

1 Robert B. Morrill (SBN 035488)
 rmorrill@sidley.com
 2 Peter H. Kang (SBN 158101)
 pkang@sidley.com
 3 Philip W. Woo (SBN 196459)
 pwoo@sidley.com
 4 Kevin P. Burke (SBN 241972)
 kburke@sidley.com
 5

6 **SIDLEY AUSTIN LLP**
 555 California Street
 Suite 2000
 7 San Francisco, CA 94104
 Telephone: (415) 772-1200
 8 Facsimile: (415) 772-7400

9 Attorneys For Defendants
 SHUTTLE, INC. and SHUTTLE COMPUTER GROUP, INC.

11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA
 13 SAN JOSE DIVISION

14	LENOVO (SINGAPORE) PTE., LTD.,)	Case No. 5:08-CV-3454 JF(PVT)
15)	
16	Plaintiff,)	
17	vs.)	STIPULATION AND [PROPOSED] ORDER
18)	REGARDING STAY PENDING
19)	REEXAMINATION OF THE PATENTS-IN-
20)	SUIT
21	SHUTTLE, INC. and SHUTTLE COMPUTER)	
22	GROUP, INC.,)	
23)	
24	Defendants,)	
25)	

24 Plaintiff LENOVO (SINGAPORE) PTE LTD. (“Plaintiff”), and Defendants SHUTTLE INC. and
 25 SHUTTLE COMPUTER GROUP INC. (together “Defendants”), respectfully request that the Court enter
 26 an Order Staying this Case Pending Resolution of the Reexamination Proceedings for U.S. Patent
 27 Nos. 5,600,766 (“the ‘766 patent”) and 5,513,359 (“the ‘359 patent”).
 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

In support of this Stipulation, the Parties state as follows:

1. On December 9, 2008, an *Ex Parte* Request for Reexamination of the ‘359 patent was filed with the United States Patent and Trademark Office (“PTO”);
2. On December 23, 2008, an *Ex Parte* Request for Reexamination of the ‘766 patent was filed with the PTO;
3. On January 26, 2009, the PTO granted the *Ex Parte* Request for Reexamination of the ‘766 patent; and
4. On February 12, 2009, the PTO granted the *Ex Parte* Request for Reexamination of the ‘359 patent.

Because both patents-in-suit are in reexamination and to preserve judicial economy, the parties agree this case should be stayed pending final resolution of the reexamination proceedings of the ‘766 and ‘359 patents in the PTO.

1 SO STIPULATED:

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

Respectfully submitted,

Dated: March 20, 2009

AKIN GUMP STRAUSS HAUER & FELD LLP

By: /s/ _____
FRED I. WILLIAMS¹

Attorneys for Plaintiff
LENOVO (SINGAPORE) PTE. LTD.

Dated: March 20, 2009

SIDLEY AUSTIN LLP

By: /s/ _____
Robert B. Morrill

Attorneys for Defendants SHUTTLE, INC. and
SHUTTLE COMPUTER GROUP, INC.

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED that:

1. This case is stayed pending final resolution of the reexamination proceedings of the '766 and '359 patents in the PTO; and
2. The parties shall promptly notify the Court when the PTO issues a final decision with respect to the '766 and/or '359 patents.

Dated: 3/23, 2009



JEREMY FOGEL
United States District Judge

¹ Pursuant to General Order 45(X), the filer of this document hereby attests that concurrence in the filing of the document has been obtained from Fred Williams.