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February 15, 2017

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. 16-453-RGA, 16-454-RGA, 16-455-RGA

Dear Judge Andrews:

Further to Section G of the parties' Proposed Scheduling Order (D.I. 46), Plaintiff Acceleration Bay submits the attached proposed Protective Order. The parties have agreed on all but one term of the proposed Protective Order: if the prosecution bar should exclude previously filed *inter partes* review proceedings in which the deadline has already passed to amend claims. This disputed provision is underlined in Section 10.7 of the proposed Protective Order.

Acceleration Bay proposes that the parties present this limited issue to the Court during Friday's Rule 16 conference. Defendants propose that the issue be presented to the Special Master for resolution.

Respectfully,

/s/ Philip A. Rovner

Philip A. Rovner (#3215)

cc: All Counsel of Record (Via ECF Filing, Electronic Mail)
Attachment