

United States District Court,  
C.D. California, Southern Division.

**ACACIA MEDIA TECHNOLOGIES CORPORATION,**  
Plaintiff(s).

v.

**NEW DESTINY INTERNET GROUP,**  
Defendant(s).

**And All Related and/or Consolidated Case Action,**  
And All Related and/or Consolidated Case Actions.

Nos. SA CV 02-1040-JW(MLGx), SA CV 02-1048-JW(MLGx), SA CV 02-1063-JW(MLGx), SA CV 02-1165-JW(MLGx), SA CV 03-0217-JW(MLGx), SA CV 03-0218-JW(MLGx), SA CV 03-0219-JW(MLGx), SA CV 03-0259-JW(MLGx), SA CV 03-0271-JW(MLGx), SA CV 03-0308-JW(MLGx), SA CV 03-1610-JW(MLGx), SA CV 03-1800-JW(MLGx), SA CV 03-1801-JW(MLGx), SA CV 03-1803-JW(MLGx), SA CV 03-1804-JW(MLGx), SA CV 03-1805-JW(MLGx), SA CV 03-1807-JW(MLGx)

**April 20, 2004.**

Alan Peter Block, Roderick G. Dorman, Kevin I. Shenkman, Hennigan Bennett & Dorman, Los Angeles, CA, for Plaintiff(s).

Jonathan E. Singer, Fish & Richardson, Minneapolis, MN, Juanita R. Brooks, Fish & Richardson, San Diego, CA, for New Destiny Internet Group LLC.

William R. Woodford, Fish & Richardson, San Diego, CA, Todd G. Miller, Fish & Richardson, Minneapolis, MN, for New Destiny Internet Group LLC, Askcs.Com, Inc., Lightspeed Media Group, Inc., Innovative Ideas International, Game Link, Inc., Cyber Trend, Inc., Audio Communications, Inc., Aebn, Inc., Ademia Multimedia, LLC.

Victor De Gyarfas, Foley & Lardner, Los Angeles, CA, for International Web Innovations, Inc.

James Michael Slominski, Hecker Law Group, Los Angeles, CA, for Offendale Commercial Limited BV.

Alan Peter Block, Roderick G. Dorman, Hennigan Bennett & Dorman, Los Angeles, CA, for Rainer Schulz.

**ORDER RE CLAIM CONSTRUCTION BRIEFING:**

**JAMES WARE, District Judge.**

On April 9, 2004 at the claim construction hearing, the Court communicated to the parties its intent to move forward with construing disputed terms or phrases in U.S. Patent No. 6,144,702 ("the '702 patent"). The April 9, 2004 Minute Order did not set forth a specific deadline for briefing and the parties have not

submitted a stipulated briefing schedule. The Court sets forth the following briefing schedule with regards to claim construction of the '702 patent.

No later than April 26, 2004, the parties must file a joint stipulation regarding the disputed terms or phrases (not to exceed ten) to be construed in the '702 patent. No later than May 7, 2004, at 5:00 p.m. the parties must file their proposed claim constructions of the disputed terms or phrases to be construed in the '702 patent. To the extent that the parties refer to a statement made during the prosecution of a patent application, the Court requires that the parties submit as part of a declaration a complete copy of said patent application. The parties shall file any opposition on or before May 13, 2004, at 5:00 p.m.

The Court will conduct a claims construction hearing in accordance with *Markman v. Westview Instruments, Inc.*, 517 U.S. 370 (1996), to construe the disputed terms and phrases of the asserted claims of the '702 patent on May 19 and 20, 2004, beginning at 9:00 a.m. The Court may set additional hearings, if required.

The parties shall lodge three paper copies of any electronically filed documents at the following address:

Chambers of the Honorable James Ware

Attn: Regarding Acacia Litigation

280 South First Street

San Jose, CA 95113

C.D.Cal.,2004.

Acacia Media Technologies Corp. v. New Destiny Internet Group

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