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21 Attorneys for Plaintiff BlackBerry Limited

22 IN THE UNITED STATES DISTRICT COURT
23 FOR THE CENTRAL DISTRICT OF CALIFORNIA

24 BLACKBERRY LIMITED, a
25 Canadian corporation,
26
27 Plaintiff,
28
29 v.
30
31 FACEBOOK, INC., a Delaware
32 corporation, WHATSAPP INC., a
33 Delaware corporation, and
34 INSTAGRAM, INC., a Delaware
35 corporation, and INSTAGRAM, LLC,
36 a Delaware limited liability company
37
38 Defendants.

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Case No. 2:18-cv-01844-GW-KS
LEAD CONSOLIDATED CASE
Related Case: 2:18-cv-02693-GW-KS

**BLACKBERRY LIMITED'S FINAL
ELECTION OF ASSERTED
CLAIMS**

1 Pursuant to the Updated Joint Case Scheduling Report (See Case No. 2:18-cv-
2 01844 GW(KSx), Dkt. No. 94), the Court’s adoption of the parties’ proposed
3 schedule (Dkt. 96), and the Court’s order extending time for claim narrowing (Dkt.
4 200), Plaintiff BlackBerry Limited (“BlackBerry”) hereby submits its Final Election
5 of Asserted Claims for U.S. Patent Nos. 7,372,961 (“the ’961 Patent”), 8,209,634
6 (“the ’634 Patent”), 8,301,713 (“the ’713 Patent”), 8,279,173 (“the ’173 Patent”),
7 8,429,236 (“the ’236 Patent”), 8,677,250 (“the ’250 Patent”), 9,349,120 (“the ’120
8 Patent”), 8,296,351 (“the ’351 Patent”), and 8,676,929 (“the ’929 Patent”)
9 (collectively, the ”patents-in-suit” or the “Asserted Patents”).

10 Discovery is ongoing, and BlackBerry continues to seek discovery from
11 Defendants Facebook, Inc. (“Facebook”), WhatsApp, Inc. (“WhatsApp”), and
12 Instagram, LLC (“Instagram”) (collectively, “Defendants”) that may affect
13 BlackBerry’s election of asserted claims. BlackBerry has served discovery requests
14 on Defendants to obtain additional information relevant to infringement that is in
15 Defendants’ possession, custody, or control. BlackBerry reserves the right to
16 supplement and/or amend these elections based on the discovery Defendants provide
17 in response to BlackBerry’s discovery requests. In particular, BlackBerry reserves
18 the right to supplement and/or amend these elections after it has received a complete
19 production of documents, after it has completed its inspection and review of
20 Defendants’ proprietary and confidential technical information for the Accused
21 Instrumentalities, including source code and technical specifications, and after it has
22 had an opportunity to depose Defendants’ employees and engineers with knowledge
23 of the structure, function, and/or operation of the Accused Instrumentalities.
24 BlackBerry will provide any such amendments and/or modifications in accordance
25 with the Court’s guidance, the Case Scheduling Order, and any amendments thereto.

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U.S. Patent No.	Final Election of Asserted Claim(s)
7,372,961 ("the '961 Patent")	2
8,209,634 ("the '634 Patent")	1, 6
8,301,713 ("the '713 Patent")	4
8,279,173 ("the '173 Patent")	14
8,429,236 ("the '236 Patent")	15, 17
8,677,250 ("the '250 Patent")	9, 14
9,349,120 ("the '120 Patent")	9, 13, 20
8,296,351 ("the '351 Patent")	1, 14, 21
8,676,929 ("the '929 Patent")	1, 9, 16

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DATED: May 31, 2019

Respectfully Submitted,

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