Case 2:16-cv-00741-RWS Document 359-1 Filed 01/30/20 Page 1 of 23 PageID #: 7576

# **EXHIBIT 1**

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# Uniloc USA, Inc., et al. v. Big Fish Games, Inc., 2:16-cv-00741-RWS (lead) 2:16-cv-00858-RWS

January 28, 2020, Arguments Regarding Plaintiffs' Motion for Discovery

Aaron S. Jacobs, for Plaintiffs

2010 Dringe Label Typ LLD



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#### Case 2:16-cv-00741-RWS Document 359-1 Filed 01/30/20 Page 3 of 23 PageID #:

## **Case History**

- Aug. 2, 2016:
- Nov. 14, 2016:
- Aug. 16, 2017:
- Sept. 18, 2017:
- Sept. 28, 2017:
- May 24, 2019:

- Case filed.
- **Big Fish moves to dismiss.**
- **Court issues claim construction**
- **Discovery closes.**
- Court grants motion to dismiss.

Federal Circuit reverses.

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# **Uniloc's Proposal**

- Discovery is reopened for 90 days.
- The parties supplement their Patent L.R. 3-2 and 3disclosures within 30 days.
- The parties supplement their interrogatory respons 30 days.
- Supplemental depositions may be taken of prior wit to 3 hours per witness.
- New witnesses, and deponents designated pursuant 30(b)(6), subject to the usual time limits.
- Expert reports may be amended or supplemented 2 after the close of discovery.
- Rebuttal reports are due 21 days after that.

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## **Changed Circumstances**

- Big Fish acquired by Aristocrat for \$990,000,000.
- Patents in suit assigned to Uniloc 2017.
- '578 patent found drawn to eligible subject matter.
- '293 patent found drawn to eligible subject matter.
- '466 patent affirmed not eligible.
- '578 patent expired.
- Accused systems have presumably changed.
- More infringement.

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