

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MOBILEMEDIA IDEAS, LLC,)
)
) Plaintiff,)
))
) v.) Civ. No. 10-258-SLR
))
APPLE INC.)
))
) Defendant .)

ORDER

At Wilmington this 8th day of November, 2012, consistent with the memorandum opinion issued this same date;

IT IS ORDERED that

1. Defendant's motion to strike plaintiff's newly proposed claim constructions and claim terms (D.I. 265) is denied as moot, to the extent the court has not adopted plaintiff's newly proposed claim constructions or claim terms for summary judgment.

2. Plaintiff's motion for summary judgment on defendant's defenses of waiver, laches, and/or estoppel (D.I. 300) is granted. With respect to prosecution history estoppel, plaintiff's motion is granted insofar as it is used as an affirmative defense.

3. Defendant's motion for summary judgment of invalidity (D.I. 305) is granted in part and denied in part. The motion is granted with respect to all asserted claims of the '828 and '942 patents.

4. Defendant's motion for summary judgment of non-infringement (D.I. 328) is granted in part and denied in part. The motion is granted with respect to direct

infringement and induced infringement of claims 1, 7, and 8 of the '068 patent and all asserted claims of the '231 and '394 patents.

5. Plaintiff's motion for summary judgment of no invalidity (D.I. 329) is granted in part and denied in part. The motion is granted with respect to no invalidity of all asserted claims of the '068 patent and with respect to no anticipation of all asserted claims of the '075, '394, and '155 patents.

6. Defendant's motion to strike portions of untimely supplemental expert report of Dr. Gareth Loy and declarations of Dr. Gareth Loy and Dr. Sigurd Meldal (D.I. 377) is denied.

7. Plaintiff's motion to strike portions of Apple's Grimes declaration (D.I. 414) is denied.


United States District Judge