

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

OCEAN TOMO, LLC,

Plaintiff-Counter Defendant,

v.

JONATHAN BARNEY and
PATENTRATINGS, LLC,

Defendants-Counter Plaintiffs.

No. 12 C 8450

Judge: Joan B. Gottschall
Magistrate: Judge Mary M. Rowland

**PLAINTIFF-COUNTER DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT OF INVALIDITY UNDER 35 U.S.C. § 101**

Plaintiff-Counter Defendant Ocean Tomo, LLC (“OT”), by its attorneys and pursuant to Rule 56 of the Federal Rules of Civil Procedure, hereby moves this Court for summary judgment as to the invalidity of Defendant-Counter Plaintiff PatentRatings’ (“PR”) U.S. Patent Nos. 6,556,992 (the “992 Patent”), 7,962,511 (the “511 Patent”), 7,716,226 (the “226 Patent”), 8,504,560 (the “560 Patent”), 7,949,581 (the “581 Patent”), 7,657,476 (the “476 Patent”), 8,131,701 (the “701 Patent”) and 8,818,996 (the “996 Patent”) (collectively, the “patents-in-suit”) under 35 U.S.C. § 101, as they do not claim patentable subject matter.

In support of this Motion for Summary Judgment, OT relies upon and incorporates by reference its Memorandum of Law in Support of Motion for Summary Judgment, OT’s Local Rule 56.1 Statement of Undisputed Material Facts, and the Appendix thereto.

Respectfully submitted,

OCEAN TOMO, LLC

By: /s/ Jeremy R. Heuer
One of Its Attorneys

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Dated: January 30, 2015

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NOTICE OF MOTION

PLEASE TAKE NOTICE, that on February 11, 2015, at 9:30 a.m., or at such time thereafter as counsel may be heard, we shall appear before the Honorable Joan B. Gottschall, or any judge sitting in her stead, in Courtroom 2325, 219 South Dearborn Street, Chicago, IL 60604, and then and there present **PLAINTIFF-COUNTER DEFENDANT'S MOTION FOR SUMMARY JUDGMENT OF INVALIDITY UNDER 35 U.S.C. § 101.**

Respectfully submitted,

OCEAN TOMO, LLC

By: /s/ Jeremy R. Heuer

One of Its Attorneys

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Dated: January 30, 2015

CERTIFICATE OF SERVICE

I, Jeremy R. Heuer, an attorney, hereby certify that on January 30, 2015, I caused to be electronically filed the foregoing **NOTICE OF MOTION and PLAINTIFF-COUNTER DEFENDANT'S MOTION FOR SUMMARY JUDGMENT OF INVALIDITY UNDER 35 U.S.C. § 101** with the Clerk of the Court using the Court's Case Management/Electronic Case Files (CM/ECF) system, which will send notifications of such filing to the following counsel of record:

David C. Layden

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/s/ Jeremy R. Heuer