

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Civil Action No. 12-cv-01096-REB-CBS

POTTER VOICE TECHNOLOGIES LLC,

Plaintiff,

vs.

APPLE, INC.,
GOOGLE, INC.,
HTC AMERICA, INC.,
SONY MOBILE COMMUNICATIONS AB,
LG ELECTRONICS MOBILECOMM U.S.A., INC.,
MOTOROLA MOBILITY, LLC.,
ZTE (USA) INC.,
KYOCERA INTERNATIONAL, INC.,
SHARP CORPORATION,
SHARP ELECTRONICS CORPORATION,
HUAWEI DEVICE USA, INC.,
PANTECH WIRELESS, INC.,
RESEARCH IN MOTION LIMITED,
RESEARCH IN MOTION CORPORATION,
MICROSOFT CORPORATION, and
NOKIA, INC.,

Defendants.

**ORDER COMBINING CLAIMS
FOR PURPOSES OF *MARKMAN* HEARING**

Blackburn, J.

This matter is before the court *sua sponte*. Considering the current posture of this case, I conclude that combining claims for the limited purpose of a *Markman* hearing is appropriate.

Concurrently with this order, I entered an order severing the plaintiff's claims against defendants Google, Inc, HTC America, Inc., Sony Mobile Communications

(U.S.A.) Inc., LG Electronics Mobilecomm U.S.A., Inc., ZTE (USA) Inc., Kyocera International, Inc., Sharp Electronics Corporation, Huawei Device USA, Inc., and Microsoft Corporation. Given the requirements of 35 U.S.C. § 299, I held that the claims against these defendants are joined improperly.¹

All of the plaintiff's claims against the severed defendants and the other defendants are patent infringement claims. A *Markman* hearing concerning the patent in suit is scheduled for Friday, April 5, 2013. Although the claims against many defendants now have been severed, the issues to be addressed at the *Markman* hearing are relevant to all of the claims against all of the defendants, whether severed or not.

THEREFORE, IT IS ORDERED that the claims of the plaintiff against defendants, Google, Inc, HTC America, Inc., Sony Mobile Communications (U.S.A.) Inc., LG Electronics Mobilecomm U.S.A., Inc., ZTE (USA) Inc., Kyocera International, Inc., Sharp Electronics Corporation, Huawei Device USA, Inc., and Microsoft Corporation, **ARE COMBINED FOR THE LIMITED PURPOSE** of the *Markman* hearing scheduled for Friday, April 5, 2013.

Dated March 29, 2013, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge

¹ The claims against defendant Apple, Inc. have been severed, and I have ordered that the claims against Apple, Inc. be transferred to the Northern District of California. The combining of claims addressed in this order does not apply to the claims against Apple, Inc.