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11 AMAZON WEB SERVICES INC., and  
12 TWITCH INTERACTIVE, INC.

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

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

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

Plaintiffs,

v.

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

Defendants.

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

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

**NOTICE OF MOTION AND  
MEMORANDUM OF POINTS AND  
AUTHORITIES OF AMAZON.COM,  
INC., AMAZON WEB SERVICES, INC.,  
AND TWITCH INTERACTIVE, INC. IN  
SUPPORT OF FURTHER  
SUPPLEMENTAL FEES REQUEST**

Date: October 5, 2023  
Time: 9:00 a.m.  
Place: Courtroom 3, 5th Floor  
Judge: Hon. Beth L. Freeman

FENWICK & WEST LLP  
ATTORNEYS AT LAW

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1           **NOTICE OF MOTION AND MOTION FOR SUPPLEMENTAL ATTORNEY FEES**  
2           **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

3           PLEASE TAKE NOTICE that, on October 5, 2023, at 9:00 a.m. at the United States District  
4 Court for the Northern District of California, 280 South First Street, San Jose, California, in the  
5 courtroom of the Honorable Beth L. Freeman, Amazon.com, Inc., Amazon Web Services, Inc., and  
6 Twitch Interactive, Inc. (collectively, “Amazon”) will and hereby do move the Court for an order  
7 granting Amazon its further supplemental attorney fees and non-taxable costs. Amazon bases its  
8 motion on this notice, the accompanying memorandum of points and authorities, the supporting  
9 declarations of Todd R. Gregorian, Steven K. Davidson, and Stephen B. Kinnaird, and their  
10 accompanying exhibits, all pleadings and documents on file in this action, and such other materials  
11 or argument as the Court may consider.

12                           **MEMORANDUM OF POINTS AND AUTHORITIES**

13           On March 20, 2020, Amazon moved for “the full amount of attorney fees and non-taxable  
14 costs that [it] incurred in defending this exceptional case.” (Dkt. 593 at 16.) On March 2, 2021,  
15 the Court granted Amazon its reasonable fees and costs for work on this matter between January  
16 2018 through February 2020. (Dkt. 648.) Amazon then requested its supplemental fees and costs  
17 to account for work on this matter between March 2020 and February 2021 by submitting a  
18 declaration substantiating those fees. (Dkt. 649.) The Court awarded Amazon its reasonable  
19 supplemental fees and costs but denied recovery of fees related to a pending Federal Circuit appeal,  
20 without prejudice to Amazon renewing its request after the appeal had concluded. (Dkt. 656.)

21           Since that time, the parties have stipulated to extend the deadline for Amazon to request  
22 further supplemental fees, to avoid burdening the Court with serial requests. On May 5, 2023,  
23 Amazon timely submitted declarations for further supplemental fees for work on this matter  
24 between March 2021 and March 2023. (Dkts. 873-875.) On May 8, 2023, the Court ordered  
25 Amazon to file a motion for supplemental fees. (Dkt. 876.) Amazon now moves for its further  
26 supplemental fees and costs as set forth in its declarations and asks that the Court award the full  
27 amount requested. The requested fees are recoverable, and Amazon has already reduced its request  
28 by hundreds of thousands of dollars to ensure reasonableness.

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