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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICROSOFT CORPORATION,

Plaintiff,

v.

MOTOROLA, INC., et al.,

Defendants.

CASE NO. C10-1823JLR

MINUTE ORDER

MOTOROLA MOBILITY, INC., et
al.,

Plaintiffs,

v.

MICROSOFT CORPORATION,

Defendant.

The following minute order is made by the direction of the court, the Honorable
James L. Robart:

1 The court is in receipt of the parties' respective post-trial briefing regarding the
2 license agreement between Google Inc. and MPEG LA related to the H.264/AVC patent
3 pool. (Motorola Br. (Dkt. # 614); Microsoft Br. (Dkt. # 615).) The court is also in
4 receipt of Microsoft Corporation's motion for summary judgment of invalidity (Dkt.
5 # 205). To address both the Google-MPEG LA license agreement and Microsoft's
6 motion for summary judgment of invalidity, the court hereby schedules oral argument for
7 January 28, 2013, at 1:30 p.m.

8 At argument, with respect to the Google-MPEG LA license agreement, the parties
9 shall address (1) the proper interpretation of the Google-MPEG LA license agreement
10 under the law of the State of New York; and (2) the import of the Google-MPEG LA
11 license agreement as it relates to H.264 standard essential patents held by Motorola
12 Mobility LLC and General Instrument Corporation, as wholly-owned subsidiaries of
13 Google. The parties may submit, no later than January 23, 2013, (1) relevant extrinsic
14 evidence to the Google-MPEG LA license agreement, such as affidavits from MPEG LA
15 regarding the purpose and intent of the grant-back provision (Section 8.3) of the Google-

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1 MPEG LA agreement; and (2) additional briefing, limited to 12 pages, addressing any
2 proffered extrinsic evidence.

3 Filed and entered this 31st day of December, 2012.

4
5 WILLIAM M. MCCOOL
6 Clerk of Court

7 s/Mary Duett
8 Deputy Clerk

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