

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

ALOFT MEDIA, LLC,

Plaintiff,

v.

ORACLE CORPORATION, et al.,

Defendants.

Civil Action No. 6:09-cv-304-LED-JDL

**JOINT NOTICE OF REQUESTED TIME FOR MARKMAN HEARING AND HEARING
ON MOTION FOR SUMMARY JUDGMENT OF INDEFINITENESS**

Pursuant to the Docket Control Order entered by the Court, the parties submit this Joint Notice of Requested Time for *Markman* Hearing and Hearing on Motion for Summary Judgment of Indefiniteness.

By its docket control order, the Court set the claim construction hearing to begin at 9:30 a.m. on January 13, 2011. The parties jointly propose that the Court allow a total of 3 hours (1.5 hours per side) for the *Markman* hearing and hearing on Defendants' Motion for Summary Judgment of Indefiniteness (Dkt. No. 165). Defendants additionally propose that the Court entertain argument on their motion for summary judgment of invalidity of the patents-in-suit (Dkt. No. 149) ("*Bilski* motion") within the time allotted for the *Markman* hearing. Aloft does not believe that Defendants' *Bilski* motion is relevant to the issues of claim construction and that a hearing is unnecessary for resolution of the invalidity issues addressed in the motion.

DATED: December 21, 2010

Respectfully submitted,

/s/ Danny L. Williams

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by facsimile transmission and/or first class mail on December 21, 2010.

/s/ Mark Dunglinson
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