

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

UNILOC USA, INC. and
UNILOC SINGAPORE PRIVATE LIMITED,

Plaintiffs,

v.

NATIONAL INSTRUMENTS CORP. et al.,

Defendants.

Civil Action No. 6:10-CV-472-LED

JURY TRIAL DEMANDED

**SYMANTEC CORPORATION'S UNOPPOSED MOTION FOR
LEAVE TO CONDUCT FIRST MEDIATION ON AUGUST 11, 2011**

Pursuant to the Docket Control Order (Dkt. No. 150), Defendant Symantec Corporation ("Symantec") files this unopposed motion for leave to conduct its first mediation on August 11, 2011, which is 12 days after the July 30, 2011 deadline set forth in the Docket Control Order. Symantec has reserved the August 11, 2011 date with Judge Faulkner for its first mediation. Symantec seeks leave on the grounds that (1) Symantec and its counsel are not available for the mediation in July on any of the dates on which Uniloc indicated that Judge Faulkner was available, and (2) Uniloc and Symantec have reached an agreement regarding Symantec's disclosure of source code.¹

¹ In sum, while Uniloc and Symantec disagreed about whether Symantec has sufficiently disclosed its code by making a secure laptop available for review by outside counsel for Uniloc at the offices of Symantec's local counsel as of June 28, 2011 (including whether attendant conditions of the disclosure are overly restrictive), they have agreed to interim review procedures, and have also agreed that (a) Uniloc will not be required to amend its Preliminary Infringement Contentions as to Symantec until 30 days after (1) the entry of a Protective Order,

For the foregoing reasons, Symantec respectfully requests leave to conduct its first mediation with Uniloc on August 11, 2011.

Dated: July 7, 2011

Respectfully submitted,

/s/ Michael E. Jones

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and (2) Symantec's production/disclosure of source code in accordance with the provisions of that Protective Order once entered; and (b) Symantec will have the option to amend its invalidity contentions within 30 days of receipt of Uniloc's Amended Preliminary Infringement Contentions. The parties intend to submit unopposed motions to the Court to this effect, as necessary, although this may be rendered moot should the parties reach a settlement agreement during mediation. Symantec and Uniloc each reserve all rights in connection with the proper source code provisions of a Protective Order, should the parties be unable to reach agreement and instead submit the matter (along with their respective arguments) to the Court.

**ATTORNEYS FOR DEFENDANT
SYMANTEC CORPORATION**

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who have consented to electronic service and are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on July 7, 2011. Any other counsel of record will be served by first class U.S. mail on this same date.

/s/ Michael E. Jones

Michael E. Jones