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28E-FILED on 12/16/11

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MEDIOSTREAM, INC.,

Plaintiff,

v.

MICROSOFT CORPORATION; SONIC
SOLUTIONS, LLC (f.k.a. SONIC
SOLUTIONS, INC.); SONY CORPORATION;
SONY CORPORATION OF AMERICA;
JAMES TAYLOR; and DOES 1 THROUGH
10 inclusive,

Defendants.

No. C-11-03095 RMW

REQUEST FOR SUPPLEMENTAL
BRIEFING

Re Docket No. 70, 73, 74, 76

In considering defendants' motions to dismiss, the court has noted the following allegation contained in the First Amended Complaint ("FAC"): "For example, Sonic continues to enter into contracts with Sony, Microsoft, Apple and other [sic] to supply media platform technology that was created and used by MedioStream, including MedioStream's unique VR format software ... Defendants and each of them continue to use this and other MedioStream trade secrets to their benefit and the detriment of MedioStream." Dkt. No. 66 (FAC) ¶ 82. None of the parties specifically addressed this allegation in either the briefing or at oral argument. The court therefore requests supplemental briefing on the impact of the allegation contained in paragraph 82 on the motions to dismiss MedioStream's claims for the misappropriation of trade secrets.

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Any defendant who wishes to submit supplemental briefing on this issue must do so by January 6, 2012. Defendants' briefs are limited to 10 pages in length. If MedioStream wishes to file a reply brief, it must do so by January 13, 2012. Any reply brief is limited to 5 pages in length.

It is so ordered.

DATED: 12/16/11



RONALD M. WHYTE
United States District Judge