

Nos. 14-1076, -1317

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

HTC CORPORATION and HTC AMERICA, INC.,

Plaintiffs-Cross-Appellants,

v.

TECHNOLOGY PROPERTIES LIMITED, PATRIOT SCIENTIFIC
CORPORATION, and ALLIACENSE LIMITED,

Defendants-Appellants.

Appeals from the United States District Court for the Northern District of
California in No. 5:08-cv-00882-PSG,
United States Magistrate Judge Paul S. Grewal

**PLAINTIFFS-CROSS-APPELLANTS' UNOPPOSED MOTION FOR
EXTENSION OF TIME TO FILE REPLY BRIEF**

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Appellants HTC CORPORATION and
HTC AMERICA, INC.*

Pursuant to Federal Rule of Appellate Procedure 26(b) and Federal Circuit Rule 26(b), Plaintiffs-Cross-Appellants, HTC Corp. and HTC America, Inc. (collectively, “HTC”), respectfully move this Court for a seven (7)-day extension of time to file their Reply Brief (“HTC’s Brief”). HTC’s Brief currently is due on September 19, 2014. With the extension, HTC’s Brief would be due on September 26, 2014. As set forth below, good cause exists for the requested seven (7)-day extension.

HTC had been granted a fourteen (14)-day extension to file its Principal and Response Brief. (Dkt. No. 30.) Defendants-Appellants Technology Properties Limited, Patriot Scientific Corporation, and Alliacense Limited (collectively, “TPL”) had been granted a twenty-one (21)-day extension to file their Response and Reply Brief. (Dkt. No. 40.)

Counsel for HTC has conferred with counsel for TPL. TPL does not oppose this motion, and, in fact, has agreed to HTC’s requested seven (7)-day extension in TPL’s previous motion for extension of time to file its Response and Reply Brief. (Dkt. No. 39.)

The requested extension of time is necessary because of the unavailability of HTC’s counsel, Mr. Kyle Chen. Mr. Chen has intimate knowledge of the district court trial and other proceedings upon which the instant appeal and cross-appeal are based, and is a principal preparer of HTC’s Brief. Mr. Chen’s second child

was born on August 22, 2014. Mr. Chen has been spending a significant amount of time caring for his family, including his first child who is less than three years old. Thus, he will be unable to dedicate sufficient time to properly draft HTC's Brief under the current deadline of September 19, 2014.

HTC's request for an extension of time is motivated solely by its desire to properly prepare HTC's Brief. This request for an extension of time is made in good faith by counsel and not for the purpose of delay or procedural advantage.

For the foregoing reasons, HTC respectfully requests that this Court grant an extension of seven (7) days, until September 26, 2014, to file HTC's Brief.

Dated: September 3, 2014

COOLEY LLP

HEIDI L. KEEFE
STEPHEN R. SMITH
MARK R. WEINSTEIN
KYLE D. CHEN

By: /s/Kyle D. Chen

Kyle D. Chen

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HTC CORPORATION and HTC
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CERTIFICATE OF INTEREST

Counsel for the Plaintiffs-Cross-Appellants HTC Corporation and HTC America, Inc. certifies the following (use “None” if applicable; use extra sheets if necessary):

1. The full name of every party or amicus represented by me is:

HTC Corporation and HTC America, Inc.

2. The name of the real party in interest (if the party name in the caption is not the real party in interest) represented by me is:

None.

3. All parent corporations and any publicly held companies that own 10 percent or more of the stock of the party or amicus curiae represented by me are:

HTC America, Inc. is a wholly owned subsidiary of HTC Corporation.

4: The names of all law firms and the partners or associates that appeared for the party or amicus now represented by me in the trial court or agency or are expected to appear in this court are:

Cooley LLP (formerly known as Cooley Godward Kronish LLP), Heidi L. Keefe, Mark R. Weinstein, Stephen R. Smith, Kyle D. Chen, Lam K. Nguyen, Neil

N. Desai, Matthew J. Leary, Mark F. Lambert (all of Cooley LLP);

Ronald S. Lemieux, Jason C. Fan, Dena Chen, Lia C. Smith (all former counsel at Cooley LLP);

White & Case LLP, William S. Coats, III, Samuel C. O'Rourke, Taryn Lam, Jennifer Yokoyama, Wendi R. Schepler (all former counsel at White & Case LLP).

Dated: September 3, 2014

/s/ Kyle D. Chen
Kyle D. Chen

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CERTIFICATE OF SERVICE

I hereby certify that on September 3, 2014, I served true and correct copies
of the foregoing

**PLAINTIFFS-CROSS-APPELLANTS' UNOPPOSED MOTION FOR
EXTENSION OF TIME TO FILE REPLY BRIEF**

by electronic service on Appellants' counsel of record as follows:

Attorneys for Defendants-Appellants Technology Properties Limited, Patriot
Scientific Corporation and Alliacense Limited:

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I declare the foregoing to be true and correct. Executed this 3rd day of
September, 2014, at Palo Alto, California.

/s/ Kyle D. Chen

Kyle D. Chen

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**[PROPOSED] ORDER GRANTING PLAINTIFFS-CROSS-APPELLANTS'
UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE REPLY
BRIEF**

Before the Court is Plaintiff-Cross-Appellants HTC Corporation's and HTC America, Inc.'s (collectively, "HTC") motion for a seven (7)-day extension of time to file their Reply Brief. After consideration of HTC's motion, the motion is GRANTED. HTC's Principal and Response Brief is now due on September 26, 2014.

For the Court: