

v.

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS MARSHALL DIVISION

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§ §

Plaintiff

1. Adobe Systems Incorporated,

- 2. Agfa Corporation
- Apple Computer, Incorporated, 3.
- Axis Communications, Incorporated, 4.
- 5. Canon USA, Incorporated,
- 6. Concord Camera Corporation,
- 7. Creative Labs, Incorporated,
- 8. Eastman Kodak Company,
- 9. Fuji Photo Film U.S.A.,
- 10. Fujitsu Computer Products of America,
- 11. Gateway, Incorporated,
- 12. Hewlett-Packard Company,
- 13. JASC Software.
- 14. JVC Americas Corporation,
- 15. Kyocera Wireless Corporation,
- 16. Macromedia, Incorporated,
- Matsushita Electric Corporation of 17. America,
- Mitsubishi Digital Electronics America, 18. Incorporated,
- 19. Océ North America, Incorporated,
- Onkyo U.S.A. Corporation, 20.
- 21. palmOne, Incorporated,
- Panasonic Communications Corporation § 22. of America,
- Panasonic Mobile Communications of 23. America,
- 24. Ricoh Corporation,
- 25. Riverdeep, Incorporated (d.b.a Broderbund,
- Savin Corporation, 26.
- 27. Thomson, S.A.,
- 28. Xerox Corporation,

Defendants

No. 2:04cv158

JOINT MOTION FOR ENTRY OF AGREED STIPULATION

COME NOW Plaintiff and Defendants Adobe Systems, Inc., Agfa Corporation, Apple Computer, Inc., Canon USA, Inc., Concord Camera Corporation, Creative Labs, Inc., Eastman Kodak Company, Fuji Photo Film U.S.A., Fujitsu Computer Products of America, Gateway, Inc., Hewlett-Packard Company, JVC Americas Corporation, Matsushita Electric Corporation of America, Mitsubishi Digital Electronics America, Inc., palmOne, Inc., Ricoh Corporation, Riverdeep, Inc., (d.b.a. Broderbund) and Savin Corporation, ("Defendants") file their Joint Motion for Entry of Agreed Stipulation in the above case and would show this Court the following:

- 1. Attached hereto as Exhibit "A" is an Agreed Stipulation that has been agreed to and approved by Counsel for Plaintiff and the above named defendants in this case as evidenced by their respective signatures. The Agreed Stipulation extends the date for the above named Defendants to answer or otherwise plead in response to Plaintiff's Complaint to and through July 6, 2004; and
 - 2. The parties ask that the Court approve and sign the proposed Order.

WHEREFORE, PREMISES CONSIDERED, Plaintiff and above named Defendants respectfully request that the Court grant the Joint Motion for Entry of Agreed Stipulation and execute the Agreed Stipulation at the Court's first opportunity.

Case 2:04-cv-00158-DF

Respectfully Submitted,

BROWN MCCARROLL, LLP 1127 Judson Road, Suite 220 P.O. Box 3999 Longview, Texas 75601-5157 903.236.9800 903.236.8787 (Fax) ccapshaw@mailbmc.com

By: Calvin Capshaw

TX Bar No.

COUNSEL FOR PLAINTIFF

PATTON, TIDWELL & SCHROEDER, LLP 4605 Texas Blvd. P.O. Box 5398 Texarkana, Texas 75505-5398 903.792.7080 903.792.8233 (Facsimile) nickpatton@texarkanalaw.com

TX Bar No. 15631000

COUNSEL FOR EASTMAN KODAK COMPANY Counsel is authorized to sign on behalf of all above named Defendants

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Agreed Stipulation and Joint Motion for Entry of Agreed Stipulation were served by first-class mail this 14th day of May, 2004 upon each of the parties listed below:

Calvin Capshaw Brown McCarroll LLP 1127 Judson Road, Suite 220 P.O. Box 3999 Longview, Texas 75601-5157 Attorney for Plaintiff

Adobe Systems Incorporation Attention: Legal Department 345 Park Avenue San Jose, CA 95110

Agfa Corporation Attention: Legal Department 100 Challenger Road Ridgefield Park, NJ 07660

Herschel Tracy Crawford Ramey & Flock 100 E. Ferguson, Suite 500 Tyler, TX 75702 Attorney for: Apple Computer, Incorporated

Axis Communications, Incorporated Attention: Legal Department 100 Apollo Drive Chelmsford, MA 01824

Canon U.S.A., Incorporated Attention: Legal Department One Canon Plaza, Lake Success New York, NY 11042

Concord Camera Corporation Attention: Legal Department 4000 Hollywood Boulevard, Suite 650N Hollywood, FL 33021 Creative Labs
Attention: Legal Department
1901 McCarthy Boulevard
Milpitas, CA 95035

Fuji Photo Film U.S.A. Attention: Legal Department 200 Summit Lake Drive Valhalla, NY 10595

Fujitsu Computer Products of America Attention: Legal Department 2904 Orchard Parkway San Jose, CA 95134

Gateway, Incorporated Attention: Legal Department 14303 Gateway Place Poway, CA 92064

Hewlett-Packard Company Attention: Legal Department 3000 Hanover Street Palo Alto, CA 94304

JASC Software Attention: Legal Department 7905 Fuller Road Eden Prairie, MN 55344

JVC Americas Corporation Attention: Legal Department 1700 Valley Road, Suite 1 Wayne, NJ 07470 Kyocera Wireless Corporation Attention: Legal Department 10300 Campus Point Drive San Diego, CA 92121

Macromedia Incorporated Attention: Legal Department 600 Townsend Street San Francisco, CA 94103

Matsushita Electric Corporation of America Attention: Legal Department 1 Panasonic Way Secaucus, NJ 07094

Mitsubishi Digital Electronics America, Incorporated Attention: Legal Department 9351 Jeronimo Road Irvine, CA 92618

Océ North America, Incorporated Attention: Legal Department 5450 North Cumberland Avenue Chicago, IL 60656

Onkyo U.S.A. Corporation Attention: Legal Department 18 Parkway Upper Saddle River, NJ 07458

palmOne, Incorporated Attention: Legal Department 400 North McCarthy Boulevard Milpitas, CA 95035

Panasonic Communications Corporation of America Attention: Legal Department 7625 Panasonic Way San Diego, CA 92154 Panasonic Mobile Communications Development Corporation of U.S.A. Attention: Legal Department 1225 Northbrook Parkway Suite 2-352 Suwanee, GA 30024

Ricoh Corporation Attention: Legal Department 5 Dedrick Place West Caldwell, NJ 07006

Riverdeep, Incorporated (d.b.a. Broderbund)
Attention: Legal Department 500 Redwood Boulevard
Novato, CA 94947

Savin Corporation Attention: Legal Department 333 Ludlow Street Stamford, CT 06902

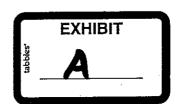
Thomson S.A. Attention: Legal Department 10330 North Meridian Street Indianapolis, IN 46290

Xerox Corporation Attention: Legal Department 800 Long Ridge Road Stamford, CT 06904

Nicholas H. Patton

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS MARSHALL DIVISION

Com	pression Labs, Incorporated,	§	
	Plaintiff	\$\text{c} \text{c} \t	
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7.	Creative Labs, Incorporated,	§	
8.	Eastman Kodak Company,	§	
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21.	palmOne, Incorporated,	§	
22.	Panasonic Communications Corporation		
	of America,	§.	
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	America,	δ	
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	1	8	
	Defendants	\$ 	



AGREED STIPULATION

Plaintiff and Defendants Adobe Systems, Inc., Agfa Corporation, Apple Computer, Inc., Canon USA, Inc., Concord Camera Corporation, Creative Labs, Inc., Eastman Kodak Company, Fuji Photo Film U.S.A., Fujitsu Computer Products of America, Gateway, Inc., Hewlett-Packard Company, JVC Americas Corporation, Matsushita Electric Corporation of America, Mitsubishi Digital Electronics America, Inc., palmOne, Inc., Ricoh Corporation, Riverdeep, Inc., (d.b.a. Broderbund) and Savin Corporation, ("Defendants") by their signatures below have stipulated that the above named Defendants have until July 6, 2004 to answer or otherwise plead in response to Plaintiff's Complaint.

Nicholas H. Patton PATTON, TIDWELL & SCHROEDER, LLP 4605 Texas Blvd. – P.O. Box 5398 Texarkana, Texas 75505-5398 903.792.7080 903.792.8233 (Facsimile)

nickpatton@texarkanalaw.com

COUNSEL FOR EASTMAN KODAK COMPANY Counsel is authorized to sign on behalf of all above named Defendants

Calvin Capshaw

BROWN MCCARROLL, LLP

1127 Judson Road, Suite 220

ichalas Di

P.O. Box 3999

Longview, Texas 75601-5157

903.236.9800

903.236.8787 (Fax)

ccapshaw@mailbmc.com

COUNSEL FOR PLAINTIFF