

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 Northern District of California

Case Number 4:14-cv-1650-YGR

Blue Spike, LLC, Plaintiff,

v. **NOTICE OF APPEAL**

Google 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 N.D. of California (from the final judgment) ((from an order) (describe the order)) entered in this action on October 1, 2015 (date).

R. Garteiser

(Signature of appellant or attorney)

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

(Address of appellant or attorney)

Reset Fields

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

Case No. 14-cv-01650 (YGR)

BLUE SPIKE, LLC,
Plaintiff,

v.

GOOGLE INC.,
Defendant.

~~PROPOSED FORM OF~~ JUDGMENT
INVALIDATING ASSERTED PATENTS
PURSUANT TO DKT. NOS. 75, 80

Hearing Date: N/A
Hearing Time: N/A
Courtroom: Courtroom 1, 4th Floor
Judge: Hon. Yvonne Gonzalez Rogers

This action having come before the Court, and pursuant to the Court’s Orders: (1) granting Defendant Google Inc.’s (“Google”) Motion for Judgment on the Pleadings (Dkt. Nos. 59, 75); and (2) accepting Plaintiff Blue Spike, LLC’s (“Blue Spike”) Statement of Non-objection (Dkt. No. 77) in response to the Court’s Order to Show Cause (Dkt. Nos. 76, 80) – together which find all asserted claims of U.S. Patent Nos. 7,346,472 (the “’472 Patent”), 7,660,700 (the “’700 Patent”), 7,949,494 (the “’494 Patent”), 8,214,175 (the “’175 Patent”), and 8,712,728 (the “’728 Patent”) (collectively, the “Patents-In-Suit”) invalid pursuant to 35 U.S.C. § 101 – IT IS HEREBY ADJUDGED AND ORDERED that:

1. For the reasons set forth in the Court’s Order on September 8, 2015 (Dkt. No. 75), the following asserted claims are invalid pursuant to 35 U.S.C. § 101:

- claims 1-4, 8, and 11 of the ’472 Patent;
- claims 1, 10-12, 18, 21, 27, 40, and 51 of the ’700 Patent;
- claims 11, 15, 17, and 29 of the ’494 Patent;
- claims 1, 8, 11, 12, 16, and 17 of the ’175 Patent; and
- claims 1, 4, 5, 16, 25, and 26 of the ’728 Patent.


2. For the same reasons set for in the Court’s Order from September 8, 2015 (Dkt. No. 75) and pursuant to the Court’s Order from September 18, 2015 (Dkt. No. 80), the following asserted claim is also invalid pursuant to 35 U.S.C. § 101:

- claim 30 of the ’728 Patent.

1 3. The foregoing claims of the Patents-In-Suit represent all pending claims at issue in
2 this case.

3 4. WHEREFORE JUDGMENT on the pleadings is entered in this case in favor of
4 Defendant Google and against Plaintiff Blue Spike.

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6 Dated: Qevqdt'3. 2015

7 By: 
8 Judge Yvonne Gonzalez Rogers
9 United States District Judge
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