

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

WI-LAN INC.,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Civil Action No. 6:10-cv-521-LED
	§	
ALCATEL-LUCENT USA INC.; <i>et al.</i>	§	JURY TRIAL DEMANDED
	§	
Defendants.	§	
	§	

**UNOPPOSED MOTION TO SUPPLEMENT INVALIDITY EXPERT REPORT
AND AMEND DOCKET CONTROL ORDER**

Defendants Alcatel-Lucent USA Inc., Telefonaktiebolaget LM Ericsson, Ericsson Inc., Sony Mobile Communications AB, Sony Mobile Communications (USA) Inc., HTC Corporation, HTC America, Inc., and Exedea Inc. (collectively, “Defendants”) hereby file their Unopposed Motion to Supplement Defendants’ Invalidation Expert Report and Amend Docket Control Order. Plaintiff Wi-LAN Inc. (“Wi-LAN”) does not oppose this Motion.

Defendants request leave to serve a supplement to their expert report concerning invalidity. In accordance with the Court’s Docket Control Order, Defendants served their expert report on invalidity on September 21, 2012, Plaintiff served its initial expert report on infringement on September 21, 2012, and Plaintiff served its supplemental expert report on infringement on October 5, 2012. Defendants believe a supplemental expert report is required to address certain issues raised by Plaintiff’s initial and supplemental infringement expert reports and have agreed to provide that report by October 25, 2012. Plaintiff does not oppose this Motion.

Further, Defendants and Wi-LAN jointly move the Court to amend the Docket Control Order (Dkt. No. 99, as amended by Dkt. Nos. 216, 226, 232, and 238) as follows:

Defendants and Wi-LAN have jointly agreed to extend the date for Wi-LAN's responsive expert report concerning validity to November 2, 2012. Defendant Alcatel-Lucent and Wi-LAN have agreed to extend the date for Alcatel-Lucent's responsive expert report concerning infringement to November 2, 2012.

The proposed modifications are necessary to allow sufficient time for Plaintiff's expert to respond to Defendants' supplemental report and to permit the parties to incorporate discovery into expert reports. With the exception of the dates above, all other dates currently specified by the Docket Control Order would remain unchanged, with the relevant pre-trial and trial dates unaffected. Accordingly, Defendants respectfully request that the Court enter the attached proposed Order effecting the above modifications.

Dated: October 24, 2012

Respectfully submitted,

/s/Ajeet P. Pai (with permission)

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CERTIFICATE OF CONFERENCE

I hereby certify that on October 24, 2012, counsel for Defendants conferred with Ajeet Pai, counsel for Plaintiff, regarding this motion. Counsel for Plaintiff stated that Plaintiff does not oppose the motion.

/s/ Akshay S. Deoras

Akshay S. Deoras

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who 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) on this the 24th day of October, 2012. Any other counsel of record will be served by first class U.S. mail on this same date.

/s/ Akshay S. Deoras

Akshay S. Deoras