IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

GEOTAG, INC., §	
§	
Plaintiff, §	
§	**CIVIL ACTION NO. 2:10-cv-00572**
vs. §	
§	**JURY TRIAL DEMANDED**
STARBUCKS CORP., *et al.*, §	
§	
Defendants. §	

AGREED MOTION FOR DISMISSAL WITH PREJUDICE
OF CERTAIN CLAIMS AGAINST DEFENDANTS WHO ARE CUSTOMERS
OF INTERNATIONAL BUSINESS MACHINES

GeoTag, Inc. ("GeoTag") and International Business Machines Corporation, its affiliate

Kenexa Corporation, and their affiliates (collectively "IBM") move this Court for an order

dismissing with prejudice all claims of infringement against the below-identified customers of IBM

directed solely to IBM products or services (collectively referred to as "IBM Customers"), with each

respective party (including, but not limited to, GeoTag, IBM, and IBM Customers) to bear its own

costs, expenses and attorneys' fees for the dismissed claims.

IBM represents that the following defendants in the above captioned actions are IBM

Customers (*i.e.*, customers of IBM that use, manufacture, purchase, sell, license, offer for sale,

import, or transfer any IBM products or services) that use IBM's job locator products or services:

Case	IBM Customer
TXED 2:10-cv-00572 GeoTag v. Starbucks Corp.; *et al.*	Burger King Corp.
TXED 2:10-cv-00572 GeoTag v. Starbucks Corp.; *et al.*	CEC Entertainment, Inc. and CEC Entertainment Concepts, LP
TXED 2:10-cv-00572 GeoTag v. Starbucks Corp.; *et al.*	Cracker Barrel Old Country Store, Inc.
TXED 2:10-cv-00572	McDonald's Corp.

GeoTag v. Starbucks Corp.; *et al.*	
TXED 2:10-cv-00572 GeoTag v. Starbucks Corp.; *et al.*	Pizza Inn, Inc.

GeoTag and IBM move this Court for an order dismissing with prejudice all claims of infringement against the above identified IBM Customers directed solely to any IBM product or service, namely IBM's job locator product and services, with each respective party (including, but not limited to, GeoTag, IBM, and IBM customers) to bear its own costs, expenses and attorneys' fees for the dismissed claims.

This dismissal is of only certain claims against the above identified IBM Customers, and does not resolve all issues between GeoTag and the IBM Customers because the dismissal only applies to claims directed to IBM products or services, namely IBM job locator product and services. GeoTag explicitly maintains its claims against the IBM Customers that are not directed to any IBM product or service ("Non-IBM Claims"). These Non-IBM Claims include all accusations of infringement that do not include an accusation directed to an IBM product or service. Therefore, because GeoTag's Non-IBM Claims remain in the respective cases against the above-identified IBM Customers, this dismissal is not a complete resolution of issues between GeoTag and the IBM Customers, and therefore does not result in the complete dismissal of the above-identified IBM Customers from their respective cases.

DATED: April 29, 2013   Respectfully submitted,

                                        /s/ Craig Tadlock
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**ATTORNEYS FOR PLAINTIFF
GEOTAG, INC.**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on April 29, 2013 to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ *Craig Tadlock*
Craig Tadlock

CERTIFICATE OF CONFERENCE

I hereby certify that on April 29, 2013, I conferred with counsel for IBM regarding the relief requested by this motion, and the form and substance are agreed. Accordingly, this motion is an agreed motion.

/s/ Craig Tadlock
Craig Tadlock