

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

DATATREASURY CORPORATION, §

Plaintiff, §

vs. Case 2:06-cv-00072-EDF-CMC Document 88-6 Filed 04/28/08 Page 11 of 11

WELLS FARGO, ET AL., §

Defendants. §

Civil Action No. 2:06CV72

JURY DEMAND

CONSENT JUDGMENT

CAME ON TO BE CONSIDERED the Agreed Motion To Enter Consent Judgment. The Court is of the opinion that the motion should be GRANTED.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

1. This Court has proper jurisdiction over Plaintiff DataTreasury Corporation (“DataTreasury”) and Defendants The PNC Financial Services Group, Inc. and PNC Bank, N.A. (collectively “PNC”) in this matter, and over the subject matter of this action;

2. Under 35 U.S.C. §282, DataTreasury’s asserted patents are presumed valid before a United States district court. As of the date of this Judgment, DataTreasury’s U.S. Patent Nos. 5,910,988, 6,032,137 and 5,583,759 patents have all recently received a reexamination certificate

from the United States Patent & Trademark Office (“USPTO”). During these reexamination proceedings, the USPTO considered a large amount of prior art, including prior art provided in the various litigations involving JP Morgan Chase, Bank One Corporation, First Data Corporation and other defendants attempting to invalidate the Licensed Patents. With this knowledge, PNC has determined that there is a reasonable likelihood that the Court would hold DataTreasury’s asserted patents valid and enforceable.

3. Moreover, PNC has further determined there is a reasonable likelihood that the Court would find PNC infringes one or more claims of DataTreasury’s asserted patents.

4. All claims made by DataTreasury Corporation against PNC in this action and all counterclaims made by PNC against DataTreasury in this action are hereby DISMISSED with prejudice to the re-filing of same.

5. DTC has not released and nothing in this Order shall be construed as a release or discharge of any claim DTC has or may have in the future against any other defendant named in this action.

6. All costs and expenses relating to this litigation (including attorney and expert fees and expenses) shall be borne solely by the party incurring same.

This is a final judgment.

SIGNED this 23rd day of April, 2008.



DAVID FOLSOM
UNITED STATES DISTRICT JUDGE