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13 Attorneys for Plaintiff
LENOVO (UNITED STATES) INC.

14
15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN JOSE DIVISION
18

19 SONY COMPUTER ENTERTAINMENT
AMERICA INC., SONY ELECTRONICS
20 INC., TOSHIBA AMERICA
INFORMATION SYSTEMS, INC,
21 HEWLETT-PACKARD COMPANY, AND
LENOVO (UNITED STATES) INC.

22 Plaintiffs,

23 vs.

24 WI-LAN, INC.,

25 Defendant.
26

CASE NO. 5:08-cv-05742 JW

Related To:

Case No. 5:08-CV-04555 JW
Case No. 5:08-CV-05543 JW
Case No. 5:08-CV-05544 JW
Case No. 5:08-CV-05624 JW

**NOTICE OF VOLUNTARY DISMISSAL
WITHOUT PREJUDICE OF LENOVO
(UNITED STATES) INC.'S COMPLAINT
FOR DECLARATORY JUDGMENT**

The Honorable James Ware

1 Plaintiff Lenovo United States, Inc. (“Lenovo”) by and through its undersigned counsel,
2 hereby gives notice pursuant to Fed. R. Civ. P. 41(a)(1) as follows:

3 WHEREAS, on December 23, 2008, Lenovo filed a Complaint for Declaratory Judgment
4 Relief, alleging, among other things, non-infringement, invalidity and unenforceability of U.S.
5 Patent No. 6,549,759 (the '759 patent);

6 WHEREAS, Defendant, Wi-LAN Inc. has not answered or moved for summary judgment;

7 WHEREAS, LENOVO is willing to voluntarily dismiss its Complaint for Declaratory
8 Judgment without prejudice;

9 LENOVO HEREBY GIVES NOTICE of its voluntary dismissal without prejudice of its
10 Complaint for Declaratory Judgment Relief seeking a declaration of non-infringement, invalidity
11 and unenforceability of the '759 patent.

12 DATED: August 17, 2009

Respectfully submitted,

13 AKIN GUMP STRAUSS HAUER & FELD LLP

14 Reginald D. Steer (State Bar No. 056324)
15 Fred I. Willimas (admitted *pro hac vice*)
16 Eric J. Klein (admitted *pro hac vice*)

17 By /s/ Eric J. Klein

18 Eric J. Klein
19 AKIN GUMP STRAUS HAUER & FELD LLP
20 1700 Pacific Street, Suite 4100
21 Dallas, TX 75201-4675

22 Attorneys for Plaintiff
23 LENOVO (UNITED STATES) INC.

24 PURSUANT TO NOTICE, IT IS SO ORDERED.

25 Date: _____, 2009

26 _____
27 Honorable James Ware
28 United States District Judge

CERTIFICATE OF SERVICE

1
2 The undersigned certifies that on this 17th day of August, 2009, all counsel of record who
3 are deemed to have consented to electronic service are being served with a copy of this document
4 through the Court's CM/ECF system. Any other counsel of record will be served by first class
5 mail and/or electronic mail.
6

7 /s/Eric J. Klein

Eric J. Klein

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