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**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:21-cv-01831-JGK**

DigiMedia Tech, LLC v. ViacomCBS, Inc. et al
Assigned to: Judge John G. Koeltl
Cause: 35:271 Patent Infringement

Date Filed: 03/02/2021
Date Terminated: 06/15/2022
Jury Demand: Plaintiff
Nature of Suit: 830 Patent
Jurisdiction: Federal Question

Plaintiff**DigiMedia Tech, LLC**

represented by **Daniel Kent**
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Defendant**CBS Interactive Inc.**

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Defendant**Viacom International Inc.**

represented by **Steven M Lieberman**
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Defendant**John Doe Corporations 1-50**

Date Filed	#	Docket Text
03/02/2021	<u>1</u>	COMPLAINT against Showtime Networks, Inc., ViacomCBS, Inc.. (Filing Fee \$ 402.00, Receipt Number ANYSDC-24160954) Document filed by DigiMedia Tech, LLC. (Attachments: # <u>1</u> Exhibit A - US Pat No 6,473,532, # <u>2</u> Exhibit B - US Patent No. 6,744,818, # <u>3</u> Exhibit C - US Pat No 7,743,399, # <u>4</u> Exhibit D - US Pat No 8,087,049, # <u>5</u>

		Exhibit E - US Pat No 9,055,328, # 6 Exhibit F - Claim Chart re '532 Patent, # 7 Exhibit G - Claim Chart re '818 Patent, # 8 Exhibit H - Claim Chart re '399 Patent, # 9 Exhibit I - Claim Chart re '049 Patent, # 10 Exhibit J - Claim Chart re '328 Patent).(Kent, Daniel) (Entered: 03/02/2021)
03/02/2021	2	AO 120 FORM PATENT - NOTICE OF SUBMISSION BY ATTORNEY. AO 120 Form Patent/Trademark for case opening submitted to court for review..(Kent, Daniel) (Entered: 03/02/2021)
03/02/2021	3	CIVIL COVER SHEET filed..(Kent, Daniel) (Entered: 03/02/2021)
03/02/2021	4	REQUEST FOR ISSUANCE OF SUMMONS as to ViacomCBS, Inc., re: 1 Complaint,,. Document filed by DigiMedia Tech, LLC..(Kent, Daniel) (Entered: 03/02/2021)
03/02/2021	5	REQUEST FOR ISSUANCE OF SUMMONS as to Showtime Networks, Inc., re: 1 Complaint,,. Document filed by DigiMedia Tech, LLC..(Kent, Daniel) (Entered: 03/02/2021)
03/02/2021	6	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Corporate Parent Brainbox Innovations, LLC for DigiMedia Tech, LLC. Document filed by DigiMedia Tech, LLC..(Kent, Daniel) (Entered: 03/02/2021)
03/02/2021	7	MOTION for Daniel A. Kent to Appear Pro Hac Vice <i>for Plaintiff DigiMedia Tech, LLC</i> . Filing fee \$ 200.00, receipt number ANYSDC-24162013. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by DigiMedia Tech, LLC. (Attachments: # 1 Declaration of Daniel A. Kent, # 2 Certificate of Good Standing Dated May 22, 2020 by Georgia Supreme Court, # 3 Proposed Order for Admission Pro Hac Vice).(Kent, Daniel) (Entered: 03/02/2021)
03/03/2021		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. 7 MOTION for Daniel A. Kent to Appear Pro Hac Vice <i>for Plaintiff DigiMedia Tech, LLC</i>. Filing fee \$ 200.00, receipt number ANYSDC-24162013. Motion and supporting papers to be reviewed by Clerk's Office staff.</FONT. The document has been reviewed and there are no deficiencies. (wb) (Entered: 03/03/2021)
03/03/2021		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above-entitled action is assigned to Judge Analisa Torres. Please download and review the Individual Practices of the assigned District Judge, located at https://nysd.uscourts.gov/judges/district-judges . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at https://nysd.uscourts.gov/rules/ecf-related-instructions ..(dnh) (Entered: 03/03/2021)
03/03/2021		Magistrate Judge James L. Cott is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: https://nysd.uscourts.gov/sites/default/files/2018-06/AO-3.pdf . (dnh) (Entered: 03/03/2021)
03/03/2021		Case Designated ECF. (dnh) (Entered: 03/03/2021)
03/03/2021	8	ELECTRONIC SUMMONS ISSUED as to ViacomCBS, Inc...(dnh) (Entered: 03/03/2021)
03/03/2021	9	ELECTRONIC SUMMONS ISSUED as to Showtime Networks, Inc...(dnh) (Entered: 03/03/2021)
03/03/2021		Case Eligible for Patent Pilot Program. (dnh) (Entered: 03/03/2021)
03/03/2021	10	AO 120 FORM PATENT - CASE OPENING - SUBMITTED. In compliance with the

		provisions of 35 U.S.C. 290, the Director of the U.S. Patent and Trademark Office is hereby advised that a court action has been filed on the following patent(s) in the U.S. District Court Southern District of New York. Director of the U.S. Patent and Trademark Office electronically notified via Notice of Electronic Filing (NEF)..(dnh) (Entered: 03/03/2021)
03/05/2021	11	NOTICE OF CASE REASSIGNMENT to Judge John G. Koeltl, Patent Judge. Judge Analisa Torres is no longer assigned to the case. (ad) (Entered: 03/05/2021)
03/05/2021	12	SUMMONS RETURNED EXECUTED Summons and Complaint,, served. ViacomCBS, Inc. served on 3/4/2021, answer due 3/25/2021. Service was accepted by Lynanne Gares, Corporation Service Company, Registered Agent. Document filed by DigiMedia Tech, LLC..(Kent, Daniel) (Entered: 03/05/2021)
03/05/2021	13	SUMMONS RETURNED EXECUTED Summons and Complaint,, served. Showtime Networks, Inc. served on 3/4/2021, answer due 3/25/2021. Service was accepted by Lynanne Gares, Corporation Service Company, Registered Agent. Document filed by DigiMedia Tech, LLC..(Kent, Daniel) (Entered: 03/05/2021)
03/08/2021	14	ORDER FOR ADMISSION PRO HAC VICE granting 7 Motion for Daniel A. Kent to Appear Pro Hac Vice. (Signed by Judge John G. Koeltl on 3/8/2021) (ks) (Entered: 03/08/2021)
03/18/2021	15	NOTICE OF APPEARANCE by Steven M Lieberman on behalf of Showtime Networks, Inc., ViacomCBS, Inc...(Lieberman, Steven) (Entered: 03/18/2021)
03/18/2021	16	LETTER MOTION for Extension of Time to File Answer addressed to Judge John G. Koeltl from Steven Lieberman dated March 18, 2021. Document filed by Showtime Networks, Inc., ViacomCBS, Inc...(Lieberman, Steven) (Entered: 03/18/2021)
03/18/2021	17	MOTION for Sharon L. Davis to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-24274873. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Showtime Networks, Inc., ViacomCBS, Inc.. (Attachments: # 1 Declaration of Sharon L. Davis In Support of Pro Hac Vice Motion, # 2 Proposed Order for Admission Pro Hac Vice of Sharon L. Davis).(Davis, Sharon) (Entered: 03/18/2021)
03/18/2021	18	MOTION for Jennifer B. Maisel to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-24274930. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Showtime Networks, Inc., ViacomCBS, Inc.. (Attachments: # 1 Declaration of Jennifer B. Maisel In Support of Pro Hac Vice Motion, # 2 Proposed Order for Admission Pro Hac Vice of Jennifer B. Maisel).(Maisel, Jennifer) (Entered: 03/18/2021)
03/18/2021	19	MOTION for D. Lawson Allen to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-24274970. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Showtime Networks, Inc., ViacomCBS, Inc.. (Attachments: # 1 Declaration of D. Lawson Allen In Support of Pro Hac Vice Motion, # 2 Proposed Order for Admission Pro Hac Vice of D. Lawson Allen).(Allen, David) (Entered: 03/18/2021)
03/18/2021		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. 18 MOTION for Jennifer B. Maisel to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-24274930. Motion and supporting papers to be reviewed by Clerk's Office staff., 17 MOTION for Sharon L. Davis to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-24274873. Motion and supporting papers to be reviewed by Clerk's Office staff., 19 MOTION for D. Lawson Allen to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-24274970.

		Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (bcu) (Entered: 03/18/2021)
03/19/2021	20	ORDER granting 16 Letter Motion for Extension of Time to Answer re 16 LETTER MOTION for Extension of Time to File Answer addressed to Judge John G. Koeltl from Steven Lieberman dated March 18, 2021.. Application granted. SO ORDERED.. (Signed by Judge John G. Koeltl on 3/19/2021) Showtime Networks, Inc. answer due 4/26/2021; ViacomCBS, Inc. answer due 4/26/2021 (ks) (Entered: 03/19/2021)
03/19/2021	21	ORDER FOR ADMISSION PRO HAC VICE granting 17 Motion for Sharon L. Davis to Appear Pro Hac Vice.. (Signed by Judge John G. Koeltl on 3/19/2021) (ks) Modified on 3/19/2021 (ks). (Entered: 03/19/2021)
03/19/2021	22	ORDER FOR ADMISSION PRO HAC VICE granting 18 Motion for Jennifer B. Maisel to Appear Pro Hac Vice. (Signed by Judge John G. Koeltl on 3/19/2021) (ks) Modified on 3/19/2021 (ks). (Entered: 03/19/2021)
03/19/2021	23	ORDER FOR ADMISSION PRO HAC VICE granting 19 Motion for D. Lawson Allen to Appear Pro Hac Vice. (Signed by Judge John G. Koeltl on 3/19/2021) (ks) (Entered: 03/19/2021)
03/31/2021		Minute Entry for proceedings held before Judge John G. Koeltl: Initial Conference set for 6/10/2021 at 03:00 PM before Judge John G. Koeltl. Dial-in: 888 363-4749, with access code 8140049. (Fletcher, Donnie) (Entered: 03/31/2021)
04/21/2021	24	LETTER MOTION for Conference addressed to Judge John G. Koeltl from Steven Lieberman dated April 21, 2021. Document filed by Showtime Networks, Inc., ViacomCBS, Inc...(Lieberman, Steven) (Entered: 04/21/2021)
04/22/2021	25	ORDER granting 24 Motion for Conference re: 24 LETTER MOTION for Conference addressed to Judge John G. Koeltl from Steven Lieberman dated April 21, 2021. The conference scheduled for June 10, 2021 is advanced to Tuesday, May 4, 2021, at 12:00pm. At which time, the Court will conduct a pre-motion conference. Dial-in: 888- 363-4749, with access code 8140049. The clerk is directed to close docket 24 as a letter motion. SO ORDERED.. (Signed by Judge John G. Koeltl on 4/22/2021) Initial Conference set for 5/4/2021 at 12:00 PM before Judge John G. Koeltl. (ks) (Entered: 04/22/2021)
04/30/2021		Minute Entry for proceedings held before Judge John G. Koeltl: Initial Conference scheduled for 5/4/2021 at 12:00 PM adjourned to 03:00 PM before Judge John G. Koeltl. Dial-in: 888 363-4749, with access code 8140049. (Fletcher, Donnie) (Entered: 04/30/2021)
05/04/2021		Minute Entry for proceedings held before Judge John G. Koeltl: Initial Pretrial Conference held on 5/4/2021. (Fletcher, Donnie) (Entered: 06/07/2021)
05/07/2021	26	PROPOSED SCHEDULING ORDER. Document filed by DigiMedia Tech, LLC..(Kent, Daniel) (Entered: 05/07/2021)
05/10/2021	27	STIPULATED SCHEDULING ORDER: Pursuant to the Court's instructions at the pre-motion conference, and with the stipulation and agreement of the parties, it is hereby ORDERED: Defendants may file a motion to dismiss by May 24, 2021. Plaintiff may file a response or an amended complaint by June 14, 2021. If Plaintiff files a response to the motion to dismiss, Defendants may file a reply by June 24, 2021. If Plaintiff files an amended complaint, Defendants may move to dismiss or otherwise respond to the amended complaint by June 24, 2021. If Defendants file a motion to dismiss the amended complaint, Plaintiff may file a response by July 15, 2021. Defendants may file a reply by July 26, 2021. If Defendants answer the amended complaint, the parties shall submit a Rule 26(f) report and another letter asking for a conference to the Court by July 15, 2021.

		The Court stays discovery pending the decision on the motion to dismiss or the parties' submission of the Rule 26(f) report. SO ORDERED. (Signed by Judge John G. Koeltl on 5/10/2021) (Amended Pleadings due by 6/14/2021., Motions due by 6/24/2021., Responses due by 7/15/2021, Replies due by 7/26/2021.) (ks) (Entered: 05/10/2021)
05/24/2021	28	MOTION to Dismiss . Document filed by Showtime Networks, Inc., ViacomCBS, Inc.. Responses due by 6/14/2021.(Lieberman, Steven) (Entered: 05/24/2021)
05/24/2021	29	MEMORANDUM OF LAW in Support re: 28 MOTION to Dismiss . . Document filed by Showtime Networks, Inc., ViacomCBS, Inc.. (Attachments: # 1 Affidavit of D. Allen, # 2 Exhibit A - Complaint, # 3 Exhibit B - USPN 7,743,399, # 4 Exhibit C- USPN 8,087,049, # 5 Exhibit D - USPN 9,055,328, # 6 Exhibit E - 12/15/2008 Office Action, # 7 Exhibit F - 03/23/2009 Response After Final Office Action).(Lieberman, Steven) (Entered: 05/24/2021)
06/14/2021	30	FIRST AMENDED COMPLAINT amending 1 Complaint,, against Showtime Networks, Inc., ViacomCBS, Inc., CBS Interactive Inc., Viacom International Inc., John Doe Corporations 1-50 with JURY DEMAND.Document filed by DigiMedia Tech, LLC. Related document: 1 Complaint,, (Attachments: # 1 Exhibit A - US Pat No 6,473,532, # 2 Exhibit B - Prosecution File History for '532 Patent, # 3 Exhibit C - US Pat No 6,744,818, # 4 Exhibit D - Prosecution File History for '818 Patent, # 5 Exhibit E - US Pat No 7,743,399, # 6 Exhibit F - part 1 - Prosecution File History for '399 Patent, # 7 Exhibit F - part 2 - Prosecution File History for '399 Patent, # 8 Exhibit G - US Pat No 8,087,049, # 9 Exhibit H - Prosecution File History for '049 Patent, # 10 Exhibit I - US Pat No 9,055,328, # 11 Exhibit J - Prosecution File History for '328 Patent, # 12 Exhibit K - US Pat No 8,160,980, # 13 Exhibit L - Prosecution File History for '980 Patent, # 14 Exhibit M - ViacomCBS.com re ViacomCBS Streaming, # 15 Exhibit N - ViacomCBS Subsidiaries, # 16 Exhibit O - Website Certificates for cbs.com and paramountplus.com, # 17 Exhibit P - Website Certificates for Viacom International platforms, # 18 Exhibit Q - Claim Chart re '532 Patent v Viacom Int'l, # 19 Exhibit R - Claim Chart re '532 Patent v Showtime, # 20 Exhibit S - Claim Chart re '818 Patent v CBS Interactive, # 21 Exhibit T - Claim Chart re '818 Patent v Viacom Int'l, # 22 Exhibit U - Claim Chart re '818 Patent v Showtime, # 23 Exhibit V - Claim Chart re '399 Patent v CBS Interactive, # 24 Exhibit W - Claim Chart re '399 Patent v Showtime, # 25 Exhibit X - Claim Chart re '049 Patent v Showtime, # 26 Exhibit Y - Claim Chart re '328 Patent v Showtime, # 27 Exhibit Z - Claim Chart re '980 Patent v Showtime Smartphone Apps).(Kent, Daniel) (Entered: 06/14/2021)
06/14/2021	31	REQUEST FOR ISSUANCE OF SUMMONS as to CBS Interactive Inc., re: 30 Amended Complaint,,,,,,. Document filed by DigiMedia Tech, LLC..(Kent, Daniel) (Entered: 06/14/2021)
06/14/2021	32	REQUEST FOR ISSUANCE OF SUMMONS as to Viacom International Inc., re: 30 Amended Complaint,,,,,,. Document filed by DigiMedia Tech, LLC..(Kent, Daniel) (Entered: 06/14/2021)
06/15/2021	33	ELECTRONIC SUMMONS ISSUED as to Viacom International Inc.. (sj) (Entered: 06/15/2021)
06/15/2021	34	ELECTRONIC SUMMONS ISSUED as to CBS Interactive Inc.. (sj) (Entered: 06/15/2021)
06/21/2021	35	LETTER MOTION for Extension of Time <i>to answer or otherwise respond to the first amended complaint</i> addressed to Judge John G. Koeltl from Steven Lieberman dated June 21, 2021. Document filed by CBS Interactive Inc., Showtime Networks, Inc., Viacom International Inc., ViacomCBS, Inc.. (Attachments: # 1 Text of Proposed Order Proposed Stipulated Scheduling Order).(Lieberman, Steven) (Entered: 06/21/2021)

06/22/2021	36	STIPULATED SCHEDULING ORDER: Pursuant to Defendants' letter motion to amend the Stipulated Scheduling Order (Dkt. 27), and with the stipulation and agreement of the parties, it is hereby ORDERED: Defendants may move to dismiss or otherwise respond to the amended complaint by July 15, 2021. If Defendants file a motion to dismiss the amended complaint, Plaintiff may file a response by August 5, 2021. Defendants may file a reply by August 16, 2021. If Defendants answer the amended complaint, the parties shall submit a Rule 26(f) report and another letter asking for a conference to the Court by August 5, 2021. The Court stays discovery pending the decision on the motion to dismiss or the parties' submission of the Rule 26(f) report. SO ORDERED. CBS Interactive Inc. answer due 7/15/2021; Showtime Networks, Inc. answer due 7/15/2021; Viacom International Inc. answer due 7/15/2021; ViacomCBS, Inc. answer due 7/15/2021. (Motions due by 7/15/2021. Responses due by 8/5/2021. Replies due by 8/16/2021.) Motions terminated: 35 LETTER MOTION for Extension of Time <i>to answer or otherwise respond to the first amended complaint</i> addressed to Judge John G. Koeltl from Steven Lieberman dated June 21, 2021 filed by Viacom International Inc., ViacomCBS, Inc., Showtime Networks, Inc., CBS Interactive Inc. (Signed by Judge John G. Koeltl on 6/22/2021) (mml) (Entered: 06/22/2021)
07/15/2021	37	NOTICE OF APPEARANCE by Steven M Lieberman on behalf of CBS Interactive Inc., Showtime Networks, Inc., Viacom International Inc., ViacomCBS, Inc...(Lieberman, Steven) (Entered: 07/15/2021)
07/15/2021	38	MOTION to Dismiss . Document filed by CBS Interactive Inc., Showtime Networks, Inc., Viacom International Inc., ViacomCBS, Inc.. Responses due by 7/29/2021.(Lieberman, Steven) (Entered: 07/15/2021)
07/15/2021	39	MEMORANDUM OF LAW in Support re: 38 MOTION to Dismiss . . Document filed by CBS Interactive Inc., Showtime Networks, Inc., Viacom International Inc., ViacomCBS, Inc.. (Attachments: # 1 Declaration of D. Lawson Allen, # 2 Exhibit A - First Amended Complaint, # 3 Exhibit B - USPN 7,743,399, # 4 Exhibit C - USPN 8,087,049, # 5 Exhibit D - USPN 9,055,328, # 6 Exhibit E - USPN 8,160,980, # 7 Exhibit F - December 15, 2008 Office Action, # 8 Exhibit G - March 23, 2009 Response After Final Office Action). (Lieberman, Steven) (Entered: 07/15/2021)
08/05/2021	40	RESPONSE in Opposition to Motion re: 38 MOTION to Dismiss . <i>re: Counts III-VI of the First Amended Complaint</i> . Document filed by DigiMedia Tech, LLC.(Kent, Daniel) (Entered: 08/05/2021)
08/16/2021	41	REPLY MEMORANDUM OF LAW in Support re: 38 MOTION to Dismiss . . Document filed by CBS Interactive Inc., Showtime Networks, Inc., Viacom International Inc., ViacomCBS, Inc...(Lieberman, Steven) (Entered: 08/16/2021)
08/16/2021	42	LETTER MOTION for Oral Argument addressed to Judge John G. Koeltl from Steven Lieberman dated August 16, 2021. Document filed by CBS Interactive Inc., Showtime Networks, Inc., Viacom International Inc., ViacomCBS, Inc...(Lieberman, Steven) (Entered: 08/16/2021)
08/30/2021	43	ORDER: The parties are directed to provide the Court with courtesy hard copies of the papers submitted in connection with the defendants' motion to dismiss, the plaintiff's opposition, and the defendants' reply. See Individual Practices I.I.C. SO ORDERED. (Signed by Judge John G. Koeltl on 8/30/2021) (mml) (Entered: 08/30/2021)
03/21/2022	44	MEMORANDUM OPINION AND ORDER re: 28 MOTION to Dismiss . filed by ViacomCBS, Inc., Showtime Networks, Inc., 42 LETTER MOTION for Oral Argument addressed to Judge John G. Koeltl from Steven Lieberman dated August 16, 2021. filed by Viacom International Inc., ViacomCBS, Inc., Showtime Networks, Inc., CBS Interactive Inc., 38 MOTION to Dismiss . filed by Viacom International Inc., ViacomCBS, Inc.,

		Showtime Networks, Inc.. The Court has considered all of the arguments raised by the parties. To the extent not specifically addressed above, the arguments are either moot or without merit. For the reasons explained above, the defendants' motion to dismiss counts III, IV, V, and VI of the FAC is granted. The claims asserted in counts III-VI claim ineligible subject matter under § 101. The Clerk is directed to close ECF Nos. 28, 38, and 42. The defendants should answer the remaining claims of the FAC by April 15, 2022. The parties should submit a Rule 26(f) report by April 29, 2022. SO ORDERED. CBS Interactive Inc., CBS Interactive Inc. answer due 4/15/2022; Showtime Networks, Inc. answer due 4/15/2022; Viacom International Inc. answer due 4/15/2022; ViacomCBS, Inc. answer due 4/15/2022. (Signed by Judge John G. Koeltl on 3/21/2022) (kv) (Entered: 03/21/2022)
04/13/2022	45	LETTER MOTION for Extension of Time to File Answer <i>and Setting Deadlines for Plaintiff to Seek Leave to Amend First Amended Complaint</i> addressed to Judge John G. Koeltl from Daniel A. Kent dated 04/13/2022. Document filed by DigiMedia Tech, LLC. (Attachments: # 1 Proposed Stipulated Scheduling Order).(Kent, Daniel) (Entered: 04/13/2022)
04/14/2022	46	STIPULATION SCHEDULING ORDER: Pursuant to the joint letter-motion of the parties, it is hereby ORDERED: Plaintiff may file a motion for leave to amend the First Amended Complaint no later than May 6, 2022. If Plaintiff files a motion for leave to amend, Defendant's response in opposition to such a motion shall be due no later than May 27, 2022, and Plaintiffs reply in support shall be due no later than June 17, 2022. If Plaintiff does not file a motion for leave to amend the First Amended Complaint, then (a) Defendant shall file an answer to the First Amended Complaint [Document 30] no later than May 27, 2022, and (b) the parties shall submit a Rule 26(f) report and another letter asking for a conference to the Court by June 17, 2022. The Court stays discovery pending the parties' submission of the Rule 26(f) report. SO ORDERED. Motions terminated: 45 LETTER MOTION for Extension of Time to File Answer <i>and Setting Deadlines for Plaintiff to Seek Leave to Amend First Amended Complaint</i> addressed to Judge John G. Koeltl from Daniel A. Kent dated 04/13/2022. filed by DigiMedia Tech, LLC. (Signed by Judge John G. Koeltl on 4/13/2022) CBS Interactive Inc. answer due 5/27/2022; John Doe Corporations 1-50 answer due 5/27/2022; Showtime Networks, Inc. answer due 5/27/2022; Viacom International Inc. answer due 5/27/2022; ViacomCBS, Inc. answer due 5/27/2022. (Motions due by 5/6/2022., Responses due by 5/27/2022, Replies due by 6/17/2022.) (ks) (Entered: 04/14/2022)
05/04/2022	47	LETTER MOTION for Extension of Time <i>and Setting Deadlines for Plaintiff to Seek Leave to Amend First Amended Complaint</i> addressed to Judge John G. Koeltl from Daniel A. Kent dated May 4, 2022. Document filed by DigiMedia Tech, LLC. (Attachments: # 1 Text of Proposed Order Proposed Stipulated Scheduling Order).(Kent, Daniel) (Entered: 05/04/2022)
05/05/2022	48	STIPULATION SCHEDULING ORDER: Pursuant to the joint letter-motion of the parties, it is hereby ORDERED: Plaintiff may file a motion for leave to amend the First Amended Complaint no later than May 20, 2022. If Plaintiff files a motion for leave to amend, Defendant's response in opposition to such a motion shall be due no later than June 10, 2022, and Plaintiffs reply in support shall be due no later than July 1, 2022. If Plaintiff does not file a motion for leave to amend the First Amended Complaint, then (a) Defendant shall file an answer to the First Amended Complaint [Document 30] no later than June 10, 2022, and (b) the parties shall submit a Rule 26(f) report and another letter asking for a conference to the Court by July 1, 2022. The Court stays discovery pending the parties' submission of the Rule 26(f) report. SO ORDERED. Motions terminated: 47 LETTER MOTION for Extension of Time <i>and Setting Deadlines for Plaintiff to Seek Leave to Amend First Amended Complaint</i> addressed to Judge John G. Koeltl from Daniel

		A. Kent dated May 4, 2022. filed by DigiMedia Tech, LLC. (Signed by Judge John G. Koeltl on 5/5/2022) (Motions due by 5/20/2022., Responses due by 6/10/2022, Replies due by 7/1/2022.) (ks) (Entered: 05/05/2022)
05/19/2022	49	LETTER MOTION for Extension of Time <i>and Setting Deadlines for Plaintiff to Seek Leave to Amend First Amended Complaint</i> addressed to Judge John G. Koeltl from Daniel A. Kent dated May 19, 2022. Document filed by DigiMedia Tech, LLC. (Attachments: # 1 Text of Proposed Order Proposed Stipulated Scheduling Order).(Kent, Daniel) (Entered: 05/19/2022)
05/20/2022	50	STIPULATED SCHEDULING ORDER: Pursuant to the joint letter-motion of the parties, it is hereby ORDERED: Plaintiff may file a motion for leave to amend the First Amended Complaint no later than June 3, 2022. If Plaintiff files a motion for leave to amend, Defendant's response in opposition to such a motion shall be due no later than June 24, 2022, and Plaintiffs reply in support shall be due no later than July 15, 2022. If Plaintiff does not file a motion for leave to amend the First Amended Complaint, then (a) Defendant shall file an answer to the First Amended Complaint [Document 30] no later than June 24, 2022, and (b) the parties shall submit a Rule 26(f) report and another letter asking for a conference to the Court by July 15, 2022. The Court stays discovery pending the parties' submission of the Rule 26(f) report. SO ORDERED. Motions terminated: 49 LETTER MOTION for Extension of Time <i>and Setting Deadlines for Plaintiff to Seek Leave to Amend First Amended Complaint</i> addressed to Judge John G. Koeltl from Daniel A. Kent dated May 19, 2022. filed by DigiMedia Tech, LLC. (Signed by Judge John G. Koeltl on 5/19/2022) CBS Interactive Inc. answer due 6/24/2022; John Doe Corporations 1-50 answer due 6/24/2022; Showtime Networks, Inc. answer due 6/24/2022; Viacom International Inc. answer due 6/24/2022; ViacomCBS, Inc. answer due 6/24/2022.(Motions due by 6/3/2022., Responses due by 6/24/2022, Replies due by 7/15/2022.) (ks) (Entered: 05/20/2022)
05/31/2022	51	MOTION for Leave to File Second Amended Complaint . Document filed by DigiMedia Tech, LLC..(Kent, Daniel) (Entered: 05/31/2022)
05/31/2022	52	MEMORANDUM OF LAW in Support re: 51 MOTION for Leave to File Second Amended Complaint . . Document filed by DigiMedia Tech, LLC. (Attachments: # 1 Exhibit 1 - Proposed Second Amended Complaint - Clean, # 2 Exhibit 2 - Comparison of Proposed Second Amended Complaint to First Amended Complaint, # 3 Exhibit 3 - Proposed Ex. G - Declaration of Technical Expert David B. Lett).(Kent, Daniel) (Entered: 05/31/2022)
06/14/2022	53	JOINT MOTION to Dismiss . Document filed by DigiMedia Tech, LLC. (Attachments: # 1 Text of Proposed Order Proposed Order of Dismissal).(Kent, Daniel) (Entered: 06/14/2022)
06/15/2022	54	ORDER OF DISMISSAL WITH PREJUDICE: The Court, having considered this request, is of the opinion that the parties' request for dismissal should be granted. IT IS THEREFORE ORDERED that Plaintiffs claims for relief against Defendants are dismissed with prejudice and Defendants' potential claims, defenses, and/or counterclaims for relief against Plaintiff are dismissed without prejudice. IT IS FURTHER ORDERED that all attorneys' fees, costs of court and expenses shall be borne by each party incurring the same. The Clerk is directed to close this case. SO ORDERED. (Signed by Judge John G. Koeltl on 6/15/2022) (ks) Modified on 6/15/2022 (ks). (Entered: 06/15/2022)
06/15/2022	55	AO 120 FORM PATENT - CASE TERMINATED - SUBMITTED. In compliance with the provisions of 35 U.S.C. 290, the Director of the U.S. Patent and Trademark Office is hereby advised that a final decision was rendered on 6/15/2022 in a court action filed on the following patent(s) in the U.S. District Court Southern District of New York. Director

of the U.S. Patent and Trademark Office electronically notified via Notice of Electronic Filing (NEF). (Attachments: # [1](#) Order of Dismissal).(ks) (Entered: 06/15/2022)

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