

NOTE: This order is nonprecedential.

# United States Court of Appeals for the Federal Circuit

2009-1225, -1244

FUNAI ELECTRIC COMPANY, LTD.,

Plaintiff-Cross Appellant,

v.

DAEWOO ELECTRONICS CORPORATION  
and DAEWOO ELECTRONICS AMERICA, INC.,

Defendants-Appellants,

and

DAEWOO ELECTRONICS COMPANY, LTD.,  
DAEWOO ELECTRONICS CORPORATION OF AMERICA, INC.,  
and DAEWOO ELECTRIC MOTOR INDUSTRIES, LTD.,

Defendants.

Appeals from the United States District Court for the Northern District of California  
in case no. 04-CV-01830, Magistrate Judge Joseph C. Spero.

ON MOTION

Before GAJARSA, Circuit Judge.

## ORDER

Daewoo Electronics Corporation et al. move to strike portions of Funai Electronic Company, Ltd.'s sur-reply relating to the district court's finding of no literal infringement. Funai opposes. Daewoo replies.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The motion is deferred for consideration by the merits panel assigned to hear this case.

(2) Copies of this order and the motion papers shall be transmitted to the merits panel.

FOR THE COURT

OCT 01 2009

\_\_\_\_\_  
Date

/s/ Jan Horbaly  
Jan Horbaly  
Clerk

cc: Michael J. Lyons, Esq.  
Perry R. Clark, Esq.

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**FILED**  
U.S. COURT OF APPEALS FOR  
THE FEDERAL CIRCUIT

OCT 01 2009

JAN HORBALY  
CLERK