

[See signature page for counsel]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

HTC CORPORATION, HTC AMERICA,
INC.,

Plaintiffs,

v.

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

Defendants.

Case No. 5:08-cv-00882 PSG

STIPULATION

Plaintiffs HTC Corp. and HTC America, Inc. (collectively “HTC”) and Defendants Technology Properties Ltd., Patriot Scientific Corp. and Alliacense Ltd. (collectively “TPL and Patriot”) and third party Qualcomm, Inc. (“Qualcomm”) hereby enter into the following stipulation.

TPL and Patriot, HTC and Qualcomm agree that the following information will be established as authentic, relevant and admissible for purposes of trial, and any subsequent proceedings in this case:

1. The HTC phones listed in Exhibit A contain the Qualcomm chips listed next to them;
2. The Qualcomm chips shown in Exhibit A contain the application processors shown in Exhibit A;
3. Each of the Qualcomm chips listed in Exhibit A includes phase locked loops (PLLs) at least one of which is associated with clocking the corresponding application processor;
4. Each of the PLLs in paragraph 3 contains a voltage controlled oscillator or a current

1 controlled oscillator that has a multiple, odd number of inversions arranged in a loop.
2 5. The terms “application processor,” “clocking,” “voltage controlled oscillator” and
3 “current controlled oscillator” used above come from Qualcomm technical documents
4 produced in this case.

5 TPL and Patriot and HTC also agree that the jury should receive the jury instruction
6 shown in Exhibit B and agree to file a joint emergency motion for an addendum to the jury
7 instructions requesting the Court to add the jury instruction shown in Exhibit B to the Joint
8 Proposed Jury Instructions.

9
10 STIPULATED AND AGREED.

11 Dated: September 23, 2013

COOLEY LLP

12
13 By: /s/ Heidi L. Keefe

Heidi L. Keefe, State Bar No. 178960

hkeefe@cooley.com

Ronald S. Lemieux, State Bar No. 120822

rlemieux@cooley.com

Mark R. Weinstein, State Bar No. 193043

mweinstein@cooley.com

3000 El Camino Real

Five Palo Alto Square, 4th Floor

Palo Alto, California 94306

Phone: (650) 843-5000

Fax: (650) 857-0663

Attorneys for Plaintiffs

HTC CORPORATION AND HTC

AMERICA, INC.

AGILITY IP LAW, LLP

21
22
23 By: /s/ James C. Otteson

James C. Otteson, State Bar No. 157781

jim@agilityiplaw.com

Thomas T. Carmack, State Bar No. 229324

tom@agilityiplaw.com

Philip W. Marsh, State Bar No. 276383

phil@agilityiplaw.com

Attorneys for Defendants

TECHNOLOGY PROPERTIES LIMITED

and ALLIACENSE LIMITED

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

KIRBY NOONAN LACE & HOGE

By: /s/ Charles T. Hoge
Charles T. Hoge, State Bar No. 110696
choge@knlh.com

Attorneys for Defendant
PATRIOT SCIENTIFIC CORPORATION

COOLEY LLP

By: /s/ Ben Damstedt
Ben Damstedt, State Bar No. 230311
bdamstedt@cooley.com
3000 El Camino Real
Five Palo Alto Square, 4th Floor
Palo Alto, California 94306
Phone: (650) 843-5000
Fax: (650) 857-0663

Attorney for Third Party
QUALCOMM, INC.

EXHIBIT A**HTC Phones with Qualcomm Chips**

HTC Phone(s)	Qualcomm Chip	Application Processor
Mobile Phone Tilt / TyTN II [Kaiser]	MSM7200	ARM 11
HTC Touch Dual [Neon]	MSM7200	ARM 11
Touch Phone P3650 [Polaris]	MSM7200	ARM 11
Mobile Phone S730	MSM7200	ARM 11
HTC Touch Diamond [Diamond]	MSM7201	ARM 11
HTC T-Mobile G1 [Dream]	MSM7201	ARM 11
HTC Touch Phone Fuze [Raphael]	MSM7201	ARM 11
HTC Smartphone Wildfire [Bee]	MSM7625	ARM 11
HTC Shift X9000 [Atlantis]	MSM7500	ARM 11
HTC Smartphone S640 [Iris]	MSM7500	ARM 11
HTC S720 / SMT5800 [Libra]	MSM7500	ARM 11
Mobile Phone XV6800 / HTC PDA Phone P4000 / PPC-6800 [Mogul, Titan]	MSM7500	ARM 11
Touch Phone P3450	MSM7500	ARM 11
HTC Smartphone EVO Shift 4G [Speedy]	MSM7x30	Scorpion
HTC Smartphone G2 [Vision]	MSM7x30	Scorpion
HTC Smartphone Inspire 4G [Ace]	MSM7x30 / MSM8255	Scorpion
HTC Smartphone myTouch 4G [Glacier]	MSM7x30 / MSM8255	Scorpion
HTC Smartphone ThunderBolt	MSM7x30 / MSM8655	Scorpion
HTC Smartphone Desire [Bravo]	QSD8x50	Scorpion
HTC Smartphone Surround [Mondrian]	QSD8x50	Scorpion
HTC Smartphone HD7 [Schubert]	QSD8x50	Scorpion
HTC Smartphone EVO 4G [Supersonic]	QSD8x50	Scorpion

EXHIBIT B

Joint Proposed Jury Instruction Addendum Language

A number of the HTC products accused of infringement in this case contain Qualcomm chips. The parties have agreed and HTC has verified that the HTC Phones listed in the table in Exhibit A contain the Qualcomm chips next to them. The parties have also agreed, and Qualcomm has verified, the following facts about the Qualcomm chips listed in Exhibit A:

1. The Qualcomm chips shown in Exhibit A contain the application processors shown in Exhibit A;
2. Each of the Qualcomm chips listed in Exhibit A includes phase locked loops (PLLs) at least one of which is associated with clocking the corresponding application processor;
3. Each of the PLLs in paragraph 2 contains a voltage controlled oscillator or a current controlled oscillator that has a multiple, odd number of inversions arranged in a loop.
4. The terms “application processor,” “clocking,” “voltage controlled oscillator” and “current controlled oscillator” used above come from Qualcomm technical documents produced in this case.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28