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 C&C JEWELRY MANUFACTURING, INC.

19
 20 UNITED STATES DISTRICT COURT
 21 NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

22 C&C JEWELRY MFG., INC.,

23 Plaintiff,

24 v.

25 TRENT WEST,

26 Defendant.

27
 28 And Related Counterclaims

Case No. 5:09-cv-01303-JF

**JOINT STIPULATION TO ALLOW
 DEFENDANT TRENT WEST TO SERVE
 AMENDED DISCLOSURE OF ASSERTED
 CLAIMS AND INFRINGEMENT
 CONTENTIONS ON PLAINTIFF C&C
 JEWELRY MFG., INC. UNDER PATENT
 L.R. 3-1 AND 3-6**

1 Defendant Trent West (“West”) and Plaintiff C&C Jewelry Mfg., Inc. (“C&C”), by and
2 through their undersigned counsel of record, have agreed and hereby stipulate to allow West to
3 serve C&C with West’s Amended Disclosure of Asserted Claims and Infringement Contentions
4 (“Amended Infringement Contentions”) under Patent L.R. 3-1 and Patent L.R. 3-6.

5 Counsel for West and C&C have conferred to identify the Accused Instrumentalities
6 under Patent L.R. 3-1(b) which West contends infringe or result from infringement of the
7 asserted claims of West’s asserted patents in this matter. West has also had the opportunity to
8 review samples of C&C’s accused tungsten carbide jewelry finger rings, and C&C has identified
9 additional tungsten carbide jewelry finger rings, which C&C imports and sells, in its responses
10 and supplemental responses to West’s interrogatories. Based upon such information, responses
11 and documents produced by C&C thus far, West has identified several additional accused
12 tungsten carbide rings which he contends infringe or result from infringement of his asserted
13 claims. Such information and documents were not available to West at the time West served his
14 initial infringement contentions. Therefore, the parties’ counsel have conferred and C&C has
15 agreed to stipulate to allow West to amend his Infringement Contentions to identify additional
16 Accused Instrumentalities to those West identified in his initial infringement contentions. West
17 does not propose adding or amending at this time the claims or patents West accused C&C of
18 infringing in his initial Infringement Contentions

19 West asserts that good cause exists to permit West to serve his Amended Infringement
20 Contentions on C&C, and the parties agree that the requested amendments will cause no undue
21 prejudice to C&C. West has provided C&C with a copy of his proposed Amended Infringement
22 Contentions, and amended Exhibits A and B in support thereof, and C&C has agreed to this
23 stipulation after reviewing West’s proposed Amended Infringement Contentions.

24 Accordingly, West and C&C respectfully request that the Court issue an Order, for good
25 cause shown, permitting West to amend his Infringement Contentions as requested herein and
26 permitting West to serve C&C with West’s Amended Infringement Contentions.

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1 Respectfully stipulated to by:

2 KING & KELLEHER, LLP

STORM LLP

3 By: /s/ Alvin B. Lindsay
4 Alvin B. Lindsay

By: /s/ John G. Fischer
John G. Fischer

5 Attorneys for Defendant Trent West

Attorneys for Plaintiff C&C Jewelry Mfg., Inc.

6 Date: July 6, 2010

Date: July 6, 2010

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8 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

9 DATED: July 8, 2010

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Hon. Jeremy Fogel
United States District Judge

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