

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ARENDI S.A.R.L.,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 13-919-JLH
)	
GOOGLE LLC,)	
)	
Defendant.)	

LETTER TO THE HONORABLE JENNIFER L. HALL FROM NEAL BELGAM
REGARDING PRELIMINARY JURY INSTRUCTIONS

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Attorneys for Plaintiff Arendi S.A.R.L.

Dear Judge Hall:

We write on behalf of Arendi S.A.R.L. and Google LLC pursuant to the Court's Order (D.I. 471) that the parties shall file a joint letter setting forth any corrections or objections to the Court's Proposed Preliminary Jury Instructions.

Arendi will not be asserting at trial the method claims (claims 1 and 8) of U.S. Patent No. 7,917,843. Accordingly, the listing of asserted claims in Section II ("Overview of the Case") should be modified to state: "Plaintiff alleges that the Defendant infringes Claims 23 and 30 of the '843 Patent."

Arendi maintains that there are no other changes or objections to the Court's Proposed Preliminary Jury Instructions.

Google maintains that the following two underlined sentences from "Section VII. Burdens of Proof" (p. 7) should also be removed. The first underlined sentence is redundant, and the second should drop out with the removal of the method claims. Arendi opposes the removal.

"Plaintiff Arendi asserts that Defendant Google infringes the '843 Patent. Plaintiff Arendi alleges that Defendant Google infringes the '843 Patent directly. Plaintiff Arendi also alleges that Defendant Google induced others to infringe the '843 Patent and contributed to others' infringement of the '843 Patent. Plaintiff Arendi alleges that the Defendant's infringement of the '843 Patent was willful. Plaintiff Arendi bears the burden of proof on each of these issues by a preponderance of the evidence."

Arendi would not oppose Google's proposed deletion of the two sentences provided that such removal is without prejudice to the infringement claims themselves and does not constitute a waiver of any claims.

The parties are available at the Court's convenience to address any questions or concerns.

Respectfully,

/s/ Neal C. Belgam

Neal C. Belgam (No. 2721)

cc: Clerk of Court (via CM/ECF)
All Counsel of Record (via CM/ECF)