

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

XEROX CORPORATION,	)	
	)	
Plaintiff,	)	
	)	C.A. No. 10-136-LPS
v.	)	
	)	<b>JURY TRIAL DEMANDED</b>
GOOGLE INC., YAHOO! INC., RIGHT	)	
MEDIA INC., RIGHT MEDIA LLC,	)	
YOUTUBE, INC. and YOUTUBE, LLC,	)	
	)	
Defendants.	)	

**STIPULATION AND ORDER FOR DISMISSAL OF  
DEFENDANTS YOUTUBE INC. AND YOUTUBE LLC**

WHEREAS, in its March 29, 2010 Amended Complaint, plaintiff Xerox Corporation (“Xerox”) asserted as its only cause of action against YouTube Inc. and YouTube LLC (collectively, “YouTube”) a claim for infringement of U.S. Patent No. 6,236,994 (“the ‘994 Patent”) (D.I. 19, Count 6);

WHEREAS YouTube responded to the allegation of infringement and asserted counterclaims and defenses relating to the ‘994 Patent (D.I. 24);

WHEREAS the parties stipulated to the dismissal of Xerox’s causes of action relating to the ‘994 Patent (D.I. 130);

WHEREAS Xerox has agreed to the dismissal with prejudice of its cause of action against YouTube;

WHEREAS YouTube has agreed to the dismissal with prejudice of its counterclaims, subject to Xerox’s and YouTube’s understanding and agreement that such dismissal shall not preclude YouTube from asserting in the future the same or similar counterclaims and related defenses against anyone who in the future alleges infringement by YouTube of the ‘994 Patent;

THEREFORE, IT IS HEREBY STIPULATED that:

(1) Xerox's claims against YouTube LLC and YouTube Inc. are hereby dismissed with prejudice from this action;

(2) YouTube's counterclaims are hereby dismissed with prejudice;

(3) YouTube shall not be precluded by this stipulated dismissal from asserting in the future the same or similar counterclaims and related defenses against anyone who in the future alleges infringement by YouTube of the '994 Patent;

(4) The caption shall be amended in all subsequent pleadings to reflect this dismissal.

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*Attorneys for Defendants Google Inc.,  
YouTube, Inc. and YouTube, LLC*

**IT IS SO ORDERED** this \_\_\_\_ day of June, 2011

\_\_\_\_\_  
United States District Judge

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**CERTIFICATE OF SERVICE**

I, David E. Moore, hereby certify that on June 30, 2011, the attached document was electronically filed with the Clerk of the Court using CM/ECF which will send notification to the registered attorney(s) of record that the document has been filed and is available for viewing and downloading.

I hereby certify that on June 30, 2011, the attached document was electronically mailed to the following person(s)

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