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10 Counsel for Defendant Microsoft Corporation

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 12 **IN THE UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**

13  
 14 MEDIOSTREAM, INC.,  
 15 *Plaintiff,*  
 16 v.  
 17 MICROSOFT CORPORATION, ET AL.,  
 18 *Defendants.*

Civil Case No. 5:11-cv-02525-HRL

**Declaration of Scott Schrader in  
 Support of Defendants' Renewed  
 Motion to Stay the Case Pending  
 Completion of *Inter Partes*  
 Reexamination Pending Before the  
 Patent and Trademark Office**

Date: August 16, 2011  
 Time: 10:00 am  
 Judge: Hon. Howard R. Lloyd  
 Place: San Jose Courthouse,  
 Courtroom 2

1 I, Scott Schrader, state as follows:

2 1. I am an attorney with the law firm of Covington & Burling LLP, counsel  
3 for defendant Microsoft Corporation in this case. I am admitted to practice in  
4 California and New York, and before this Court. I submit this declaration in support  
5 of the Defendants' Renewed Motion to Stay Case Pending Completion of *Inter Partes*  
6 Reexamination Pending Before the Patent and Trademark Office.

7 2. Attached as exhibits to this declaration are true and correct copies of the  
8 following documents:

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<i>Exhibit</i>	<i>Description</i>	<i>Date</i>
<i>Reexamination of the '655 patent</i>		
Ex. 1	Request for <i>Inter Partes</i> Reexamination of U.S. Patent No. 7,009,655 filed by Apple Inc. (without exhibits)	12/18/2009
Ex. 2	Order Granting Request for <i>Inter Partes</i> Reexamination and Decision Granting <i>Inter Partes</i> Reexamination of U.S. Patent No. 7,009,655, PTO Control No. 95/001,284	3/12/2010
Ex. 3	Office Action in <i>Inter Partes</i> Reexamination and Detailed Action in <i>Inter Partes</i> Reexamination of U.S. Patent No. 7,009,655, PTO Control No. 95/001,284	3/12/2010
Ex. 4	Action Closing Prosecution in <i>Inter Partes</i> Reexamination of U.S. Patent No. 7,009,655, PTO Control No. 95/001,284	7/2/2010
Ex. 5	Right of Appeal Notice in <i>Inter Partes</i> Reexamination of U.S. Patent No. 7,009,655, PTO Control No. 95/001,284	2/14/2011
Ex. 6	Patent Owner's Notice of Appeal in <i>Inter Partes</i> Reexamination of U.S. Patent No. 7,009,655, PTO Control No. 95/001,284	3/14/2011
Ex. 7	Patent Owner's Appeal Brief filed by MedioStream Inc. in <i>Inter Partes</i> Reexamination of U.S. Patent No. 7,009,655, PTO Control No. 95/001,284 (without exhibits)	4/28/2011
Ex. 8	Respondent's Brief (Requestor) filed by Apple Inc. in <i>Inter Partes</i> Reexamination of U.S. Patent No. 7,009,655, PTO Control No. 95/001,284	5/31/2011

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<b>Exhibit</b>	<b>Description</b>	<b>Date</b>
<i>Reexamination of the '172 patent</i>		
Ex. 9	Corrected Request for <i>Inter Partes</i> Reexamination of U.S. Patent No. 7,283,172 filed by Apple Inc. (without exhibits)	3/23/2010
Ex. 10	Order Granting Request for <i>Inter Partes</i> Reexamination and Decision Granting <i>Inter Partes</i> Reexamination of U.S. Patent No. 7,283,172, PTO Control No. 95/001,283	4/23/2010
Ex. 11	Office Action in <i>Inter Partes</i> Reexamination and Detailed Action in <i>Inter Partes</i> Reexamination of U.S. Patent No. 7,283,172, PTO Control No. 95/001,283	4/23/2010
Ex. 12	Action Closing Prosecution in <i>Inter Partes</i> Reexamination of U.S. Patent No. 7,283,172, PTO Control No. 95/001,283	8/20/2010
Ex. 13	Right of Appeal Notice in <i>Inter Partes</i> Reexamination of U.S. Patent No. 7,283,172, PTO Control No. 95/001,283	1/28/2011
Ex. 14	Patent Owner's Notice of Appeal in <i>Inter Partes</i> Reexamination of U.S. Patent No. 7,283,172, PTO Control No. 95/001,283	2/28/2011
Ex. 15	Patent Owner's Appeal Brief filed by MedioStream Inc. in <i>Inter Partes</i> Reexamination of U.S. Patent No. 7,283,172, PTO Control No. 95/001,283 (without exhibits)	4/28/2011
Ex. 16	Respondent's Brief (Requester) filed by Apple Inc. in <i>Inter Partes</i> Reexamination of U.S. Patent No. 7,283,172, PTO Control No. 95/001,283	5/31/2011

I declare under penalty of perjury that the foregoing is true and correct.  
Executed in San Francisco, California on June 22, 2011.

/s/ Scott Schrader  
Scott Schrader