

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

MOBILEMEDIA IDEAS LLC,

Plaintiff,

v.

APPLE INC.,

Defendant.

Civil Action No. 10-258-SLR

**DEFENDANT APPLE INC.'S MOTION FOR SUMMARY JUDGMENT OF
INVALIDITY OF U.S. PATENT NOS. 5,490,170; 5,737,394; 6,070,068; 6,253,075;
6,427,078; 6,441,828; 6,549,942; AND 6,725,155**

Defendant Apple Inc. ("Apple") respectfully moves this Court under Rule 56 of the Federal Rules of Civil Procedure for summary judgment of invalidity of the following claims asserted by Plaintiff MobileMedia Ideas LLC:

1. Claim 49 of the '170 Patent is invalid under 35 U.S.C. §§ 102 and 103;
 2. Claim 18 of the '394 Patent is invalid under 35 U.S.C. §§ 102 and 103;
 3. Claims 1, 7, 8, 23, and 24 of the '068 Patent are invalid under 35 U.S.C. §§ 102 and 103;
 4. Claims 5, 6, and 10 of the '075 Patent are invalid under 35 U.S.C. §§ 102 and 103;
 5. Claims 1-3, 8, and 73 of the '078 Patent are invalid under 35 U.S.C. §§ 102 and 103;
 6. Claims 17 and 18 of the '828 Patent are invalid under 35 U.S.C. §§ 102 and 103;
 7. Claims 1, 6, and 8 of the '942 Patent are invalid under 35 U.S.C. §§ 102 and 103;
- and

8. Claims 1, 2, 4, and 5 of the '155 Patent are invalid under 35 U.S.C. §§ 102 and 103.

The grounds for this motion are set forth in the Opening Brief in Support which is being filed contemporaneously herewith.

Dated: May 14, 2012

/s/ Mary B. Matterer

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[PROPOSED] ORDER

Having considered Defendant Apple Inc.'s Motion under Rule 56 of the Federal Rules of Civil Procedure for summary judgment of invalidity of U.S. Patent Nos. 5,490,170; 5,737,394; 6,070,068; 6,253,075; 6,427,078; 6,441,828; 6,549,942; and 6,725,155 under 35 U.S.C. §§ 102 and 103, and all related briefing and argument,

IT IS HEREBY ORDERED this ____ day of _____, 2012 that the Motion is **GRANTED**, and the following claims asserted in this action are dismissed with prejudice as invalid:

1. Claim 49 of the '170 Patent is invalid under 35 U.S.C. §§ 102 and 103;
2. Claim 18 of the '394 Patent is invalid under 35 U.S.C. §§ 102 and 103;
3. Claims 1, 7, 8, 23, and 24 of the '068 Patent are invalid under 35 U.S.C. §§ 102 and 103;
4. Claims 5, 6, and 10 of the '075 Patent are invalid under 35 U.S.C. §§ 102 and 103;
5. Claims 1-3, 8, and 73 of the '078 Patent are invalid under 35 U.S.C. §§ 102 and 103;

6. Claims 17 and 18 of the '828 Patent are invalid under 35 U.S.C. §§ 102 and 103;
 7. Claims 1, 6, and 8 of the '942 Patent are invalid under 35 U.S.C. §§ 102 and 103;
- and
8. Claims 1, 2, 4, and 5 of the '155 Patent are invalid under 35 U.S.C. §§ 102 and 103.

UNITED STATES DISTRICT COURT JUDGE