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15
16 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA
17 **OAKLAND DIVISION**

18 Windy City Innovations, LLC,

19 Plaintiff,

20 v.

21 Facebook, Inc.

22 Defendant.
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Case No. 4:16-cv-01730-YGR

WINDY CITY'S NOTICE
FOLLOWING SUMMARY JUDGMENT
HEARING

1 Windy City Innovations, LLC (“Windy City”) submits this notice in response to inquiries
2 made by the Court at the April 2, 2019 Motion Hearing. The Court requested a copy of the Patent
3 Trail and Appeals Board’s Final Written Decision affirming the validity (non-obviousness) of the
4 patent claims in suit, including U.S. Patent No. 8,458,245 claims 19, 22, 23, 24, and 25. That
5 order is attached to this notice as Exhibit 1, and may also be found at Dkt. 83-4. The Court also
6 requested the docket entries associated with the submissions of Windy City’s technical expert
7 offering opinions as to the understanding a person having ordinary skill in the art would have
8 with respect to U.S. Patent No. 8,458,245. Dr. Jones’s reports and declarations submitted in this
9 case may be found at:
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- 11 • Dkt. 107-4 (Dr. Jones Declaration Regarding Claim Construction)
- 12 • Dkt. 114-2 (Dr. Jones Reply Declaration Regarding Claim Construction)
- 13 • Dkt. 154-14 (Dr. Jones 12/24/18 Expert Report)
- 14 • Dkt. 154-16 (Dr. Jones 11/9/18 Expert Report)
- 15 • Dkt. 184-12 (Highlighted Excerpts of Dr. Jones 11/9/18 Expert Report)

16 Furthermore, as required by the Court and per party agreement (*see* Dkt. 160 at n.2), the
17 parties submitted full paper copies of the expert reports and depositions pertaining to the
18 summary judgment issues presented in Facebook’s Motion for Summary Judgment on March 12,
19 2019.

20 Should the Court require any additional information from Windy City, including further
21 information regarding the *inter partes* review proceedings or materials that would have been
22 presented by Dr. Jones at the technology tutorial in this case, Windy City and its counsel will be
23 happy to furnish that information as promptly as possible.

24 Dated: April 3, 2019

Respectfully submitted,

25 /s/ Warren J. McCarty, III
26 Warren J. McCarty, III (*pro hac vice*)

27 Attorneys for Plaintiff,
28 Windy City Innovations, LLC