

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

| | | |
|----------------------------|---|-----------------------|
| ACCELERATION BAY LLC, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | C.A. No. 16-453 (RGA) |
| |) | |
| ACTIVISION BLIZZARD, INC., |) | |
| |) | |
| Defendant. |) | |

DEFENDANT’S STATUS REPORT

Defendant Activision Blizzard, Inc. (“Activision”) submits this report to follow up on the Federal Circuit’s October 4, 2021 decision in the *Take Two* case and the status report submitted by Plaintiff on October 8, 2021 (D.I. 725). There were a number of issues pending before the Court or dismissed without prejudice when the Court administratively stayed this case. Activision believes that a telephonic status conference is appropriate to discuss a schedule to resolve these issues affected by the Federal Circuit’s decision, and requests such a conference at the Court’s convenience.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Jack B. Blumenfeld

Jack B. Blumenfeld (#1014)
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200
jblumenfeld@morrisonichols.com

Attorneys for Defendant

OF COUNSEL:

B. Trent Webb
Aaron E. Hankel
John Garretson
Jordan T. Bergsten
Maxwell C. McGraw
SHOOK HARDY & BACON LLP
2555 Grand Boulevard
Kansas City, MO 64108
(816) 474-6550

October 14, 2021

CERTIFICATE OF SERVICE

I hereby certify that on October 14, 2021, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on October 14, 2021, upon the following in the manner indicated:

Philip A. Rovner, Esquire
Jonathan A. Choa, Esquire
POTTER ANDERSON & CORROON LLP
1313 North Market Street, 6th Floor
Wilmington, DE 19801
Attorneys for Plaintiff

VIA ELECTRONIC MAIL

Paul J. Andre, Esquire
Lisa Kobialka, Esquire
James R. Hannah, Esquire
Hannah Lee, Esquire
Yuridia Caire, Esquire
Greg Proctor, Esquire
Michael H. Lee, Esquire
KRAMER LEVIN NAFTALIS & FRANKEL LLP
990 Marsh Road
Menlo Park, CA 94025
Attorneys for Plaintiff

VIA ELECTRONIC MAIL

Aaron M. Frankel, Esquire
Marcus A. Colucci, Esquire
Cristina Martinez, Esquire
Shannon H. Hedvat, Esquire
KRAMER LEVIN NAFTALIS & FRANKEL LLP
1177 Avenue of the Americas
New York, NY 10036
Attorneys for Plaintiff

VIA ELECTRONIC MAIL

/s/ Jack B. Blumenfeld

Jack B. Blumenfeld (#1014)