

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

APPLE INC., and NEXT SOFTWARE,
INC. (f/k/a NeXT COMPUTER, INC.),

Plaintiffs and
Counterclaim-
Defendants,

v.

Case No. 10-CV-662 (BBC)

MOTOROLA, INC. and MOTOROLA
MOBILITY, INC.

Defendants and
Counterclaim-
Plaintiffs

**JOINT MOTION REGARDING THE NEED FOR
TECHNICAL TUTORIAL**

Plaintiffs and Counterclaim-Defendants Apple Inc. and NeXT Software, Inc. (collectively, “Apple”) and Defendants and Counterclaim-Plaintiffs Motorola Solutions, Inc. (f/k/a Motorola, Inc.) and Motorola Mobility, Inc. (collectively, “Motorola”) submit this joint motion regarding the Court's interest in a technical tutorial in connection with the claim construction proceedings that are ongoing in this matter.

The parties’ respective positions on this issue are set forth below. Despite the differences in their positions, the parties make this joint motion so that the Court can provide guidance without further submissions from the parties. If the Court would like to do so, the parties propose a short teleconference at a time suitable to the Court to discuss this issue.

I. Apple’s Position

On June 17, 2011, the parties submitted opening claim construction briefs regarding fifteen claim terms from the patents in suit. These fifteen terms are from thirteen different Apple and Motorola patents, each involving somewhat different technology. Although some of the patents and claim construction issues involve technology issues that are relatively straightforward, at least some of the claim construction disputes between the parties involve complex and specialized technical concepts.

Accordingly, Apple hereby requests that the Court allow Apple to submit with its responsive claim construction brief a technical tutorial that will provide further explanation regarding some of the more complicated technologies that are implicated by the claim construction disputes. The proposed tutorial would be in the form of a presentation on DVD that would focus on the more complex technologies at issue and that would be no more than one hour long.

II. Motorola's Position

The parties addressed the relevant background technology for the disputed terms and phrases in the parties' extensive opening claim construction briefs, and Motorola does not wish to burden the Court with more pre-hearing materials. Instead, Motorola suggests that the parties make brief presentations to the Court during the course of the hearing on the relevant technology as the patents and disputed claim terms are addressed.

III. Request

In light of the foregoing, the parties respectfully request that the Court inform the parties how it would like to proceed with additional technical tutorials in addition to the parties' responsive claim construction briefs.

Dated: June 23, 2011

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on June 23, 2011, I caused the foregoing document to be electronically filed with the Clerk of Court using the ECF system, which will make this document available to all counsel of record for viewing and downloading from the ECF system.

/s/ Christine Saunders Haskett