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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

HTC Corp., et al.,

NO. C 08-00882 JW

Plaintiffs,

**ORDER DENYING MOTION FOR  
SUMMARY JUDGMENT OF NON-  
INFRINGEMENT AS PREMATURE**

v.

Technology Properties Limited, et al.,

Defendants.

Presently before the Court is Plaintiff HTC's Motion for Summary Judgment of Non-Infringement. (See Docket Item No. 293.) This Motion was filed prior to the case being transferred from Judge Fogel to Chief Judge Ware. On January 27, 2012, the Court conducted its first Claim Construction hearing in this case. In light of the pending Claim Construction, and in order to maintain its docket, the Court DENIES Plaintiff's Motion as premature and without prejudice to renew at the appropriate time.

Dated: March 26, 2012

  
\_\_\_\_\_  
JAMES WARE  
United States District Chief Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

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10 **Dated: March 26, 2012**

**Richard W. Wieking, Clerk**

11 **By:           /s/ JW Chambers**  
12 **Susan Imbriani**  
13 **Courtroom Deputy**

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