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15	UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA SAN JOSE DIVISION			
16	SAN JOSI	E DIVISION		
17	HTC CORPORATION and HTC AMERICA, INC.,	Case No. 5:08-cv-00882 PSG		
18	Plaintiffs,	DEFENDANTS' NOTICE OF NONOPPOSITION TO PLAINTIFFS'		
19)	EMERGENCY MOTION FOR CLARIFICATION OF ORDER ON		
20	V.)	ADDENDUM TO JURY		
21	TECHNOLOGY PROPERTIES LIMITED,) PATRIOT SCIENTIFIC CORPORATION)	INSTRUCTIONS		
22	and ALLIACENSE LIMITED,)	Date: September 23, 2013 Time: 9:00 a.m.		
23	Defendants.)	Place: Courtroom 5, 4th Floor Judge: Hon. Paul S. Grewa;		
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	STATEMENT OF NONOPPOSITION	CASE Nos. 5:08-cv-00882		

Nonopposition 1 2 Pursuant to Civil Local Rule 7-3(b), Defendants file this statement of nonopposition to 3 Plaintiffs' Emergency Motion for Clarification of Order on Addendum to Jury Instructions (Dkt. # 609). Although Defendants do not agree with the statements and arguments in Plaintiffs' 4 5 motion, they do not oppose clarification of the Court's September 20, 2013 Order (Dkt. # 607) as requested by Plaintiffs, with one change. Since the Court's order, Defendants have given notice 6 7 to Plaintiffs that they do not intend to pursue claims 1, 11, 10 and 16 at trial. See Notice of 8 Defendants' Requested Changes to Preliminary Jury Instructions, filed herewith. Accordingly, reference to those claims and their unique limitations have been removed from Plaintiffs' request 10 below: 11 The court's final jury instructions will instruct the jury that the terms "entire ring oscillator variable speed system clock" (in claims 1 and 11), "entire oscillator" (in claims 12 6 and 13), and "entire variable speed clock" (in claims 10 and 16) are is properly understood to exclude any external clock used to generate the signal used to clock the 13 CPU. See HTC Mot. at 2 (citing Dkt.#607 at 1). The additional language Plaintiffs proposed is in bold, 14 15 underlined text. The language Defendants propose deleting is strikethrough text and the word Defendants propose adding is in bold, italic, underlined text. For the Court's convenience, a 16 17 proposed order is included, herewith. 18 Dated: September 22, 2013 19 Respectfully submitted, 20 AGILITY IP LAW, LLP 21 22 By: /s/ James C. Otteson James C. Otteson 23 Attorneys for Defendants 24 TECHNOLOGY PROPERTIES LIMITED and ALLIACENSE LIMITED 25 26 27 28

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16	SAN JOSE	DIVISION	
17	HTC CORPORATION and HTC	Case No. 5:08-cv-00882 PSG	
18	AMERICA, INC.,	[PROPOSED] ORDER GRANTING-IN-	
19	Plaintiffs,)	PART EMERGENCY MOTION FOR CLARIFICATION OF ORDER ON	
20	v.)	ADDENDUM TO JURY INSTRUCTIONS	
21	TECHNOLOGY PROPERTIES LIMITED,) PATRIOT SCIENTIFIC CORPORATION)	Date: September 23, 2013	
22	and ALLIACENSE LIMITED,)	Time: 9:00 a.m. Place: Courtroom 5, 4th Floor	
23	Defendants.)	Judge: Hon. Paul S. Grewa;	
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	[PROPOSED] ORDER GRANTING-IN-PART EMERGENCY MOTION	CASE Nos. 5:08-cv-00882	

1	Having considered Plaintiffs' Emergency Motion for Clarification of the Order on		
2	Addendum to the Joint Proposed Jury Instructions (Dkt. No. 609), Defendants' Statement of		
3	Nonopposition, the record in this case and all related facts and circumstances, including		
4	Defendants' decision not to proceed on claims 1, 10, 11 and 16 at trial, and good cause appearing		
5	therefor, IT IS HEREBY ORDERED THAT:		
6	The court's final jury instructions will instruct the jury that the "entire oscillator" (in		
7	claims 6 and 13 is properly understood to exclude any external clock used to generate the signal		
8	used to clock the CPU.		
9	IT IS SO ORDERED.		
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11	Dated:, 2013		
12	How Poul C Crown		
13	Hon. Paul S. Grewal United States Magistrate Judge		
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