

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

**TYLER DIVISION**

**DATE:** October 19, 2011

**JUDGE**

LEONARD DAVIS

LAW CLERKS: Eman Sojoodi

**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;">MARKMAN &amp; MOTION HRG</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;">MARKMAN &amp; MOTION HRG</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;">MARKMAN &amp; MOTION HRG</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;">MARKMAN &amp; MOTION HRG</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;">MARKMAN &amp; MOTION HRG</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;">MARKMAN &amp; MOTION HRG</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: 9:05 AM**

**ADJOURN: 11:20 AM**

<b>TIME:</b>	<b>MINUTES:</b>
9:05 am	Case called. Parties announced ready. Ms. DeRieux addressed the Court and announced on behalf of Autodesk and Intego and advised that the Intego and Uniloc had resolved their issues. Mr. Hill concurred and the motion pending before the Court in this case is no longer at issue.
	Parties continued to announce ready. (See sign-in sheets)
	Court addressed the parties to open a brief opening statement. Court inquired who would be presenting for the Defendants. Mr. Flagel responded.
	Mr. Hill presented an opening statement to the Court. Court asked for comments on the track the Court set this case on and invited the Defendants to also make comments. Mr. Will responded.
	Ms. Mewes addressed the Court on the mediation process. Mr. Flagel responded as to the Court's process. Mr. Jones responded. Mr. Erickson responded. Mr. Hill responded. Court and parties continued to discuss. Court asked Mr. Hill to provide the Court an in camera list of settlements.
	Court inquired as to the recent Patent act and how the filings and the prospect of multi-defendant cases filed in one district is. Mr. Hill responded.
	Mr. Bumgardner presented a brief opening statement and gave a brief overview of the patents at issue, '216. Ms. Mewes responded.
	Court will begin with the first term, "Permits use of said Digital Data ... only if ... has Matched."
	Mr. Bumgardner presented term, " <b>Permits use of said Digital Data ... only if ... has Matched.</b> "
	Ms. Mewes responded. Mr. Bumgardner replied.
	Mr. Bumgardner presented the <b>First Disclaimer issue</b> . Mr. Flagel responded. Mr. Bumgardner replied.
	Court inquired as to the Second Disclaimer argument. Mr. Bumgardner presented the <b>Second Disclaimer issue</b> . Mr. Erickson responded. Mr. Bumgardner replied.

TIME:	MINUTES:
	Court addressed the parties on pending Motions.
	Court understands that <b>Motion to Compel, Docket No. 203 in Case No. 610cv471</b> is no longer at issue and Court denied as moot.
	Court addressed the parties on <b>Motion on Protective Order, Docket No. 200 &amp; 201 in Case No. 610cv472</b> . Parties responded that it is no longer an issue. With regard to protective order motion, Court denied as moot.
	Mr. Huston presented <b>Pervasive’s Motion to Construe Term, “Licensee Unique ID,” Docket No. 243 in Case No. 610cv472</b> . Mr. Flagel briefly addressed the Court. Mr. Huston continued with his presentation of the motion.
	Ms. Olin responded.
	Court will move on
	Mr. Lujin presented <b>Defendant’s Motion to Strike Amended Infringement Contentions, Docket No. 175 in Case no. 610cv373</b> .
	Mr. Hill responded. Mr. Lujin replied.
	Court will get the parties rulings as quickly as it can. Court addressed the parties on a provisional order on the terms.
	Mr. Hill addressed the Court on the DCO and the provisional order. Court would trigger it on the provisional order.
11:20 am	There being nothing further, Court adjourned.