

1 Mark Holscher (SBN 139582)  
2 mark.holscher@kirkland.com  
3 Michael Shipley (SBN 233674)  
4 michael.shipley@kirkland.com  
5 KIRKLAND & ELLIS LLP  
6 555 South Flower Street  
7 Los Angeles, CA 90071  
8 Telephone: (213) 680-8400

6 *Attorneys for Third Parties Europlay Capital*  
7 *Advisors, LLC and Claria Innovations, LLC*

8 *[Additional Counsel on Signature Page]*

9 **UNITED STATES DISTRICT COURT**  
10 **NORTHERN DISTRICT OF CALIFORNIA**  
11 **SAN JOSE DIVISION**

12 IN RE: PERSONAL WEB TECHNOLOGIES,  
13 LLC ET AL., PATENT LITIGATION,

14 AMAZON.COM, INC., and AMAZON WEB  
15 SERVICES, INC.,

15 Plaintiffs

16 v.

16 PERSONALWEB TECHNOLOGIES, LLC and  
17 LEVEL 3 COMMUNICATIONS, LLC,

18 Defendants.

19 PERSONALWEB TECHNOLOGIES, LLC, and  
20 LEVEL 3 COMMUNICATIONS, LLC,

20 Plaintiffs,

21 v.

22 TWITCH INTERACTIVE, INC.,

23 Defendant.

Case No.: 5:18-md-02834-BLF

Case No.: 5:18-cv-00767-BLF

Case No.: 5:18-cv-05619-BLF

**NOTICE OF APPEAL**

1 Notice is hereby given that non-party movants Europlay Capital Advisors LLC, Claria  
2 Innovations LLC, Brilliant Digital Entertainment Inc., and Monto Holdings Pty. Ltd. (“Movants”)  
3 hereby appeal to the United States Court of Appeals for the Federal Circuit from the Order Denying  
4 Secured Creditors’ Motion for Limited Intervention (ECF 886) entered in this action on July 7, 2023.  
5 *See Stringfellow v. Concerned Neighbors in Action*, 480 U.S. 370, 377 (1987) (order denying  
6 intervention is appealable).

7  
8 Dated: July 19, 2023

Respectfully submitted,

9 KIRKLAND & ELLIS LLP

10 /s/ Michael Shipley

11 Mark Holscher (SBN 139582)

12 mark.holscher@kirkland.com

13 Michael Shipley (SBN 233674)

14 michael.shipley@kirkland.com

15 KIRKLAND & ELLIS LLP

16 555 South Flower Street

17 Los Angeles, CA 90071

18 Telephone: (213) 680-8400

19 *Attorneys for Third Parties Europlay Capital  
20 Advisors, LLC and Claria Innovations, LLC*

21 FRANDZEL ROBINS BLOOM & CSATO, L.C.

22 /s/ Thomas Robins

23 Thomas M. Robins III (SBN 054423)

24 trobins@frandzel.com

25 Michael Gerard Fletcher (SBN 070849)

26 mfletcher@frandzel.com

27 Bruce David Poltrock (SBN 162448)

28 bpoltrock@frandzel.com

FRANDZEL ROBINS BLOOM & CSATO, L.C.

1000 Wilshire Boulevard, 19th Floor

Los Angeles, California 90017-2427

Telephone: (323) 852-1000

*Attorneys for Third Parties Monto Holdings Pty  
Ltd, and Brilliant Digital Entertainment, Inc.*