

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

MOBILEMEDIA IDEAS LLC,

Plaintiff,

v.

APPLE INC.,

Defendant.

Civil Action No. 10-258-SLR

APPLE INC.'S MOTION FOR SUMMARY JUDGMENT ON DAMAGES

Defendant Apple Inc. (“Apple”) respectfully moves this Court, pursuant to Rule 56 of the Federal Rules of Civil Procedure, for an Order granting summary judgment on damages. The grounds for this motion are set forth in the Opening Brief in Support being filed contemporaneously herewith.

Dated: May 2, 2016

/s/ Mary B. Matterer

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[PROPOSED] ORDER

Having considered Apple Inc.'s Motion for Summary Judgment on damages and all related briefing and argument,

IT IS HEREBY ORDERED this ____ day of _____, 2016 that the Motion is **GRANTED**. MMI cannot recover:

- damages for alleged infringement of the '231 Patent occurring before issuance of that patent's reexamination certificate on April 3, 2012;
- damages for infringement occurring before the date MMI provided actual notice of infringement because MMI cannot prove compliance with the requirements for constructive notice under the marking statute, 35 U.S.C. § 287(a); and
- enhanced damages.

UNITED STATES DISTRICT COURT JUDGE