

Press Release of May 29, 2012

Microsoft wins in patent infringement proceedings against Motorola: BARDEHLE PAGENBERG obtains provisionally enforceable patent injunction for Microsoft

Microsoft Corporation, one of the worldwide leading developers and manufacturers of computer technologies, prevailed at first instance in two patent infringement suits before the Munich District Court and obtained an injunction against Motorola Mobility Inc., on the one hand, and its German distribution company Motorola Mobility Germany GmbH, on the other hand (7 O 19334/11 and 7 O 19335/11).

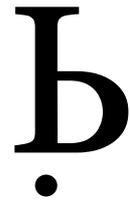
The lawsuits dealt with the infringement of the European patent EP 1 304 891 B1, concerning *“communicating multi-part messages between cellular devices using standardized interfaces”*, by several models of mobile telephones and smartphones manufactured and sold by Motorola and having installed thereon the operating system *“Android”*. In short, the patent-in-suit concerns the processing of overlong SMS.

On September 2, 2011, BARDEHLE PAGENBERG filed, on behalf of Microsoft, an infringement action with the Munich District Court. In its decisions of May 24 and 25, 2012 the court held that the patent-in-suit EP 1 304 891 B1 was being infringed by the attacked embodiments and ordered an injunction against Motorola, now wholly owned by Google, banning Motorola from selling the respective devices in Germany. The injunction is provisionally enforceable for Microsoft against a security deposit. Motorola may appeal both judgments. Faced with the infringement action, Motorola had filed a nullity action against the patent-in-suit with the German Federal Patent Court which has not yet been decided. Motorola's request to stay the infringement proceedings until a decision regarding the nullity action remained unsuccessful before the Munich District Court.

These were the first decisions in a series of patent infringement suits of Microsoft against Motorola before the Munich District Court and the first decision against Motorola in pa-

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tent infringement cases since the acquisition of Motorola by Google, which became public on May 22, 2012.

Legal representatives Microsoft Corporation:

BARDEHLE PAGENBERG (Munich): Dr. Tilman Müller-Stoy (Attorney-at-Law, Partner), Peter K. Hess (Patent Attorney, Partner), Dr. Sebastian Stier (European Patent Attorney, Counsel), Dr. Niels Malkomes (Patent Attorney), Nadine Heiartz (Attorney-at-Law)

Legal representatives Motorola:

quinn emanuel (Mannheim): Dr. Marcus Grosch (Attorney-at-Law), Michael Krenz (Attorney-at-Law), Joachim Lehnhardt (Attorney-at-Law)

Munich District Court I (7. Civil Chamber):

Dr. Peter Guntz (Presiding Judge)