

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

HYPERPHRASE TECHNOLOGIES, LLC and
HYPERPHRASE INC.,

Plaintiffs,

v.

GOOGLE INC.,

Defendant.

Civil Action No. 06-cv-199-bbc

STIPULATED DISMISSAL OF CLAIMS

Plaintiffs HyperPhrase Technologies, LLC and HyperPhrase Inc. (jointly “HyperPhrase”) and defendant Google Inc. (“Google”), in order to put this matter in condition for appeal, HyperPhrase and Google hereby stipulate to the dismissal, without prejudice, of all remaining claims and counterclaims raised by Google in this action. The parties further stipulate and agree that Google may raise, assert, or reassert any claims, defenses, or counterclaims (including those dismissed by this stipulation) in any action, remanded action (including if the present action is remanded following appeal), or proceeding against any party (including Google and/or its successors, assigns, licensees, customers, partners, or users) concerning either or both of United States Patent Nos. 5,903,889 and 6,516,321.

This stipulated dismissal of claims is without prejudice to and shall have no effect on the judgment of costs awarded to Google, or on any further motion to find this case exceptional and seek an award of attorney fees and expenses.

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SO STIPULATED, this 6th day of January, 2009.

FOR PLAINTIFF

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CERTIFICATE OF SERVICE

I hereby certify that on the 6th of January, 2009, a true and correct copy of the following document was filed with the Clerk of the Court using the ECF filing system.

▪ **STIPULATED DISMISSAL OF CLAIMS**

The ECF filing system will send notification of such filing to the following attorneys for

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