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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
SAN DIEGO DIVISION

WI-LAN USA, INC. and WI-LAN, INC.)
Plaintiff,)
v.)
APPLE INC.)
Defendant.)

Case No. 3:13-cv-798-DMS (BLM)

JOINT STIPULATED FINAL JUDGMENT

Judge: Hon. Dana M. Sabraw
Magistrate Judge: Hon. Barbara L. Major

Complaint Filed: December 6, 2012

Pursuant to this Court’s Orders Construing Patent Claims (“Markman”) (Doc. No. 98), Granting Plaintiffs’ Motion for Clarification and Reconsideration of the Markman Order (Doc. No. 123), Granting Defendant’s Motion for Summary Judgment of Non-Infringement as to all Claims (Doc. No. 278), and Denying Plaintiffs’ Motion for Reconsideration of the Summary Judgment Order (Doc. No. 299), the Court hereby enters final judgment in favor of Defendant Apple Inc. (“Apple”) on Plaintiffs Wi-LAN USA, Inc. and Wi-LAN, Inc.’s claims for infringement of U.S. Patent No. 8,311,040 and U.S. Patent No. 8,315,640 (and Apple’s corresponding claims for declaratory relief of non-infringement).

It is further **ORDERED, ADJUDGED and DECREED** that all remaining claims, counterclaims, and affirmative defenses be, and hereby are, dismissed without prejudice as MOOT. The Court, however, will allow Apple to re-assert any and all such claims, counterclaims, and affirmative defenses at a later point in time if this Court's order on non-infringement is vacated on appeal.

It is further **ORDERED, ADJUDGED and DECREED** that Apple is the prevailing party in this matter and is entitled to costs pursuant to F.R.C.P. 54(d)(1).

The Clerk of the Court is directed to close this case.

So ORDERED and SIGNED this 8th day of January, 2015.

Dr. M. Sabarwal

HON. DANA M. SABRAW
UNITED STATES DISTRICT JUDGE