

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

COGNEX CORPORATION
Plaintiff,

V.

VCODE HOLDINGS, INC., VDATA LLC,
ACACIA RESEARCH CORPORATION,
and VERITEC INC.,

Defendants.

Civil Action No. 06-cv-01040

Hon. Joan N. Ericksen, presiding
Mag. Judge: Hon. Jeanne J. Graham

**PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT ON COUNT V OF
PLAINTIFF'S FIRST SUPPLEMENTAL COMPLAINT/DEFAMATION**

Plaintiff, Cognex Corporation (“Cognex”), respectfully moves the Court, pursuant to Fed. R. Civ. P. 56, for an Order granting summary judgment in Cognex’s favor on Counts V of Plaintiff’s First Supplemental Complaint/Defamation. Cognex submits that summary judgment is appropriate because there is no genuine issue of material fact that Defendant, Acacia Research Corporation (“Acacia”), published false and defamatory statements regarding Cognex, and that Cognex was harmed by these statements.

Filed herewith is Plaintiff's Memorandum in Support of Its Motion for Summary Judgment on Count V of Plaintiff's First Supplemental Complaint/Defamation, a Declaration of Kevin Gannon In Support of Plaintiff's Defamation Motion, and a Supplemental Declaration of Kevin Gannon In Support of Plaintiff's Motion for Defamation.

Respectfully submitted,

COGNEX CORPORATION

By Its Attorneys,

Dated: June 6, 2008

/s/ Thomas C. O'Konski
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