

## FORM 1. Notice of Appeal to the United States Court of Appeals for the Federal Circuit from a Judgment or Order of a UNITED STATES DISTRICT COURT

Name of United States District Court for the N.D. CalCase Number 14-cv-01647-YGRBlue Spike, LLC, Plaintiff,

v.

**NOTICE OF APPEAL**Adobe Systems, Inc., Defendant.

Notice is hereby given that Blue Spike, LLC (name all parties\* taking the appeal) in the above named case hereby appeal to the United States Court of Appeals for the Federal Circuit from the Northern District of California (from the final judgment) ((from an order) (describe the order)) entered in this action on June 2 2015, \_\_\_\_ (date).



(Signature of appellant or attorney)

Garteiser Honea, PLLC  
119 W Ferguson St.  
Tyler, TX 75702

(Address of appellant or attorney)

\*See Fed. R. App. P. 3(c) for permissible ways of identifying appellants.

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

BLUE SPIKE, LLC,

Plaintiff,

v.

ADOBE SYSTEMS INC.,

Defendant.

Civil Action No.: 14-cv-01647-YGR (JSC)

~~PROPOSED~~ FINAL JUDGMENT

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Pursuant to the Court’s Order Re: Counterclaims (Dkt. No. 78) and Order Re: Motion for Voluntary Dismissal Without Prejudice; Order to Show Cause (Dkt. No. 74), the Court ENTERS JUDGMENT in favor of Defendant Adobe Systems Inc. and against Plaintiff Blue Spike, LLC, as follows:

1. The Court HEREBY ENTERS JUDGMENT in favor of Adobe Systems Inc. and against Plaintiff Blue Spike, LLC, on Counts One through Five of its Counterclaims, for Declaratory Judgment of Non-Infringement. Adobe Systems Inc. has not and is not now infringing, contributorily infringing, or inducing infringement of U.S. Patent Nos. 8,214,175; 7,949,494; 7,660,700; 7,346,472; and 8,712,728.


2. The Court also HEREBY ORDERS that Counts Six through Ten of Adobe Systems Inc.’s Counterclaims, for Declaratory Judgment of Invalidity of U.S. Patent Nos. 8,214,175, 7,949,494, 7,660,700, 7,346,472, and 8,712,728, are DISMISSED WITHOUT PREJUDICE.

3. The Court HEREBY ORDERS that Counts I-V in Plaintiff Blue Spike, LLC’s Amended Complaint are DISMISSED WITH PREJUDICE. Adobe Systems Inc.’s affirmative defenses in its Answer are DISMISSED WITHOUT PREJUDICE.

In light of the foregoing, the Clerk shall close the case file.

**IT IS SO ORDERED.**

Dated: June 2, 2015

  
Hon. Yvonne Gonzalez Rogers  
United States District Judge