

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

Kevin G. McBride (State Bar No. 195866)
kgmcbride@jonesday.com
Steven J. Corr (State Bar No. 216243)
sjcorr@jonesday.com
JONES DAY
555 South Flower Street
Fiftieth Floor
Los Angeles, CA 90071-2300
Telephone: (213) 489-3939
Facsimile: (213) 243-2539

****E-Filed 10/29/2009****

Jennifer Seraphine (State Bar No. 245463)
jseraphine@jonesday.com
JONES DAY
555 California Street, 26th Floor
San Francisco, CA 94104
Telephone: (415) 875-5892
Facsimile: (415) 875-5700

Attorneys for AmTRAN Technology Co., Ltd.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

AMTRAN TECHNOLOGY COMPANY LTD.,

Plaintiff,

v.

FUNAI ELECTRIC COMPANY, LTD.; et al.,

Defendants.

Case No. C 09-03645 JF (HRL)

**STIPULATION AND ~~[PROPOSED]~~
ORDER REGARDING CLAIM
CONSTRUCTION SCHEDULE AND
HEARING**

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

STIPULATION AND ORDER

WHEREAS the parties attended a case management conference before this Court on September 5, 2009;

WHEREAS the Court ordered the parties to meet and confer and agree on a date before the end of 2009 for the claim construction hearing in these related actions;

WHEREAS the Court ordered the parties to meet and confer and agree on a schedule for events that are required under the applicable rules prior to the claim construction hearing;

WHEREAS the parties have met and conferred and agreed to a hearing date of Tuesday, January 19, 2010 for the claim construction hearing; and

WHEREAS the parties have notified the Clerk of Court of the agreed hearing date; and

WHEREAS the parties have met and conferred and agreed to the following schedule of events prior to the claim construction hearing:

Event	Date	Rule
Disclosure of Asserted Claims and Infringement Contentions	9/14/2009	Patent L.R. 3-1
Document Disclosure Accompanying Disclosure of Asserted Claims and Infringement Contentions	9/14/2009	Patent L.R. 3-2
Invalidity Contentions disclosure	10/2/2009	Patent L.R. 3-3
Document Disclosure Accompanying Invalidity Contentions	10/2/2009	Patent L.R. 3-4
Exchange of Proposed Terms for Construction	11/6/2009	Patent L.R. 4-1
Exchange of Preliminary Claim Constructions & Extrinsic Evidence	11/12/2009	Patent L.R. 4-2
Joint Claim Construction Prehearing Statement	11/19/2009	Patent L.R. 4-3
Completion of Claim Construction Discovery	11/25/2009	Patent L.R. 4-4
Opening Claim Construction Brief	12/1/2009	Patent L.R. 4-5
Responsive Claim Construction Brief	12/15/2009	Patent L.R. 4-5
Reply Claim Construction Brief	12/22/2009	Patent L.R. 4-5
Claim Construction & Technology Tutorial	1/19/2010	--

1 NOW, THEREFORE, IT IS HEREBY STIPULATED that the parties will adopt the
2 foregoing schedule of events prior to the claim construction hearing on January 19, 2010.

3 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.
4

5 Dated: October 28, 2009

By: /s/ Jennifer Seraphine

6 Kevin G. McBride (Ca. Bar No. 195866)
kgmcbride@jonesday.com
7 JONES DAY
555 S. Flower Street, 50th Floor
8 Los Angeles, CA 90071
Telephone: (213) 489-3939
9 Facsimile: (213) 243-2539

10 Jennifer Seraphine (Ca. Bar No. 245463)
jseraphine@jonesday.com
11 JONES DAY
555 California Street, 26th Floor
12 San Francisco, CA 94104
Telephone: (415) 626-3939
13 Facsimile: (415) 875-5892

14 *Attorneys for AmTRAN Technology Co.,
15 Ltd.*

16 Dated: October 28, 2009

By: /s/ Richard S. Ballinger

17 KARL J. KRAMER (No. 136433)
18 RICHARD S. BALLINGER (No. 223655)
MORRISON & FOERSTER LLP
19 755 Page Mill Road
Palo Alto, CA 94304-1018
20 Telephone: (650) 813-5775
Facsimile: (650) 494-0792

21 MARK W. DANIS (No. 147948)
22 MORRISON & FOERSTER LLP
1-5-1 Marunouchi
23 Chiyoda-ku, Tokyo 100-6529 Japan
Tel: 011-81-3-3214-6522
24 Facsimile: 011-81-3-3214-6512

25 Funai-Amtran@mofocom

26 *Attorneys for Funai Electric Co., Ltd and
27 Funai Corporation, Inc.*

ORDER

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED THAT: The Court adopts the following schedule of events:

Event	Date	Rule
Disclosure of Asserted Claims and Infringement Contentions	9/14/2009	Patent L.R. 3-1
Document Disclosure Accompanying Disclosure of Asserted Claims and Infringement Contentions	9/14/2009	Patent L.R. 3-2
Invalidity Contentions disclosure	10/2/2009	Patent L.R. 3-3
Document Disclosure Accompanying Invalidity Contentions	10/2/2009	Patent L.R. 3-4
Exchange of Proposed Terms for Construction	11/6/2009	Patent L.R. 4-1
Exchange of Preliminary Claim Constructions & Extrinsic Evidence	11/12/2009	Patent L.R. 4-2
Joint Claim Construction Prehearing Statement	11/19/2009	Patent L.R. 4-3
Completion of Claim Construction Discovery	11/25/2009	Patent L.R. 4-4
Opening Claim Construction Brief	12/1/2009	Patent L.R. 4-5
Responsive Claim Construction Brief	12/15/2009	Patent L.R. 4-5
Reply Claim Construction Brief	12/22/2009	Patent L.R. 4-5
Claim Construction & Technology Tutorial	01/19/2010	--

SO ORDERED.

Dated: 10/29/2009



JEREMY FOGEL
United States District Judge

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

CERTIFICATE OF SERVICE

CASE : 09-CV-03645-JF
AmTRAN Technology Co., Ltd. v. Funai Electric Company, Ltd., et al.

I am over the age of eighteen years and not a party to the within-entitled action. My business address is Jones Day, 555 California Street, 26th Floor, San Francisco, California, 94104.

On October 28, 2009, I served a copy of the following document:

**STIPULATION AND [PROPOSED] ORDER REGARDING CLAIM CONSTRUCTION
SCHEDULE AND HEARING**

by electronic transmission.

I am familiar with the United States District Court, Northern District of California's practice for collecting and processing electronic filings. Under that practice, documents are electronically filed with the court. The court's CM/ECF system will generate a Notice of Electronic Filing (NEF) to the filing party, the assigned judge, and any registered users in the case. The NEF will constitute service of the document. Registration as a CM/ECF user constitutes consent to electronic service through the court's transmission facilities. Under said practice, the following CM/ECF users were served:

**Counsel to
Funai Electric Co., Ltd. and Funai
Corporation, Inc.**

G. Brian Busey
E-mail: gbusey@mofo.com
Teresa Marie Summers
E-mail: tsummers@mofo.com
MORRISON & FOERSTER LLP
2000 Penn. Ave. NW, Suite 6000
Washington, DC 20006
Telephone: (202) 887-1504
Facsimile: (202) 887-0763

Mark W. Danis
E-mail: mdanis@mofo.com
MORRISON & FOERSTER LLP
3811 Valley Centre Drive, Suite 500
San Diego, CA 92130-2332
Telephone: (858) 720-5100

**Counsel to
AmTRAN Technology, Inc.**

Edward G. Poplawski
E-mail: epoplowski@sidley.com
Jim S. Zeng
E-mail: jzeng@sidley.com
Paul D. Tripodi, II
E-mail: ptripodi@sidley.com
Scott C. Johnson
E-mail: scjohnson@sidley.com
Theodore W. Chandler
E-mail: tchandler@sidley.com
SIDLEY AUSTIN LLP
555 West Fifth Street, Suite 4000
Los Angeles, CA 90013
Telephone: (213) 896-6000
Facsimile: (213) 896-6600

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

Richard S. Ballinger
E-mail: rballinger@mofo.com
Karl J. Kramer
E-mail: kkramer@mofo.com
MORRISON & FOERSTER LLP
755 Page Mill Road
Palo Alto, CA 94304
Telephone: (650) 813-5947
Facsimile: (650) 494-0792
Grant Chieh-Hsiang Yang
E-mail: gcyang@gmail.com
1738 Crestview Drive
Rockville, MD 20854
Telephone: (919) 638-0665
Catherine Cetrangolo
E-mail: ccetrangolo@boardmanlawfirm.com
BOARDMAN, SUHR, CURRY & FIELD
One South Pinckney St., 4th Floor
P.O. Box 927
Madison, WI 53701

Georgia Van Zanten
E-mail: gvanzanten@sidley.com
Marc Ascolese
E-mail: mascolese@sidley.com
Patrick Lonergan
E-mail: plonergan@sidley.com
Peter H. Kang
E-mail: pkang@sidley.com
Philip W. Woo
E-mail: pwoo@sidley.com
SIDLEY AUSTIN LLP
555 California Street, Suite 2000
San Francisco, CA 94104
Telephone: (415) 772-1200
Facsimile: (415) 772-7400

Robert Goetz
E-mail: ragoetz@casimirjones.com
CASIMIR JONES, SC
440 Science Drive, Suite 203
Madison, WI 53711
Telephone: (608) 218-6900
Facsimile: (608) 218-6910

**Counsel to
Sony Corporation, Sony Electronics, Inc.
and Sony Corporation of America**

Edward J. DeFranco
E-mail: eddefranco@quinnemanuel.com
Joseph Milowic
E-mail: josephmilowic@quinnemanuel.com
Thomas Pease
E-mail: thomaspease@quinnemanuel.com
QUINN EMANUEL URQUHART OLIVER &
HEDGES, LLP
51 Madison Avenue, 22nd Floor
New York, NY 10010
Telephone: (212) 849-7000
Facsimile: (212) 849-7100

Rory Stuart Miller
E-mail: rorymiller@quinnemanuel.com
QUINN EMANUEL URQUHART OLIVER &
HEDGES, LLP
865 S. Figueroa Street, 10th Floor
Los Angeles, CA 90017
Telephone: (213) 443-3004
Facsimile: (213) 443-3100

