of their respective clients with respect thereto, the undersigned counsel of record hereby acknowledge their clients' agreement and consent hereto by signing below.

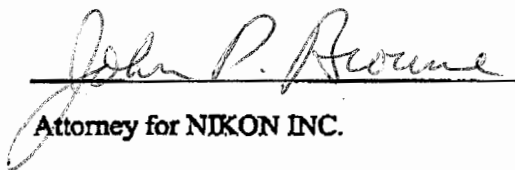
Dated: April 24, 2005

EBAY INC.
JAY MONAHAN


Jay Monahan
Attorney for EBAY INC.

Dated: April 28, 2005

NIKON INC.
JOHN P. BROWNE


Attorney for NIKON INC.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 5/2/05

/s/ Richard Seeborg

Judge, United States District Court

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