

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

SHOPIFY INC. AND SHOPIFY
(USA), INC.

Plaintiffs/Counterclaim
Defendants,

v.

EXPRESS MOBILE, INC.

Defendant/Counterclaim
Plaintiff.

Civil Action No. 1:19-cv-00439-RGA

NOTICE OF APPEAL

Notice is hereby given that Defendant and Counterclaim Plaintiff Express Mobile, Inc. (“Express Mobile”) appeals to the United States Court of Appeals for the Federal Circuit from the Memorandum Opinion and Order entered on May 17, 2024, by the District Court in Civil Action No. 1:19-cv-00439-RGA (D.I. 463, 464), along with all findings, holdings, rulings, conclusions, determinations, opinions, claim constructions, and orders leading thereto or merged therein, including, but not limited to:

- 1) the disposition of Plaintiffs and Counterclaim Defendants’ (“Shopify”) Motion for Judgment as a Matter of Law, or, in the Alternative, for a New Trial (D.I. 436) as set forth in the Memorandum Opinion and Order dated May 17, 2024 (D.I. 463, 464);
- 2) the Court’s claim constructions as set forth in the Opinion dated June 23, 2020 (D.I. 137), Order dated June 30, 2020 (D.I. 142), and the Supplemental Order dated January 4, 2022 (D.I. 344);
- 3) the disposition of Defendant and Counterclaim Plaintiff’s Motion and Memorandum for Summary Judgment (D.I. 217, 218) as set forth in the Memorandum Opinion and Order dated September 21, 2021 (D.I. 297, 298).

Dated: June 13, 2024

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