

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: MAXIM INTEGRATED PRODUCTS,
INC. MDL No. 2354

This Document Relates to: All Actions

Master Docket
Misc. No. 12-244
MDL No. 2354
CONTI, District Judge

**STIPULATION AND MOTION TO DISMISS ALL CLAIMS
REGARDING U.S. PATENT NO. 5,949,880**

Maxim Integrated Products, Inc. (“Maxim”), as owner of the entire right and title to U.S. Patent No. 5,949,880 (“the ’880 Patent”), having made the following covenants on behalf of itself and any successor-in-interest that Maxim may have to the ’880 Patent:

(a) Maxim unconditionally and irrevocably covenants not to assert patent infringement (including direct infringement, contributory infringement, and inducing infringement) in connection with Maxim's ’880 Patent against JPMorgan Chase & Co. and JPMorgan Chase Bank, N.A. (“Chase”), its customers, end users or distributors, based on manufacture, having manufactured, importation, distribution, use, sale and/or offering for sale of any Chase application or website, including any supporting software or server infrastructure thereof. This covenant extends to past, present, or future activities as to Chase’s past or present applications or website (and to future versions not materially different functionally from them), including any supporting software or server infrastructure thereof; and

(b) Maxim unconditionally and irrevocably covenants not to assert patent infringement (including direct infringement, contributory infringement, and inducing infringement) in connection with Maxim's ’880 Patent against Branch Banking and Trust Company (“BB&T”), its customers, end users or distributors, based on manufacture, having

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manufactured, importation, distribution, use, sale and/or offering for sale of any BB&T application or website, including any supporting software or server infrastructure thereof. This covenant extends to past, present, or future activities as to BB&T's past or present applications or website (and to future versions not materially different functionally from them), including any supporting software or server infrastructure thereof;

Maxim, Chase, and BB&T hereby stipulate to the following and request, pursuant to Federal Rule of Civil Procedure 41(a)(2), that the Court enter an Order thereon:

- 1) All claims brought by Maxim against Chase relating to U.S. Patent No. 5,949,880 ("880 patent"), including Count II of Maxim's Complaint and the request for relief associated with Count II are dismissed with prejudice;
- 2) All claims brought by Maxim against BB&T relating to U.S. Patent No. 5,949,880 ("880 patent"), including Count II of Maxim's Counterclaims and the request for relief associated with Count II are dismissed with prejudice;
- 3) Chase's affirmative defenses relating to the '880 patent are dismissed without prejudice;
- 4) BB&T's claims and affirmative defenses relating to the '880 patent are dismissed without prejudice;

Dated: September 26, 2014

Respectfully Submitted,

/s/ William P. Nelson

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