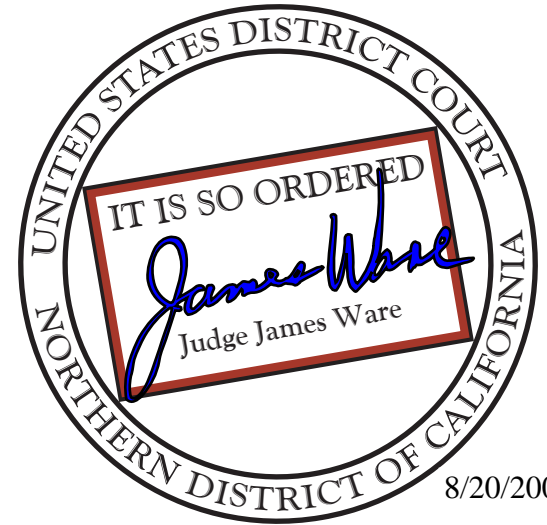


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13 Attorneys for Plaintiff
 LENOVO (UNITED STATES) INC.



14
 15 UNITED STATES DISTRICT COURT
 16 NORTHERN DISTRICT OF CALIFORNIA
 17 SAN JOSE DIVISION
 18

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

CASE NO. 5:08-cv-05742 JW

Related To:

- Case No. 5:08-CV-04555 JW
- Case No. 5:08-CV-05543 JW
- Case No. 5:08-CV-05544 JW
- Case No. 5:08-CV-05624 JW

22 Plaintiffs,

23 vs.

24 WI-LAN, INC.,

25 Defendant.

**NOTICE OF VOLUNTARY DISMISSAL
 WITHOUT PREJUDICE OF LENOVO
 (UNITED STATES) INC.'S COMPLAINT
 FOR DECLARATORY JUDGMENT**

The Honorable James Ware

1 Plaintiff Lenovo United States, Inc. ("Lenovo") 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, Lenovo filed a Complaint for Declaratory Judgment
4 Relief, alleging, among other things, non-infringement, invalidity and unenforceability of U.S.
5 Patent No. 6,549,759 (the '759 patent);

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

7 WHEREAS, LENOVO is willing to voluntarily dismiss its Complaint for Declaratory
8 Judgment without prejudice;

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

12 DATED: August 17, 2009

Respectfully submitted,

13 AKIN GUMP STRAUSS HAUER & FELD LLP

14 Reginald D. Steer (State Bar No. 056324)
15 Fred I. Willimas (admitted *pro hac vice*)
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17 By /s/ Eric J. Klein

18 Eric J. Klein
19 AKIN GUMP STRAUSS HAUER & FELD LLP
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21 Dallas, TX 75201-4675

22 Attorneys for Plaintiff
23 LENOVO (UNITED STATES) INC.

24 PURSUANT TO NOTICE, IT IS SO ORDERED.

25 Date: August 20, 2009

26 
27 Honorable James Ware
28 United States District Judge

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CERTIFICATE OF SERVICE

The undersigned certifies that on this 17th day of August, 2009, all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document through the Court's CM/ECF system. Any other counsel of record will be served by first class mail and/or electronic mail.

/s/Eric J. Klein
Eric J. Klein