

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO**

STC.UNM,

Plaintiff,

v.

INTEL CORPORATION,

Defendant.

Civil No. 10-CV-01077-RB-WDS

STC'S MOTION TO COMPEL

This motion is necessitated by Intel's refusal to produce any discovery on its products in development. Intel has taken this position despite the fact that there is no research and development exception for infringement. Patent infringement is a strict liability offense: intent and magnitude are not factors. Thus, Intel's research and development activities are subject to an infringement determination by a jury, and are most certainly discoverable at this juncture in the case.

Accordingly, STC's motion should be granted, and Intel should be compelled to produce discovery regarding its development of future products.

Dated: March 22, 2011

Respectfully submitted,

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Attorneys for Plaintiff STC.UNM

Certificate of Conference: The undersigned conferred with counsel for Intel regarding the relief requested herein. Intel opposes the instant motion.

/s/ Steven R. Pedersen

Certificate of Service: I hereby certify that on March 22, 2011, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing via electronic mail to all counsel of record.

/s/ Steven R. Pedersen