

United States District Court,  
E.D. Texas, Lufkin Division.

**COMPUTER ACCELERATION CORPORATION,**  
Plaintiff.

v.

**MICROSOFT CORPORATION,**  
Defendant.

Civil Action No. 9:06-CV-140

**Nov. 27, 2007.**

Mike McKool, Jr., Alfredo Leopoldo Silva, Erick Scott Robinson, Lindsay K. Martin, Martin C. Robson, III, Robert Marc Manley, Rosemary Tyson Snider, McKool Smith, Glenn Edward Janik, Shore Chan Bragalone, Dallas, TX, Andrew Thompson Gorham, Charles Ainsworth, Robert Christopher Bunt, Robert M. Parker, Tyler, TX, Claude Edward Welch, Law Office of Claude E. Welch, Lufkin, TX, Gretchen Kristen Harting, John Bruce Campbell, Jr., Kevin Lee Burgess, McKool Smith, Austin, TX, Samuel Franklin Baxter, McKool Smith, Marshall, TX, for Plaintiff.

Matthew Douglas Powers, Joseph H. Lee, Weil Gotshal & Manges, Redwood Shores, CA, Amber Hatfield Rovner, John Halbleib, Kevin Sean Kudlac, Weil Gotshal & Manges, Austin, TX, Benjamin Charles Elacqua, David J. Healey, Norma N. Bennett, Fish & Richardson PC, Houston, TX, Clayton Edward Dark, Jr., Attorney at Law, Lufkin, TX, Douglas E. Lumish, Weil Gotshal & Manges, Lawrence Louis Germer, Germer Gertz, Beaumont, TX, Matthew Paul Harper, Weil Gotshal & Manges, Dallas, TX, Steven C. Carlson, Fish & Richardson, Redwood City, CA, for Defendant.

### ***FINAL JUDGMENT***

**RON CLARK, District Judge.**

This matter came on before the court for trial by jury on November 6-15, 2007. The court empaneled a jury of nine qualified jurors, and the case proceeded to trial. The jury rendered a verdict in favor of Defendant Microsoft Corporation on the issues of infringement and invalidity based on lack of enablement, anticipation and obviousness. In the court's Findings of Fact and Conclusions of Law, concurrently signed and filed, the court found in favor of Plaintiff Computer Acceleration Corporation on the issues of invalidity based on indefiniteness and unenforceability based on inequitable conduct. The court hereby enters judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

IT IS THEREFORE ORDERED that Plaintiff Computer Acceleration Corporation shall **TAKE NOTHING** from its claims against Defendant Microsoft Corporation.

IT IS FURTHER ORDERED that Claims 1 and 2 of United States Patent No. 5,933,630 are declared

**INVALID.**

Costs shall be taxed against plaintiff. All relief not granted in this judgment is denied. This is a Final Judgment disposing of all claims and is appealable.

So **ORDERED.**

E.D.Tex.,2007.

Computer Acceleration Corp. v. Microsoft Corp.

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