IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ORACLE CORPORATION and ORACLE U.S.A. INC.,	)	
Plaintiffs/Counterclaim Defendants,	)	C.A. No. 06-414-SLR
v.	)	**JURY TRIAL DEMANDED**
EPICREALM LICENSING, LP,	)	
Defendant/Counterclaim Plaintiff.	)	

EPICREALM'S MOTION FOR PARTIAL SUMMARY JUDGMENT THAT THE ORACLE REFERENCES DO NOT ANTICIPATE

Pursuant to Fed. R. Civ. P. 56, Defendant/Counter-Plaintiff epicRealm Licensing, LP ("epicRealm") respectfully moves for partial summary judgment that Claims 1-5 and 7-11 of U.S. Patent No. 5,894,554 and Claims 2 and 16 of U.S. Patent No. 6,415,335 are not anticipated under 35 U.S.C. § 102 by any of the following Oracle References:

A. Reference 503 ("The Oracle WebServer: A Technical Discussion");

B. Reference 153 (Oracle WebServer User's Guide, Release 1.0, Part No. A34986-2);

C. the Oracle 1.0 product;

D. the SQL*Net 2.2 Reference ("Understanding SQL*Net, Release 2.2");

E. the SQL*Net 2.3 Reference ("Understanding SQL*Net, Release 2.3");

F. Reference 604 ("Oracle WebServer User's Guide, Release 2.0.2 Production, Part No. A23646-2");

G. the WebServer 2.0 Guide ("Oracle WebServer User's Guide, Release 2.0 Production, Part No. A23646-1");

H. Reference 605 (Oracle WebServer 2.0, Technical Note, March 1996); or

I. the Oracle 2.0 product.

The grounds for this motion are set forth in the supporting memorandum and declaration filed contemporaneously herewith.

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Dated: July 31, 2008
876819 / 31393 / Oracle

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CERTIFICATE OF SERVICE

I, David E. Moore, hereby certify that on July 31, 2008, the attached document was electronically filed with the Clerk of the Court using CM/ECF which will send notification to the registered attorney(s) of record that the document has been filed and is available for viewing and downloading.

I further certify that on July 31, 2008, the attached document was Electronically Mailed to the following person(s):

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ORDER GRANTING EPICREALM'S MOTION FOR PARTIAL SUMMARY JUDGMENT THAT THE ORACLE REFERENCES DO NOT ANTICIPATE

Having considered EpicRealm's Motion for Partial Summary Judgment that the Oracle References Do Not Anticipate,

IT IS HEREBY ORDERED this _____ day of _____, 2008, that EpicRealm's Motion for Partial Summary Judgment That The Oracle References Do Not Anticipate is GRANTED.

_____
The Honorable Sue L. Robinson

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