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## Oracle, Intuit Dropped From Software Security IP Spat

By Shannon Henson

Law360, New York (March 24, 2010) -- BetaNet LLC has asked to drop Oracle Corp. and Intuit Inc. from a lawsuit alleging that a number of technology giants have infringed two patents for secure, remote operation of computer software.

Tyler, Texas-based BetaNet filed stipulated motions for dismissal Tuesday in the U.S. District Court for the Eastern District of Texas.

The motions said only that each side will bear its own fees and costs. Attorneys for the parties did not immediately respond to requests for further details Wednesday.

BetaNet filed suit against the two companies in December, as well as Apple Inc., Microsoft Corp., IBM Corp., Adobe Systems Inc., Corel Corp., Eastman Kodak Co., SAP America Inc., Siemens Corp., McAfee Inc., Sony Creative Software Inc. and others.

The complaint accuses the defendants of infringing U.S. Patent Numbers 5,222,134 and 5,103,476, both titled "Secure system for activating personal computer software at remote locations," of which it BetaNet the owner by assignment.

The defendants have infringed the patents by selling software via a process that provides a program file, including a loader segment and a registration shell portion, to a remote computer, the suit alleges.

License transaction information is entered in the registration shell portion, and that information is transmitted to a separate program provided in a registration computer, according to the complaint.

Blockbuster computer programs such as Adobe's Acrobat and Photoshop, Apple's iTunes and Quicktime, and Microsoft's Office and Silverlight, among others, infringe the patents, the

plaintiff claims.

California-based Intuit infringed the patents with its QuickBooks, Online Payroll, TurboTax and Quicken programs, while California-based Oracle infringed the patents with its Fusion Middleware, Enterprise Manager, Warehouse Builder, Data Miner, SQL Developer and other programs, according to BetaNet.

The suit seeks a judgment that the defendants have infringed the patents, as well as injunctive relief.

BetaNet has also asked for enhanced damages because of the "knowing, deliberate and willful nature" of the defendants' prohibited conduct, and wants a judge to find the lawsuit is an exceptional case and award reasonable attorneys' fees.

A number of defendants have asked the court to transfer the case to the U.S. District Court for the Northern District of California.

The patents-in-suit are U.S. Patent Numbers 5,222,134 and 5,103,476.

BetaNet is represented by Spangler Law PC.

Oracle is represented by Potter Minton PC and Quinn Emanuel Urquhart & Sullivan LLP. Intuit is represented by Sidley Austin LLP.

The case is BetaNet LLC v. Adobe Systems Inc. et al., case number 09-cv-00384, in the U.S. District Court for the Eastern District of Texas.

--Additional reporting by Pete Brush

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