

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

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

**Plaintiffs,**

**v.**

**MATSUSHITA ELECTRIC INDUSTRIAL  
CO, LTD.; PANASONIC CORPORATION OF  
NORTH AMERICA; JVC AMERICAS CORP.;  
NEC ELECTRONICS AMERICA, INC.;  
TOSHIBA CORPORATION; TOSHIBA  
AMERICA, INC.; TOSHIBA AMERICA  
ELECTRONIC COMPONENTS, INC.;  
TOSHIBA AMERICA INFORMATION  
SYSTEMS, INC.; TOSHIBA AMERICA  
CONSUMER PRODUCTS, LLC; ARM, INC.;  
and ARM, LTD.**

**Defendants.**

Civil Action No. 2-05CV-494 (TJW)

JURY TRIAL DEMANDED

**NOTICE OF STIPULATION REGARDING PLAINTIFFS' PENDING MOTION TO AMEND  
PRELIMINARY INFRINGEMENT CONTENTIONS AND DISMISSAL OF CERTAIN  
PRODUCTS BETWEEN PLAINTIFFS AND THE TOSHIBA DEFENDANTS**

WHEREAS, in the litigation identified as Civil Action No. 2-05CV-494 (TJW) currently pending in the United States District Court for the Eastern District of Texas, Marshall Division, Technology Properties Limited and Patriot Scientific Corporation (collectively "Plaintiffs") have accused certain integrated circuit chips of infringement that are sold by and/or incorporated into product sold by Toshiba Corporation, Toshiba America, Inc., Toshiba America Electronic Components, Inc., Toshiba America Information Systems, Inc. and Toshiba America Consumer Products, LLC (collectively "Toshiba Defendants");

WHEREAS Plaintiffs and Toshiba Defendants wish to reach agreement as to the specific identity of Toshiba chips contended to infringe the '336 and '584 patents in the litigation;

WHEREAS, for purposes of the '336 and '584 patents, Plaintiffs and Toshiba Defendants desire to streamline both discovery and trial as to the technical design, structure and operation of the accused integrated circuit chips themselves, and select representative chips among those alleged to infringe for purposes of discovery and trial, recognizing that factual differences might exist between such chips;



NOW, THEREFORE, the Plaintiffs and Toshiba Defendants hereby stipulate to the following:

- (1) Plaintiffs hereby dismiss with prejudice any and all allegations of infringement under any of U.S. Patent Nos. 5,784,584 ('584 patent); 5,809,336 ('336 patent); and 6,598,148 ('148 patent) (collectively "patents-in-suit") by any of the Toshiba Defendants of certain products denominated as ASIC products, including all products in the TC200, TC220, TC240, TC260, TC280, and TC300 families of ASIC products. As to such allegations, each party shall bear its own attorneys fees and costs.
- (2) The Toshiba Defendants agree not to oppose Plaintiffs' pending Motion for Leave to Amend Plaintiffs' Preliminary Infringement Contentions by substituting the non-ASIC products listed in Exhibit B as the chip products at issue in this litigation, provided that Plaintiffs will not seek to further amend their Infringement Contentions to assert infringement of the '336 and '584 patents by any other products introduced prior to December 26, 2006. A copy of said Exhibit B is attached hereto ("Attachment").
- (3) As used herein, "Accused Chip" shall mean a product identified in the Attachment by SKU; "Chip Family" shall mean the group of Accused Chips identified in the Attachment by a particular [Present] Chip Family Name; and Representative Chip shall mean an Accused Chip in a Chip Family identified in the Attachment as a "Representative Chip."
- (4) For purposes of determining issues regarding the '336 and '584 patents in the above referenced litigation, Plaintiffs and Toshiba Defendants will treat each Accused Chip in a given Chip Family as though it had and has the same physical characteristics as the Representative Chip for that Chip Family.
- (5) Clause (2) notwithstanding, the parties agree that Exhibit B shall be modified as follows:  
(a) to exclude any Accused Chips for which a claim chart has not been previously provided;  
and (b), to identify one or more Representative Chip(s) for each Chip Family. The parties will cooperate to prepare and submit as a supplement to this notice of stipulation a mutually agreeable modified version of Exhibit B to the extent necessary to comply with this clause (5).
- (6) As to the '336 and '584 Patents, Plaintiffs shall not be entitled to technical discovery (inclusive of both written and deposition discovery), including but not limited to design, structure, and operation of the Accused Chips themselves, other than technical discovery of the Representative Chips; however, this restriction shall not preclude Plaintiffs from permissible discovery (a) on the interaction of any Accused Chip with other components in end-user products, or (b) with respect to the '148 patent.

TECHNOLOGY PROPERTIES  
LIMITED and  
PATRIOT SCIENTIFIC  
CORPORATION,



Roger Cook

TOSHIBA CORPORATION;  
TOSHIBA AMERICA, INC.;  
TOSHIBA AMERICA ELECTRONIC COMPONENTS,  
INC.;  
TOSHIBA AMERICA INFORMATION SYSTEMS, INC.;  
and  
TOSHIBA AMERICA CONSUMER PRODUCTS, LLC



Scott Partridge