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11 Counsel for Defendants AMAZON.COM, INC.,  
12 AMAZON WEB SERVICES, INC., and TWITCH  
INTERACTIVE, INC.

13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA  
15 SAN JOSE DIVISION

16 IN RE: PERSONAL WEB TECHNOLOGIES,  
17 LLC ET AL., PATENT LITIGATION

Case No.: 5:18-md-02834-BLF

18 AMAZON.COM, INC., and AMAZON WEB  
19 SERVICES, INC.,

Case No. 5:18-cv-00767-BLF

20 Plaintiffs

v.

21 PERSONALWEB TECHNOLOGIES, LLC and  
22 LEVEL 3 COMMUNICATIONS, LLC,

Defendants,

23 PERSONALWEB TECHNOLOGIES, LLC and  
24 LEVEL 3 COMMUNICATIONS, LLC,

25 Counterclaimants,

v.

26 AMAZON.COM, INC., and AMAZON WEB  
27 SERVICES, INC.,

28 Counterdefendants.

**DECLARATION OF TODD R.  
GREGORIAN IN SUPPORT OF  
OPPOSITION OF AMAZON.COM,  
AMAZON WEB SERVICES, INC., AND  
TWITCH INTERACTIVE, INC. TO  
MOTION TO “CLARIFY” OR  
“SUPPLEMENT” CLAIM  
CONSTRUCTION ORDER**

Date: December 12, 2019  
Time: 9:00 AM  
Dept: Courtroom 3, 5th floor  
Judge: Hon. Beth L. Freeman

Trial Date: March 16, 2020

1 PERSONALWEB TECHNOLOGIES, LLC and  
2 LEVEL 3 COMMUNICATIONS, LLC,

3 Counterclaimants,

4 v.

5 TWITCH INTERACTIVE, INC. a Delaware  
6 corporation

7 Counterdefendants.

Case No. 5:18-cv-05619-BLF

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I, Todd R. Gregorian, hereby declare as follows:

1. I am an attorney duly licensed to practice law in the state of California and am a partner with the law firm of Fenwick & West LLP, counsel for Amazon.com, Inc., Amazon Web Services, Inc. (collectively “Amazon”), and Twitch Interactive, Inc. in the above-captioned action. I have personal knowledge of the facts set forth in this declaration.

2. Attached hereto as **Exhibit 1** is a true and correct copy of the Technical Expert Report of Erik de la Iglesia, served August 23, 2019.

3. Attached hereto as **Exhibit 2** is a true and correct copy of an excerpt from R. Fielding, et al., RFC 2616: HTTP/1.1, ch. 13.13 History Lists (June 1999), available at <https://www.ietf.org/rfc/rfc2616.txt>.

4. Following the Court’s direction, PersonalWeb provided the “box” showing its new proposed claim construction:

“unauthorized or unlicensed”	“not compliant with a valid right to content”
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Of note, “unauthorized or unlicensed” is not a new claim term, but the same one the Court already construed. PersonalWeb just seeks a different construction than what it argued for previously.

**Exhibit 3** is a true and correct copy of an email from Michael Sherman to me, dated September 5, 2019.

5. The parties also conducted a telephonic meet and confer on September 5, 2019 in which I participated for Amazon and Twitch. Michael Sherman, Wes Monroe, and Sandy Seth participated for PersonalWeb. At the conference, PersonalWeb took the position that its motion was not a motion for reconsideration, and therefore it was unprepared to disclose how it believed its motion complied with the Civil Local Rule 7-9(b) requirements for reconsideration.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed at San Francisco, California this 6th day of September 2019.

/s/Todd R. Gregorian  
Todd R. Gregorian

**ATTESTATION OF FILER**

In accordance with Local Rule 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from its signatories.

September 6, 2019

FENWICK & WEST LLP

By: /s/ J. David Hadden  
J. David Hadden

Counsel for AMAZON.COM, INC., AMAZON  
WEB SERVICES, INC. and TWITCH  
INTERACTIVE, INC.

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