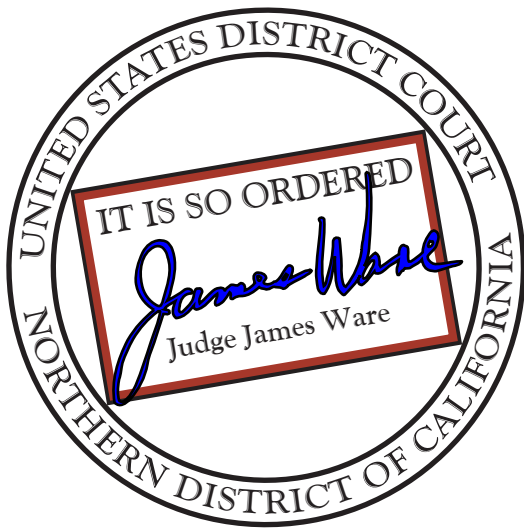


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10 Attorneys for Plaintiff
 11 HEWLETT-PACKARD COMPANY

13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15 SAN JOSE DIVISION

17 SONY COMPUTER ENTERTAINMENT
 AMERICA INC., SONY ELECTRONICS
 18 INC., TOSHIBA AMERICA
 INFORMATION SYSTEMS, INC,
 19 HEWLETT-PACKARD COMPANY, AND
 LENOVO (UNITED STATES) INC.

Case No. 5:08-cv-05742-JW

**NOTICE OF VOLUNTARY DISMISSAL
 WITHOUT PREJUDICE OF HEWLETT-
 PACKARD COMPANY'S COMPLAINT
 FOR DECLARATORY JUDGMENT**

20 Plaintiffs,
 21
 22 v.
 23 WI-LAN, INC.,
 24 Defendant.

1 Plaintiff Hewlett-Packard Company ("HP"), by and through its undersigned counsel,
2 hereby gives notice pursuant to Fed. R. Civ. P. 41(a)(1) as follows:

3 WHEREAS, on December 23, 2008, HP filed a Complaint for Declaratory Judgment,
4 alleging, among other things, non-infringement, invalidity and unenforceability of U.S. Patent No.
5 6,549,759 ("the '759 patent");

6 WHEREAS, Defendant, Wi-LAN Inc. has not answered or moved for summary judgment;
7 and

8 WHEREAS, HP is willing to voluntarily dismiss without prejudice its Complaint for
9 Declaratory Judgment as to the '759 patent;

10 HP HEREBY GIVES NOTICE of its voluntary dismissal without prejudice of its
11 Complaint for Declaratory Judgment seeking a declaration of non-infringement, invalidity and
12 unenforceability of the '759 patent.

13
14 DATED: June 24, 2009

Respectfully submitted,

15 MORGAN, LEWIS and BOCKIUS LLP

16 MICHAEL J. LYONS (State Bar No. 202284)
17 DAVID J. LEVY (admitted *pro hac vice*)
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19 By /s/ Michael J. Lyons

Michael J. Lyons

20 Attorneys for Plaintiff
21 HEWLETT-PACKARD COMPANY

22
23
24 PURSUANT TO NOTICE, IT IS SO ORDERED.

25 The Clerk shall terminate Plaintiff Hewlett-Packard Co. from the Docket.

26 Dated: July 1, 2009

27 
28 Hon. James Ware
United States District Judge