

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 09-cv-01257-PAB-MEH

BIAX CORPORATION,

Plaintiff,

vs.

NVIDIA CORPORATION,
SONY COMPUTER ENTERTAINMENT AMERICA, INC.,
SONY COMPUTER ENTERTAINMENT, INC.,
SONY ELECTRONICS, INC.,
SONY CORPORATION OF AMERICA, and
SONY CORPORATION,

Defendants.

**ORDER GRANTING MOTION FOR ENTRY OF ORDER SETTING
MARKMAN BRIEFING AND HEARING SCHEDULE AND FOR RELATED RELIEF**

THIS MATTER is before the Court on the Defendants' Motion for Entry of Order Setting *Markman* Briefing and Hearing Schedule and for Related Relief [Docket No. 45].

The Court has considered the Motion, the case file, and the presentations and arguments of counsel at the July 30, 2009 hearing. It is

ORDERED that the Motion for Entry of Order Setting *Markman* Briefing and Hearing Schedule and for Related Relief [Docket No. 45] is granted. It is further

ORDERED that issues pertaining to claim construction shall be briefed according to the following schedule:

MARKMAN SCHEDULE

MATTER	DATE
The parties shall exchange terms to be construed	10/23/2009
The parties shall exchange proposed constructions	11/4/2009
The parties shall file opening estoppel briefs	11/18/2009
The parties shall file responsive estoppel briefs	12/18/2009
The parties shall file reply estoppel briefs	1/4/2010
The parties shall file joint claim construction statement (will not be filed with the Court)	2/15/2010
The parties shall file simultaneous opening <i>Markman</i> briefs	3/17/2010
The parties shall file simultaneous responsive <i>Markman</i> briefs	4/16/2010

It is further ORDERED that a one-day hearing on patent claim construction disputes pursuant to *Markman v. Westview Instruments, Inc.*, 517 U.S. 370 (1996), is set for **May 27, 2010 at 8:30 a.m.**

DATED August 12, 2009.

BY THE COURT:

s/ Philip A. Brimmer
PHILIP A. BRIMMER
United States District Judge