

INTELLECTUAL PROPERTY LAW GROUP LLP
12 South First Street, 12th Floor
San Jose, California 95113

1 OTTO O. LEE, CA Bar No. 173987
olee@iplg.com
2 KEVIN VIAU, CA Bar No. 275556
kviau@iplg.com
3 JENNY HONG-GONZALEZ, CA Bar No. 297039
jhonggonzalez@iplg.com
4 INTELLECTUAL PROPERTY LAW GROUP LLP
12 South First Street, 12th Floor
5 San Jose, CA 95113
Telephone: (408) 286-8933
6 Facsimile: (408) 286-8932

7 *Attorneys for Plaintiff D Now, Inc.*

8
9 Scott Landsbaum, CA Bar No. 145120
Scott Landsbaum, Inc.
8306 Wilshire Boulevard, Suite 420
10 Beverly Hills, California 90211
323-314-7881 (p) / 877-240-2150 (f)
11 scott@scottlandsbaum.com

12 *Attorneys for Defendants*

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

17 D NOW, INC., a California corporation DBA
Uncle Bubble,

18 Plaintiff,

19 v.

20 TPF TOYS LIMITED, a Hong Kong company,
21 and TPF TOYS, LLC, a California limited
22 liability company,

23 Defendants.

Case No.: 16-CV-03792-NC

**STIPULATION TO MODIFY CLAIM
CONSTRUCTION SCHEDULE; ORDER**

24 Pursuant to L.R. 1-3, Plaintiff D Now, Inc. (“D Now”) and Defendants TPF Toys, LLC and
25 TPF Toys Limited (“Defendants”), by and through their undersigned counsel, hereby stipulate and
26 agree as follows:

27 //

28 //

Case No.: 16-CV-03792-NC
STIPULATION TO MODIFY CLAIM CONSTRUCTION SCHEDULE

INTELLECTUAL PROPERTY LAW GROUP LLP
12 South First Street, 12th Floor
San Jose, California 95113

1 WHEREAS, D Now and Defendants have filed a Joint Claim Construction and Prehearing
2 Statement (Dkt. No. 60) stating that D Now and Defendants do not require the Court to construe any
3 of the claim terms. D Now and Defendants have agreed to the construction of the following terms:

- 4 1. “ribs” means “an elongated ridge”.
- 5 2. “shaped like a trumpet” means “shaped like the flared bell portion of a trumpet”.
- 6 3. “chamber” means “a small space inside something”.
- 7 4. “flush manner” means “in a continuous plane or unbroken surface”.

8 NOW THEREFORE, it is hereby stipulated and agreed by D Now and Defendants, by and
9 through their undersigned counsel, subject to the approval of the Court, as follows:

10 1. Since there are no terms to construe as D Now and Defendants have agreed to the
11 construction of the above mentioned terms in Dkt. No. 60, D Now and Defendants agree, and seek
12 approval by the Court, that the following requirements of the Patent Local Rules shall be obviated:
13 Patent L.R. 4-5(a), File Opening Claim Construction Brief; Patent L.R. 4-5(b), File Responsive
14 Claim Construction Brief; Patent L.R. 4-5(c), File Reply Claim Construction Brief; Patent L.R. 4-6,
15 Claim Construction Hearing.

16 IT IS SO STIPULATED AND AGREED.

17 *Pursuant to Civil Local Rule 5-1(i)(3), the filer hereby attests that concurrence in the filing of*
18 *this document has been obtained from each signatory below as indicated by “/s/”.*

19 Respectfully submitted,

20
21 Dated: May 9, 2017

22 By: /s/ Otto O. Lee
23 Otto O. Lee, Esq.
24 Kevin Viau, Esq.
25 Jenny Hong-Gonzalez, Esq.
26 INTELLECTUAL PROPERTY LAW GROUP LLP
27 12 South First Street, 12th Floor
28 San Jose, California 95113
Telephone: (408) 286-8933
Facsimile: (408) 286-8932

Attorneys for Plaintiff D Now, Inc.

By: /s/ Scott Landsbaum
Scott Landsbaum, Esq.
Scott Landsbaum, Inc.

INTELLECTUAL PROPERTY LAW GROUP LLP
12 South First Street, 12th Floor
San Jose, California 95113

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

8306 Wilshire Boulevard, Suite 420
Beverly Hills, California 90211
323-314-7881 (p) / 877-240-2150 (f)
scott@scottlandsbaum.com

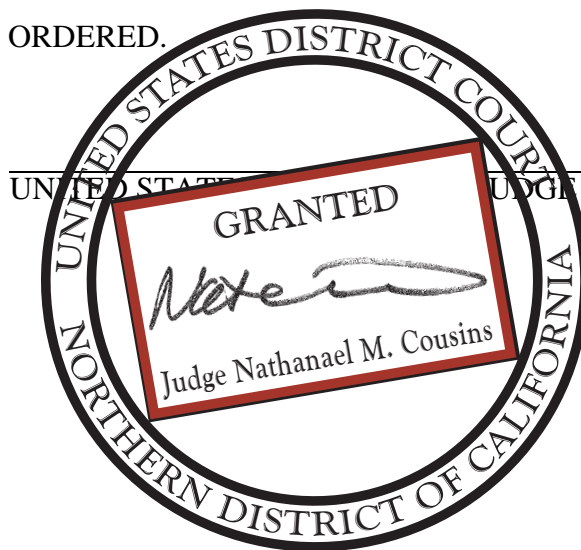
Attorneys for Defendants

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: May 9, 2017



INTELLECTUAL PROPERTY LAW GROUP LLP
12 South First Street, 12th Floor
San Jose, California 95113