

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

**TYLER DIVISION**

**DATE:** April 26, 2011

**JUDGE**

LEONARD DAVIS

LAW CLERKS: Kori Bagrowski

**COURT REPORTER:**

Shea Sloan

***NOTE: 7 CASES ARE INCLUDED IN THESE MINUTES***

<p>UNILOC, USA</p> <p>vs.</p> <p>SONY, ET AL</p>	<p>CIVIL ACTION NO: 6:10-CV-373 - CASE NO. 1</p> <p style="text-align: center;">STATUS CONFERENCE</p>
<p>UNILOC, USA</p> <p>vs.</p> <p>DISK DOCTORS, ET AL</p>	<p>CIVIL ACTION NO: 6:10-CV-471 - CASE NO. 2</p> <p style="text-align: center;">STATUS CONFERENCE</p>
<p>UNILOC, USA</p> <p>vs.</p> <p>NATIONAL INSTRUMENTS, ET AL</p>	<p>CIVIL ACTION NO: 6:10-CV-472 - CASE NO. 3</p> <p style="text-align: center;">STATUS CONFERENCE</p>
<p>UNILOC, USA</p> <p>vs.</p> <p>ENGRASP, ET AL</p>	<p>CIVIL ACTION NO: 6:10-CV-591 - CASE NO. 4</p> <p style="text-align: center;">STATUS CONFERENCE</p>
<p>UNILOC, USA</p> <p>vs.</p> <p>BMC SOFTWARE, ET AL</p>	<p>CIVIL ACTION NO: 6:10-CV-636 - CASE NO. 5</p> <p style="text-align: center;">STATUS CONFERENCE</p>
<p>UNILOC, USA</p> <p>vs.</p> <p>FOXIT CORPORATION, ET AL</p>	<p>CIVIL ACTION NO: 6:10-CV-691 - CASE NO. 6</p> <p style="text-align: center;">STATUS CONFERENCE</p>

**DAVID J. MALAND, CLERK**

BY: Rosa L. Ferguson, Courtroom Deputy

<p><b>SYMANTEC CORPORATION</b></p> <p>vs.</p> <p><b>UNILOC, USA</b></p>	<p><b>CIVIL ACTION NO: 6:11-CV-33 - CASE NO. 7</b></p> <p><b>STATUS CONFERENCE</b></p>
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**SEE ATTACHED SIGN-IN SHEETS FOR APPEARANCES**

On this day, came the parties by their attorneys and the following proceedings were had:

**OPEN:** 9:10 am

**ADJOURN:** 10:20 am

<b>TIME:</b>	<b>MINUTES:</b>
9:10 am	Cases called. Parties announced ready. See sign-in sheets.
	Court addressed the parties on a more efficient manner to handle this case. Court has received filings and has reviewed.
	Mr. Hill addressed the Court on behalf of Uniloc and made a proposal to organize and efficient proceed with these cases. Court tendered the Court a hard copy of slides. Mr. Hill addressed the Court and outlined his suggestions. (1) Prompt Infringement Contentions; (2) Early production of accused product sales data; (3) Early mediation deadline; (4) Parties wishing to engage on non-infringement voluntarily provide source code; (5) Post-mediation - P.R. 3-3, 3-4, and consolidated claim construction process; (6) Post-Markman - 2 <sup>nd</sup> management conference and trial setting / planning.
	Court inquired as to consolidation of the cases. Mr. Hill responded. Mr. Hill continued to elaborate on the outline of his suggestions.
	Court inquired as to a tentative trial date. Mr. Hill responded.
	Mr. Henson addressed the Court and responded and will speak on behalf of the defendants generally. Mr. Henson addressed the Court on transferring to Rhode Island. Mr. Healey addressed the Court and emphasized that they do want the transfer, and the stay on the re-exam, but will go forth with the management of the case. Mr. Henson further addressed the Court.
	Mr. Hill responded as to the transfer. Court addressed Mr. Henson. Mr. Churchill responded and addressed the Court on the re-exam. Mr. Hill responded as to a non-infringement defense, provide source code that they do not infringe, the plaintiff will cut them loose. Mr. Etheridge addressed the Court on the transfer and the local rules as to Rhode Island. Mr. Etheridge addressed the Court on the stay and the prejudice of the plaintiff. Mr. Hayes addressed the Court on behalf of the plaintiff. Mr. Glitzenstein addressed the Court. Mr. Hill briefly responded as to the infringement contentions. Mr. Glitzenstein further addressed the Court on 3-1 contentions.
	Mr. Glitzenstein addressed the Court on defendants' proposed management of the case. Mr. Hill responded to the defendant's plan. Mr. Glitzenstein further addressed the Court on the early MSJ's. Court inquired as to claim construction issues or have most of them been resolved. Mr. Glitzenstein responded. Mr. Churchill addressed the Court.

<b>TIME:</b>	<b>MINUTES:</b>
	Mr. Hill responded.
	Mr. Healey addressed the Court on the 2 terms on the Uniloc v Microsoft case. Mr. Benson addressed the Court on the problems on representing small defendants. Mr. Benson proposed on getting the infringement contentions and the mediation. Mr. Collins addressed the Court on smaller defendants and the cost of defense. Ms. DeRieux addressed the Court and asked for clarifying the plaintiff's proposal and the defendant providing source code. Mr. Hill responded as to a voluntary exchange and the last chance to declare their claims. Ms. DeRieux responded. Mr. Hill responded. Mr. Sacksteder addressed the Court. Ms. Elkjer addressed the Court and would like some time for the Defendants to get together with a plan and would like the Court to rule on the transfer and stay motions. Mr. Hill responded.
	Mr. Benson addressed the Court.
10:20 am	There being nothing further, Court adjourned.