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Attorneys for Defendant
APPLE INC.

13
14 **IN THE UNITED STATES DISTRICT COURT**
15 **NORTHERN DISTRICT OF CALIFORNIA**
16 **SAN FRANCISCO DIVISION**

17 LONGITUDE LICENSING LTD. and)
18 LONGITUDE FLASH MEMORY)
19 SYSTEMS S.A.R.L.,)

20 Plaintiff,)

21 v.)

22)
23 APPLE INC.,)

24)
25 Defendant.)

Case No. 3:14-cv-4275 EDL

**STIPULATION AND [PROPOSED] ORDER
DISMISSING WITH PREJUDICE**

DEMAND FOR JURY TRIAL

Judge: Hon. Elizabeth D. Laporte

1 Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), through their respective counsel of
2 record, Longitude Licensing LTD. and Longitude Flash Memory Systems S.a.r.l. (“Longitude”) and
3 Apple Inc. (“Apple”) (collectively together with Longitude “the Parties”) hereby stipulate and agree as
4 follows:

5 WHEREAS, Longitude filed a Second Amended Complaint for Patent Infringement against
6 Apple (D.I. 157) alleging infringement of thirteen patents named therein (specifically, United States
7 Patent Nos. 8,050,095; 7,120,729; 6,510,488; 7,181,611; 7,012,835; 7,224,607; 6,763,424; 7,970,987;
8 6,831,865; 8,316,177; 7,657,702; 6,968,421; and 7,818,490) (collectively “the Asserted Patents”);

9 WHEREAS, Apple has sought Inter Partes Review of the Asserted Patents before the Patent
10 Trial and Appeal Board (specifically, Case Nos. IPR2015-01908, IPR2015-01909, IPR2015-01910,
11 IPR2015-01911, IPR2015-01924, IPR2015-01925, IPR2015-01930, IPR2015-01931, IPR2015-01933,
12 IPR2015-01934, IPR2015-01942, IPR2015-01943, IPR2015-01945, IPR2015-01949, and IPR2015-
13 01950) (collectively “Apple IPRs”);

14
15 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by the parties that:

16 (1) Longitude agrees to dismiss with prejudice this action (Case No. 3:14-cv-4275) and its
17 claims of infringement against Apple under the Asserted Patents;

18 (2) The Parties agree to seek termination of the Apple IPRs and shall file a joint request to
19 terminate the Apple IPRs pursuant to 35 U.S.C. 317 concurrently with the filing of this stipulation of
20 dismissal;

21 (3) In the event that the Patent Office does not terminate all of the Apple IPRs, Apple
22 agrees not to further participate in the Apple IPRs other than to seek termination of the proceedings,
23 Longitude, or its successor in interest, shall have the right to fully participate in any Apple IPRs not
24 terminated by the Patent Office; and

25 (4) This action shall be dismissed and terminated in its entirety with prejudice, each party
26 shall bear their own costs and fees for both this action and the Apple IPRs.

1 IT IS SO STIPULATED

2
3 Dated: March 17, 2016

Respectfully submitted,

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5 BUNSOW, DE MORY, SMITH & ALLISON LLP

DLA PIPER LLP (US)

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7 By: /s/ Denise M. De Mory

By: /s/ Sean Cunningham

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17 *Attorneys for Plaintiff*
18 *Longitude Licensing Ltd. and*
Longitude Flash Memory Systems, S.a.r.l.

Attorneys for Defendant
Apple Inc.

19
20 **[PROPOSED] ORDER**

21 Good cause appearing therefore, IT IS HEREBY ORDERED THAT this action is dismissed
22 with prejudice, with each party to bear its own costs and expenses.

23 IT IS SO ORDERED THIS _____ day of March, 2016.

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ATTESTATION CLAUSE

In accordance with General Order 45.X.B., JOHN D. BEYNON, counsel for LONGITUDE LICENSING LTD., AND LONGITUDE FLASH MEMORY SYSTEMS, S.A.R.L., attests that each other signatory listed above has concurred in this filing.

Dated: March 17, 2016

/s/ John D. Beynon
John D. Beynon