

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

AMERANTH, INC.,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 20-518 (LPS)
)	
OLO INC.,)	
)	
Defendant.)	

**DEFENDANT’S MOTION FOR RECOVERY OF
ATTORNEYS’ FEES UNDER 35 U.S.C. § 285**

Defendant Olo Inc. (“Olo”), by and through undersigned counsel, respectfully move this Court to declare this case exceptional under 35 U.S.C. § 285 and award Olo its attorneys’ fees and expenses incurred in defending this case plus pre-judgment interest. The grounds for this motion are set forth in the accompanying brief.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Karen Jacobs

Jack B. Blumenfeld (#1014)
Karen Jacobs (#2881)
Cameron P. Clark (#6647)
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200
jblumenfeld@morrисnichols.com
kjacobs@morrисnichols.com
cclark@morrисnichols.com

OF COUNSEL:

Heidi L. Keefe
Lowell D. Mead
COOLEY LLP
3175 Hanover Street
Palo Alto, CA 94304-1130
(650) 843 5000

*Attorneys for Defendant
Olo Inc.*

July 11, 2022

CERTIFICATION PURSUANT TO LOCAL RULE 7.1.1

I hereby certify that counsel for Defendant Olo Inc. have made reasonable efforts to reach agreement with counsel for Plaintiff on the subject matter of the attached motion, including a telephonic meet and confer on June 30, 2022, but that we were unable to reach agreement. Plaintiff confirmed that it opposes this motion.

/s/ Karen Jacobs

Karen Jacobs (#2881)

CERTIFICATE OF SERVICE

I hereby certify that on July 11, 2022, 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 July 11, 2022, upon the following in the manner indicated:

Stamatios Stamoulis
Richard Weinblatt
Stamoulis & Weinblatt LLC
800 N. West Street, Third Floor
Wilmington, DE 19801
Attorneys for Plaintiff
Ameranth, Inc.

VIA ELECTRONIC MAIL

Shekhar Vyas
Stamoulis & Weinblatt LLC
302 Washington Street, #150-2028
San Diego, CA 92103
Attorneys for Plaintiff
Ameranth, Inc.

VIA ELECTRONIC MAIL

/s/ Karen Jacobs

Karen Jacobs (#2881)