

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

MARKEM-IMAJE CORPORATION,)
Plaintiff,)
v.) Civil Action No. 1:07-CV-06-PB
ZIPHER LTD.) (Consolidated Action)
and)
VIDEOJET TECHNOLOGIES, INC.,)
Defendants.)

ORDER

On this day came to be considered the parties' Joint Motion to Dismiss All Remaining Claim(s) Without Prejudice.

After considering the Motion, the Court finds that the Motion should be GRANTED. In order to put the case in condition for appeal, all remaining claim(s) are dismissed without prejudice, including Plaintiff's claim seeking a declaratory judgment of invalidity of claim 1 of Defendants' U.S. Patent No. 7,150,572. Dismissal of these claim(s) is without prejudice, including to re-presenting such claim(s) following the disposition of the appeal in this case.

SO ORDERED.

March 8, 2010

/s/ Paul Barbadoro
Paul Barbadoro
United States District Judge

cc: Counsel of Record