

United States District Court  
For the Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

MICROSOFT CORPORATION, a Washington corporation,	)	Case No.: 10-CV-00240-LHK
	)	
Plaintiff,	)	ORDER CLARIFYING CLAIM
	)	CONSTRUCTION BRIEFING;
v.	)	DENYING WITHOUT PREJUDICE
	)	REQUEST TO BRIEF ADDITIONAL
TIVO INC., a Delaware corporation,	)	CLAIM TERMS; GRANTING
	)	REQUEST TO INCREASE PAGE
Defendant.	)	LIMITS
	)	

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The Court has reviewed Defendant’s Administrative Motion for Clarification of the Proper Procedure for Claim Construction Briefing. For the claim construction hearing set for May 17, 2011, the parties shall brief only the ten most significant terms identified in the parties’ Joint Claim Construction and Prehearing Statement. After the Court construes these claim terms and rules on summary judgment motions, the Court will determine whether additional claim terms should be construed. At this time, therefore, the Court denies without prejudice Defendant’s request to brief additional claim terms.

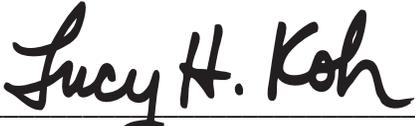
The Court grants Defendant’s request to increase the page limits for claim construction briefing as follows: 35 pages for opening motions, 35 pages for oppositions, and 20 pages for replies.

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Finally, it appears that Plaintiff's counsel spoke with the Courtroom Deputy without prior notice to opposing counsel. In the future, counsel must comply with the local rules and refrain from making phone calls to the Courtroom Deputy (other than for scheduling matters) or any other chambers staff without prior notice to opposing counsel.

**IT IS SO ORDERED.**

Dated: February 9, 2011

  
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LUCY H. KOH  
United States District Judge