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Attorneys for Plaintiff  
 DELL INC.

13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA

16 ACER AMERICA CORP., APPLE INC.,  
 DELL INC., and GATEWAY, INC.,  
 17 Plaintiffs,  
 18 v.  
 19 WI-LAN, INC.,  
 20 Defendant.

Case No. C-08-05624 JW

**Related To:**

Case No. C 08-04555  
 Case No. C 08-05543  
 Case No. C 08-05544  
 Case No. C 08-05742

**NOTICE OF VOLUNTARY  
 DISMISSAL WITHOUT PREJUDICE  
 BY ACER AMERICA  
 CORPORATION, DELL INC., AND  
 GATEWAY, INC. PURSUANT TO  
 FED. R. CIV. P. 41(a)(1)(A)(i)**

The Honorable James Ware

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**TO THE COURT, THE PARTIES, AND THEIR COUNSEL OF RECORD:**

**PLEASE TAKE NOTICE** that pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), Plaintiffs Acer America Corporation, Dell Inc., and Gateway, Inc. hereby voluntarily dismiss their claims in this action without prejudice.

Dated: August 17, 2009

Respectfully submitted,

G. HOPKINS GUY, III  
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*/s/ James H. Lin*  
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Acer America Corporation and Gateway, Inc.

Dated: August 17, 2009

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*/s/ Daniel T. Conrad*  
\_\_\_\_\_  
Daniel T. Conrad  
Attorneys for Plaintiff Dell Inc.

Pursuant to General Order 45, Part X, I attest that concurrence in the filing of the document has been obtained from each of the other signatories.

Dated: August 17, 2009

*/s/ James H. Lin*  
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James H. Lin

