

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH  
NORTHERN DIVISION

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PHILLIP M. ADAMS & ASSOCIATES,  
LLC, a Utah Limited Liability Company,

Plaintiff,

vs.

WINBOND ELECTRONICS  
CORPORATION, ASUS COMPUTER  
INTERNATIONAL, MICRO-STAR  
INTERNATIONAL CORP., LTD, AND  
MSI COMPUTER CORP., et al.,

Defendants.

MEMORANDUM DECISION AND  
ORDER DENYING ASUS' MOTION  
FOR PARTIAL SUMMARY  
JUDGMENT ON ITS LACHES  
DEFENSE

Case No. 1:05-CV-64 TS

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ASUS<sup>1</sup> seeks partial summary judgment on its laches defense. MSI<sup>2</sup> joined the Motion without a separate brief. The laches defense related to the availability of pre-filing damages as to the remaining patents-in-suit. The Court finds that there are material issues of fact on the laches defense. It is therefore

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<sup>1</sup>Asustek Computer and Asus Computer Intl.

<sup>2</sup>MSI Computer Corporation and Micro-Star International Corporation, Ltd.

ORDERED that ASUS' Motion for Partial Summary Judgment on its Laches Defense (Docket No. 1019) is DENIED and the Motion is also DENIED as joined by MSI and, therefore, MSI's Motion for Joinder (Docket No. 1062) is MOOT.

DATED August 23, 2010.

BY THE COURT:



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TED STEWART  
United States District Judge