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May 19, 2016

**BY CM/ECF & HAND DELIVERY**

The Honorable Richard G. Andrews  
U.S. District Court for the District of Delaware  
U.S. Courthouse  
844 North King Street  
Wilmington, DE 19801

Re: *Acceleration Bay LLC v. Activision Blizzard, Inc. et al.*  
D. Del., C.A. No. 15-228-RGA, 15-282-RGA, 15-311-RGA

Dear Judge Andrews:

We write on behalf of Plaintiff Acceleration Bay in response to Defendants' Notice of Supplemental Authority. *Diamond Coating Technologies, LLC v. Hyundai Motor Am.*, No. 15-1844 (Fed. Cir. May 17, 2016), the subject of Defendants' Notice (C.A. No. 15-228, D.I. 139; C.A. No. 15-282, D.I. 134; C.A. No. 15-311, D.I. 135) is inapposite to their Motion to Dismiss for Lack of Standing (C.A. No. 15-228, D.I. 100; C.A. No. 15-282, D.I. 96; C.A. No. 15-311, D.I. 90). In *Diamond Coating Technologies*, the purchase agreement did not convey all substantial rights to the patents because the purchaser did not have the right to practice the patents and the seller retained significant control over licensing and litigation. *Id.* at \*8-10. Neither fact is present here.

Respectfully,

/s/ Philip A. Rovner

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cc: All Counsel of Record – by CM/ECF and E-mail