

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

FILED-DELM.  
DISTRICT COURT  
04 AUG 13 PM 2:50  
TX: EASTERN-MARSHALL  
BY \_\_\_\_\_

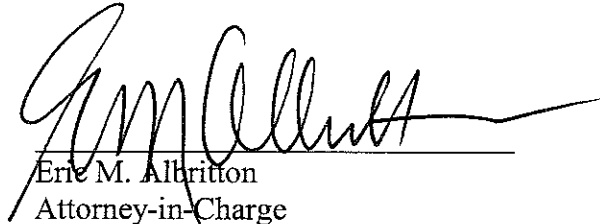
COMPRESSION LABS, INC.,  
  
Plaintiff,  
  
-against-  
  
1. DELL INC.,  
2. INTERNATIONAL BUSINESS  
MACHINES CORPORATION,  
3. TOSHIBA AMERICA, INC.,  
  
Defendants.

Civil Action  
No. 2:04-CV-159  
(Judge Folsom)

**AGREED MOTION FOR LEAVE TO FILE UNDER SEAL**

Defendants Dell, IBM, and Toshiba (collectively "Defendants") seek leave to file under seal Defendants' Joint Reply in Support of Their Joint Motion to Dismiss for Failure to Join All Co-Owners of the Patent-In-Suit and for Failure to Join an Indispensable Party Pursuant to Fed. R. Civ. P. 12(b)(7) ("Defendants' Joint Reply") and attachments thereto. It is necessary to file Defendants' Joint Reply and attachments thereto under seal because Defendants' Joint Reply quotes confidential information and one of the attachments to Defendants' Joint Reply contains confidential information.

WHEREFORE, PREMISES CONSIDERED, the Defendants pray that this motion be granted.



Eric M. Albritton  
Attorney-in-Charge  
Texas State Bar No. 00790215  
Albritton Law Firm  
P.O. Box 2649  
Longview, Texas 75606  
(903) 757-8449 (phone)  
(903) 758-7397 (fax)  
eric@albrittonlawfirm.com

*Attorney for Defendant International  
Business Machines Corporation*

Willem G. Schuurman  
Attorney-in-Charge  
Texas State Bar No. 17855200  
David B. Weaver  
Texas State Bar No. 00798576  
Vinson & Elkins  
The Terrace 7  
2801 Via Fortuna  
Suite 100  
Austin, Texas 78746  
(512) 542-8651 (phone)  
(512) 236-3476 (fax)  
dweaver@velaw.com

Deron Dacus  
Texas State Bar No. 00790553  
Ramey & Flock  
100 East Ferguson, Suite 500  
Tyler, Texas 75702  
(903) 597-3301 (phone)  
(903) 597-2413 (fax)  
ddacus@rameyflock.com

*Attorneys for Defendant Dell Inc.*

Harry L. "Gil" Gillman, Jr.  
Attorney-in-Charge  
Texas State Bar No. 07921800  
Baldwin & Baldwin, L.L.P.  
400 West Houston  
P.O. Drawer 1349  
Marshall, Texas 75670

*Attorney for Defendant Toshiba America, Inc.*

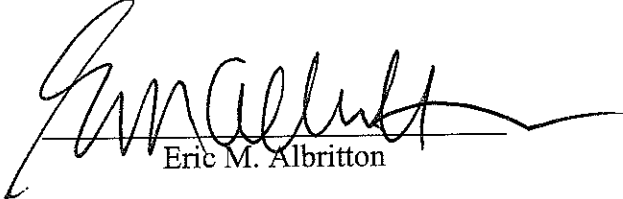
Of Counsel:

Cravath, Swaine & Moore LLP  
Keith R. Hummel  
Amy H. Candido  
825 Eighth Avenue  
New York, NY 10019  
(212) 474-1000 (phone)  
(212) 474-3700 (fax)  
khummel@cravath.com  
acandido@cravath.com

*Attorneys for Defendant International Business Machines Corporation*

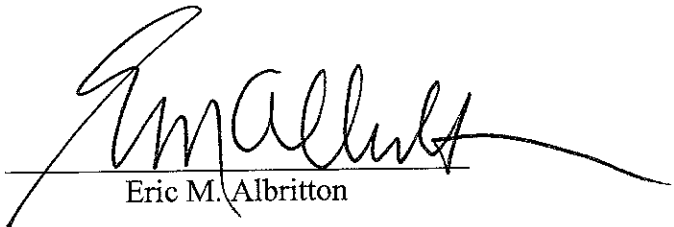
**CERTIFICATE OF SERVICE**

True and correct copies of the foregoing were sent, via electronic and U.S. mail, to all counsel of record on this the 13th day of August, 2004.

  
Eric M. Albritton

**CERTIFICATE OF CONFERENCE**

The undersigned conferred with Wesley Hill, counsel for the plaintiff, who advised that plaintiff agrees to this motion.

  
Eric M. Albritton

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

COMPRESSION LABS, INC.,

Plaintiff,

-against-

1. DELL INC.,
2. INTERNATIONAL BUSINESS  
MACHINES CORPORATION,
3. TOSHIBA AMERICA, INC.,

Defendants.

Civil Action  
No. 2:04-CV-159  
(Judge Folsom)

**ORDER**

Defendants Dell Inc., International Business Machines Corporation, and Toshiba America, Inc. have moved for leave to file under seal Defendants' Joint Reply in Support of Their Joint Motion to Dismiss for Failure to Join All Co-Owners of the Patent-In-Suit and for Failure to Join an Indispensable Party Pursuant to Fed. R. Civ. P. 12(b)(7) and attachments thereto. The motion shall be, and is hereby, GRANTED.

SIGNED the \_\_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
HONORABLE DAVID FOLSOM