

So. AO 120 (Rev. 3/04)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Delaware on the following Patents or Trademarks:

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT	
06cv311	5/11/2006	DISTRICT OF DELAWARE	
PLAINTIFF NICE Systems Inc., a Delaware Corporation; NICE Systems Ltd., and Israeli Corporation		DEPENDANT Witness Systems Inc., a Delaware Corporation	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
1	5,274,738	12/28/1993 Dictaphone Corporation	
2	5,396,371	3/7/1995 Dictaphone Corporation	
3	5,819,005	10/6/1998 Dictaphone Corporation	
4	US 6,249,570 B1	6/19/2001 David A. Glowny	
5	US 6,728,345 B2	4/27/2004 Dictaphone Corporation	
	US 6,775,372 B1	8/10/2004 Dictaphone Corporation	
	US 6,785,370 B2	8/31/2004 Dictaphone Corporation	
	US 6,870,920 B2	3/22/2005 Dictaphone Corporation	
	US 6,959,079	10/25/2005 NICE Systems Ltd.	
	US 7,010,109 B2	3/7/2006 NICE Systems Ltd.	

In the above—entitled case, the following patent(s) trademark(s) have been included:

DATE INCLUDED	INCLUDED BY				
		<input type="checkbox"/> Amendment	<input type="checkbox"/> Answer	<input type="checkbox"/> Cross Bill	<input type="checkbox"/> Other Pleading
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK			
1					
2					
3					
4					
5					

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT See Attached Order	
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CLERK PETER T. DALLO, CLERK OF COURT	(BY) DEPUTY CLERK <i>Michelle M. Selinger</i>	DATE 8/15/2008
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Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

NICE SYSTEMS, INC. and
NICE SYSTEMS, LTD.,

Plaintiffs,

v.

WITNESS SYSTEMS, INC.,

Defendant.

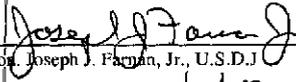
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Civil Action No.: 06-311-JJF

ORDER ON JOINT MOTION TO DISMISS

Ecfore the Court is the parties' Joint Motion to Dismiss. After considering the Motion and finding that good cause exists for the granting of same, it is hereby ORDERED that this action is DISMISSED WITH PREJUDICE as to the re-filing of same, that Defendants' counterclaims against Plaintiff are DISMISSED WITH PREJUDICE, and that each party shall bear their own costs and fees.

The Court shall retain jurisdiction over the parties and shall have the authority, among other things, to interpret and enforce the parties' settlement agreement.



Hon. Joseph J. Fagan, Jr., U.S.D.J.
8/15/08