

FENWICK & WEST LLP  
ATTORNEYS AT LAW

1 LAWRENCE M. HADLEY (SBN 157728) lhadley@glaserweil.com  
 2 GLASER WEIL FINK HOWARD  
 AVCHEN & SHAPIRO LLP  
 3 10250 Constellation Blvd., 19<sup>TH</sup> Floor  
 Los Angeles, CA 90067  
 4 Telephone: (310) 282-6235  
 Facsimile: (310) 556-2920  
 5  
 6 MICHAEL A. SHERMAN (SBN 94783) masherman@stubbsalderton.com  
 7 JEFFREY F. GERSH (SBN 87124) jgersh@stubbsalderton.com  
 WESLEY W. MONROE (SBN 149211)  
 8 wmonroe@stubbsalderton.com  
 STUBBS ALDERTON MARKILES, LLP  
 9 15260 Ventura Boulevard, 20<sup>TH</sup> Floor  
 Sherman Oaks, CA 91403  
 10 Telephone: (818) 444-4500  
 Facsimile: (818) 444-4520  
 11  
 12 Attorneys for PERSONALWEB  
 TECHNOLOGIES, LLC

J. DAVID HADDEN (CSB No. 176148) dhadden@fenwick.com  
 SAINA S. SHAMILOV (CSB No. 215636) sshamilov@fenwick.com  
 MELANIE L. MAYER (*admitted pro hac vice*) mmayer@fenwick.com  
 TODD R. GREGORIAN (CSB No. 236096) tgregorian@fenwick.com  
 RAVI R. RANGANATH (CSB No. 272981) rranganath@fenwick.com  
 CHIEH TUNG (CSB No. 318963) ctung@fenwick.com  
 FENWICK & WEST LLP  
 Silicon Valley Center  
 801 California Street  
 Mountain View, CA 94041  
 Telephone: 650.988.8500  
 Facsimile: 650.938.5200  
 Attorneys for AMAZON.COM, INC.,  
 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,  
 LLC ET AL., PATENT LITIGATION,

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

19 Plaintiffs

v.

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

22 Defendants.

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

25 Plaintiffs,

v.

26 TWITCH INTERACTIVE, INC.,

27 Defendant.

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

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

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

**JOINT STIPULATION RE  
 POST-JUDGMENT RELIEF**

1 WHEREAS, Plaintiff PersonalWeb Technologies, LLC (“PersonalWeb”) has accused  
2 Defendants Amazon.com, Inc., Amazon Web Services, Inc., and Twitch Interactive, Inc.  
3 (collectively, “Amazon”) of infringing, *inter alia*, U.S. Patent Nos. 7,802,310 (“’310 Patent”) and  
4 6,928,442 (“’442 Patent”);

5 WHEREAS, on February 3, 2020, this Court granted summary judgment of non-  
6 infringement of claims of the ’310 Patent and claims of the ’442 Patent in favor of Amazon and  
7 against PersonalWeb (Dkt. 578) (“Order”);

8 WHEREAS, on March 4, 2020, PersonalWeb appealed the Court’s Order to the United  
9 States Court of Appeals for the Federal Circuit (Dkt. 587) (“Federal Circuit”);

10 WHEREAS, on August 12, 2021, the Federal Circuit affirmed the Court’s Order (Dkt. 710);

11 WHEREAS, the deadline for PersonalWeb to seek panel and/or *en banc* rehearing of the  
12 Court’s Order before the Federal Circuit is September 13, 2021;

13 WHEREAS, PersonalWeb has notified Amazon that it intends to seek panel and/or *en banc*  
14 rehearing of the Court’s Order and has requested a fourteen (14) day extension of time to file the  
15 Petition up to and including September 27, 2021, which Amazon has agreed to not oppose; and

16 WHEREAS, PersonalWeb’s forthcoming Petition would extend the time for Amazon to  
17 request supplemental attorneys’ fees, including the appeal fees denied without prejudice by the  
18 Court in its April 19, 2021 Order (Dkt. 656) and fees that Amazon has incurred since, but Amazon  
19 further desires to avoid any possible later timing dispute, and therefore Amazon has requested, and  
20 PersonalWeb has agreed, the deadline for a Motion for Fees (including Motion for Fees pursuant  
21 to 35 U.S.C. § 285) before this Court be delayed until thirty (30) days after the Federal Circuit’s  
22 issuance of the mandate regarding PersonalWeb’s appeal of the Court’s Order;

23 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED amongst  
24 PersonalWeb and Amazon that the deadline for Amazon to file a Motion for Fees (including any  
25 Motion for Fees pursuant to 35 U.S.C. § 285) before this Court be delayed until thirty (30) days  
26 after the Federal Circuit’s issuance of the mandate regarding PersonalWeb’s appeal of the Court’s  
27 Order.

28 **IT IS SO AGREED AND STIPULATED.**

FENWICK & WEST LLP  
ATTORNEYS AT LAW

FENWICK & WEST LLP  
ATTORNEYS AT LAW

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Dated: September 9, 2021

Respectfully submitted,  
FENWICK & WEST LLP

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

J. DAVID HADDEN (CSB No. 176148)  
dhadden@fenwick.com  
SAINA S. SHAMILOV (CSB No. 215636)  
sshamilov@fenwick.com  
MELANIE L. MAYER (*admitted pro hac vice*)  
mmayer@fenwick.com  
TODD R. GREGORIAN (CSB No. 236096)  
tgregorian@fenwick.com  
RAVI R. RANGANATH (CSB No. 272981)  
rranganath@fenwick.com  
CHIEH TUNG (CSB No. 318963)  
ctung@fenwick.com  
FENWICK & WEST LLP  
801 California Street  
Mountain View, CA 94041  
Telephone: 650.988.8500  
Facsimile: 650.938.5200

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

Dated: September 9, 2021

STUBBS ALDERTON MARKILES, LLP

By: /s/ Michael A. Sherman  
MICHAEL A. SHERMAN

MICHAEL A. SHERMAN (SBN 94783)  
masherman@stubbsalderton.com  
JEFFREY F. GERSH (SBN 87124)  
jgersh@stubbsalderton.com  
WESLEY W. MONROE (SBN 149211)  
wmonroe@stubbsalderton.com  
STUBBS ALDERTON MARKILES, LLP  
15260 Ventura Boulevard, 20<sup>TH</sup> Floor  
Sherman Oaks, CA 91403  
Telephone: (818) 444-4500  
Facsimile: (818) 444-4520

LAWRENCE M. HADLEY (SBN 157728)  
lhadley@glaserweil.com  
GLASER WEIL FINK HOWARD  
AVCHEN & SHAPIRO LLP  
10250 Constellation Blvd., 19<sup>TH</sup> Floor  
Los Angeles, CA 90067  
Telephone: (310) 282-6235  
Facsimile: (310) 556-2920

Attorneys for PERSONALWEB  
TECHNOLOGIES, LLC

**CERTIFICATION OF CONCURRENCE IN FILING**

I, J. David Hadden, am the ECF user whose identification and password are being used to file this Joint Stipulation. In compliance with N.D. Cal. Civil L.R. 5-1(i)(3), I hereby attest that Michael A. Sherman has concurred in this filing.

Dated: September 9, 2021

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

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

2

3

\_\_\_\_\_  
BETH LABSON FREEMAN  
United States District Judge

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

FENWICK & WEST LLP  
ATTORNEYS AT LAW