

PLOTAGRAPH, INC., a Delaware Corporation, Plaintiff

and

TROY PLOTA, an individual, Plaintiff

and

SASCHA CONNELLY, an individual, Plaintiff

v.

LIGHTRICKS, LTD., an Israeli Corporation, Defendant

Civil Action No. 4:21-CV-03873

JURY TRIAL DEMANDED

**PLAINTIFFS' UNOPPOSED SWORN MOTION FOR LEAVE TO EXTEND TIME TO
COMPLY WITH P.R. 3-1 and P.R. 3-2 DISCLOSURE OF ASSERTED CLAIMS AND
PRELIMINARY INFRINGEMENT CONTENTIONS AND MAKE DOCUMENT
PRODUCTION**

Plaintiffs Plotagraph, Inc. (“Plotagraph”), Troy Plota (“Plota”), and Sacha Connelly (“Connelly”), (collectively “Plaintiffs”) by and through their undersigned counsel hereby seek leave to comply with the Court’s Docket Control Order’s (Dkt. # 29) April 21, 2022 deadline to comply with P.R. 3-1 and P.R. 3-2 to make disclosure of asserted claims and preliminary infringement contentions and make document production.¹

I. BACKGROUND

Plaintiffs filed this suit on November 24, 2021 alleging infringement (direct or indirect) by Lightricks of three of the Patents-in-Suit (U.S. Patent No. 10,346,017 (“the ‘017 Patent), U.S. Patent No. 10,558,342 (“the ‘342 Patent), and U.S. Patent No. 10,621,469 (“the ‘469 Patent”). Defendant filed its Motion to Dismiss under Federal Rule of Civil Procedure 12(b)(6) on April 7, 2022. (Dkt. # 30) On April 20, 2022, Plaintiff filed its First Amended Complaint alleging infringement of two additional Patents-in-Suit (U.S. Patent No. 11,182,641 (“the ‘641 Patent”), and U.S. Patent No. 11,301,119 (“the ‘119 Patent)). (Dkt. # 31)

After presiding over a scheduling conference, this Honorable Court issued its Scheduling Order wherein the deadline to make disclosure of asserted claims and preliminary infringement contentions & make document production was April 21, 2022.

Simply, Plaintiffs, by and through their counsel, missed this deadline and seek leave to extend the deadline for Plaintiffs’ immediate compliance.

II. ARGUMENT

Rule 6(b)(1)(B) provides that for any act that must be done by a party to a federal court proceeding within a specified time frame, the court may “for good cause, extend the time...after

¹ Plaintiffs’ attach the responsive documents hereto as Exhibit 1

the time has expired if the party failed to act because of excusable neglect.” Fed. R. Civ. P. 6(b)(1)(B).

Here, Plaintiffs missed the April 21, 2022 deadline to make disclosure of asserted claims and preliminary infringement contentions & make document production. Plaintiffs’ failure was, as described herein, due to excusable neglect. Plaintiffs are represented by several distinguished attorneys. The division of labor among those attorneys provided that Plaintiffs’ counsel, Mr. McZeal, was charged with timely compliance with the applicable deadline(s). Other Plaintiffs’ counsel labored to timely complete the substantive claims and infringement contentions and corresponding documents. However, Mr. McZeal inadvertently failed to timely produce the materials.

Mr. McZeal’s failure was inadvertent in so much as the deadline was mis-calendered (mixed-up) with similarly situated matters. Resultantly, Plaintiffs by and through Mr. McZeal contend they and ostensibly Plaintiffs’ other counsel, should not be punished for the inadvertence of one counsel.

Further, the information contained in the untimely production is largely demonstrated and plead with specificity in Plaintiffs’ Amended Complaint (Dkt. #31) and Plaintiffs’ Initial Disclosures. The infringement contentions and document production the subject of this Motion is another form of the information already described and provided.

Plaintiffs’ request for leave to extend the time to file is within 14 days of the deadline (April 21, 2022.) The deadline for the Defendant to propound its invalidity contentions and supporting documents is 56 days away on June 30, 2022. Should the Defendant require additional time to provide its invalidity contentions and documents, Plaintiffs made clear to the Defendant they

would agree to a similarly timed extension to avoid a protracted delay of this Court's Scheduling Order.

Further, the Parties exchanged discovery requests and some objections and responses were bilaterally received. Defendant is devoid of prejudice given the information already provided to date, the limited time the deadline is expired and the deadline for discovery on invalidity of claim construction issues is September 22, 2022. *See* Dkt# 29, line item 10

To be sure, Plaintiffs acted in good faith because the responsive documents were prepared in advance of the Court's deadline. The violation of the deadline was human administrative error and not conscious indifference to the Court imposed deadline.

Lastly, Plaintiffs respectfully request the extension of the April 21, 2022 deadline to avoid the devastating impact of rendering a resolution by default. The deadline requires the further disclosure of information and documents in support of Plaintiffs' infringement contentions. Punishing Plaintiffs for the administrative failure renders Plaintiffs' claims insignificant.

It is an oft-stated but often undervalued principle of the federal civil procedure system that cases should, in the main, be decided on the merits, not on technicalities. *Rodriguez v. Village Green Realty, LLC*, 788 F.3d 31, 47 (2d. Cir. 2015) (citing *Cargill, Inc. v. Sears Petroleum & Transp. Corp.*, 334 F. Supp. 2d 197, 247 (NDNY 2014) and observing that there is a strong preference for resolving disputes on the merits).

Summarily, Plaintiffs respectfully request an extension of time to comply with the requirement to make disclosure of asserted claims and preliminary infringement contentions & make document production and for all other relief to which they may show themselves entitled.

Respectfully Submitted,

GREALISH MCZEAL, P.C.

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PLAINTIFF Sascha Connelly

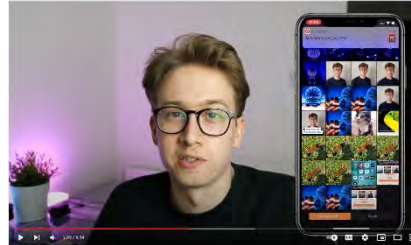
CERTIFICATE OF SERVICE

I hereby certify, in accordance with Federal Rule 5, that on May 5, 2022, a copy of Plaintiffs' Unopposed Motion for Leave was duly served upon Defendant Lightricks, Ltd.'s attorney of record by email at his last known address:

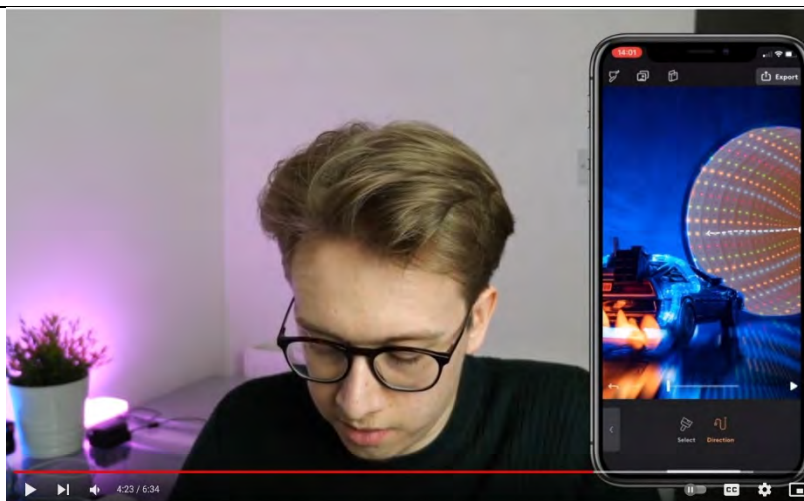
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/s/ Marcellous S. McZeal
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**Infringement Claim Chart for Infringement of
U.S. Patent No. 10,621,469 [the “469 patent]**

Claim Elements	Evidence of Presence in Motionleap program (as of September 2021)	Notes
11. A method for automating a shifting of pixels within a video file, comprising:	A user can open a video file within Motionleap. When this is done the user can animate portions of the first frame of the video. The steps of the claims hereafter are shown using a published video demonstrating a user working with a single digital image, not a video file. But the same steps could be performed with a video file, which would open as a digital image with Motionleap.	In Motionleap, a user is instructed to open a New Project by selecting a file, which can include a video file. 

receiving a first indication of a first starting point through a user interface, wherein the first starting point is received through a user selection of a first portion of a first video frame in the video file;



#mobilephotography #motionleap #photographyapps
How To Add Live Motion to Your Photography | Motion Leap App
3,937 views • Mar 31, 2021

Oliver Howells
1.1K subscribers

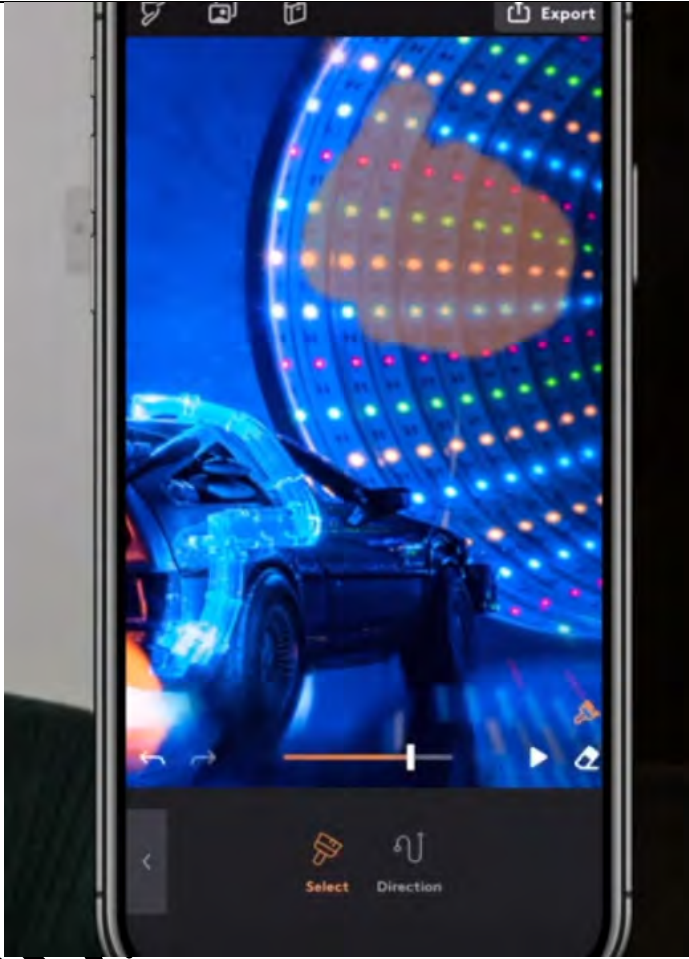
At about 4:23 in the Motionleap Video, the user draws a path from right to left in the colored lights in the tunnel using the Direction tool in Motionleap. The selected first starting point is displayed on the user interface as a round white dot located at the right edge of the user interface (phone screen).

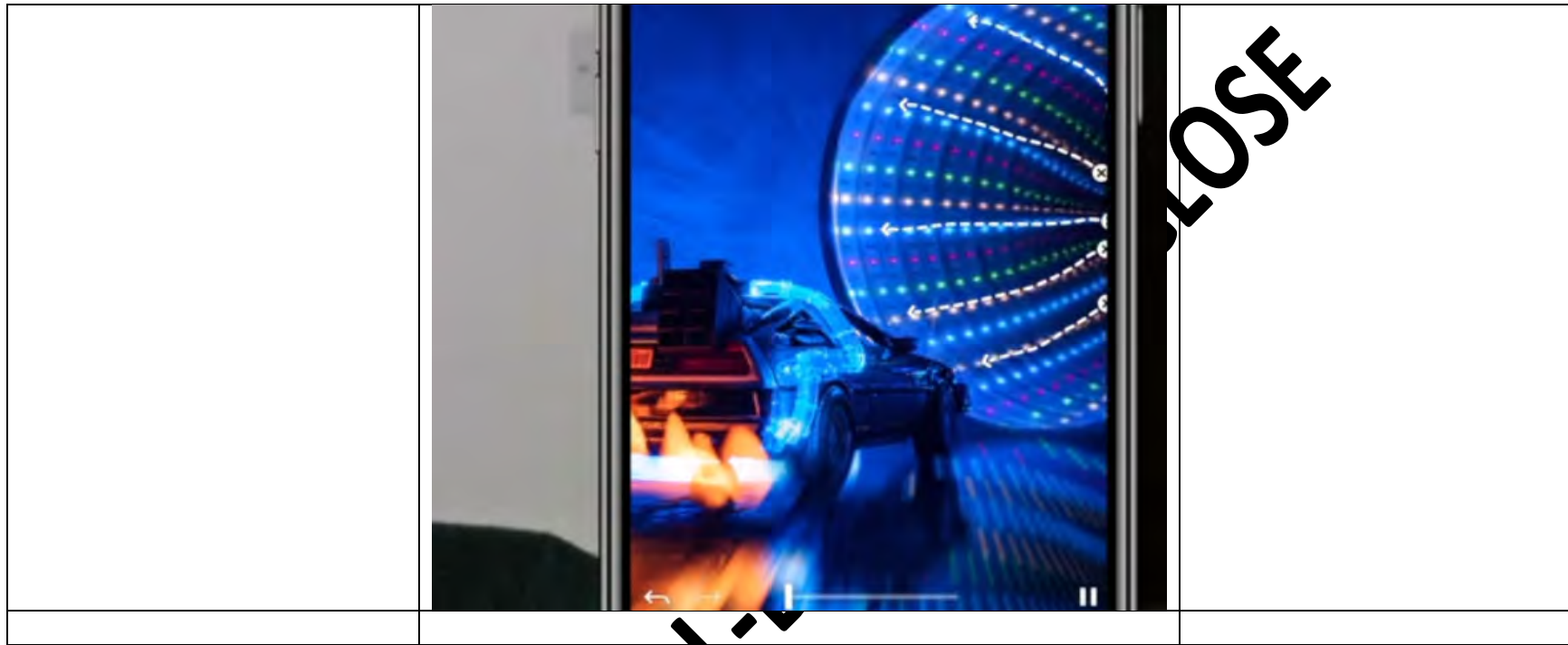
Screenshot from 4:23 of YouTube video entitled "How to Add Live Motion to Your Photography | Motion Leap App" uploaded March 21, 2021 and found at <https://www.youtube.com/watch?v=ip27b0BAHQw> [hereinafter the "Motionleap Video"].

receiving, through the user interface, a first direction associated with the first starting point;

The first direction is from right to left, as indicated by the arrow shown in greater detail here:

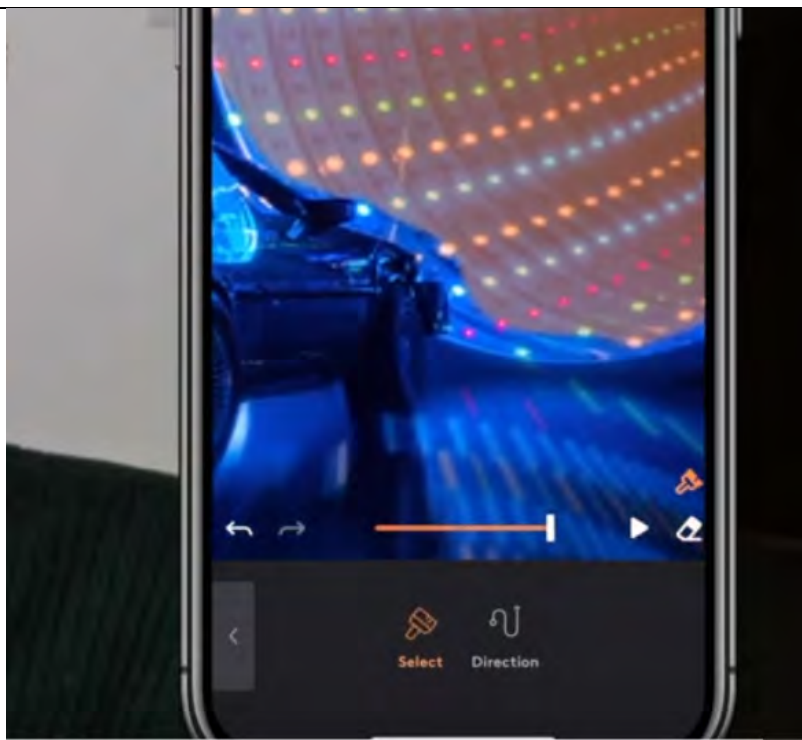
		
	The first direction is associated with the first starting point.	
create a first digital link extending in the first direction from the first starting point;	The first digital link is the white dashed line which extends in the first direction from the first starting point (dot).	
selecting a first set of pixels that are:	The Motionleap programming selects a first set of pixels which	
parallel to the first digital link,	are parallel to the first digital link,	
within a user-defined threshold distance from the first digital link, and	The user defines the threshold distance from the first digital link by using the Select tool to paint an area to be animated, as shown here:	Screenshot taken at 3:15 of the MotionLeap Video.

		
extending from the first starting point to a first ending point; and	As well as by drawing other paths. The Motionleap programming selects a set of pixels which extends from the first starting point (round dot) to a first ending point (arrowhead).	
shifting the first set of pixels in the first video frame in the first direction.	Shifting of the first set of pixels in the first direction is visible starting at around 4:38 of the Motionleap Video.	Screenshot taken at about 4:48 of the Motionleap Video



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12. The method as recited in claim 11, further comprising receiving an indication to generate a first mask over a second portion of the first video frame, wherein pixels under the first mask are prevented from shifting.



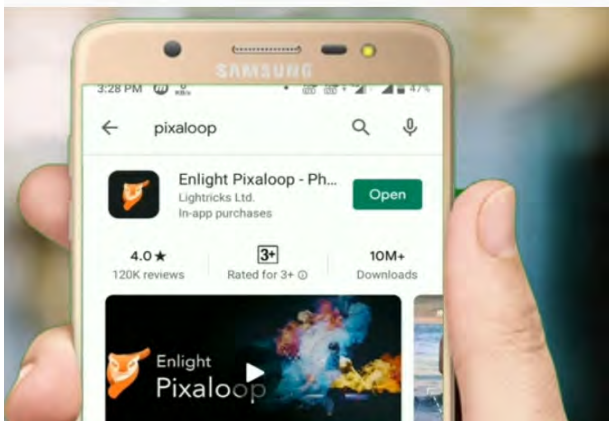
Beginning around 3:23 of the Motionleap Video, the user uses the Erase tool to create a mask over portions of the digital image proximate the car in the photo. Pixels in areas which are erased are prevented from shifting.

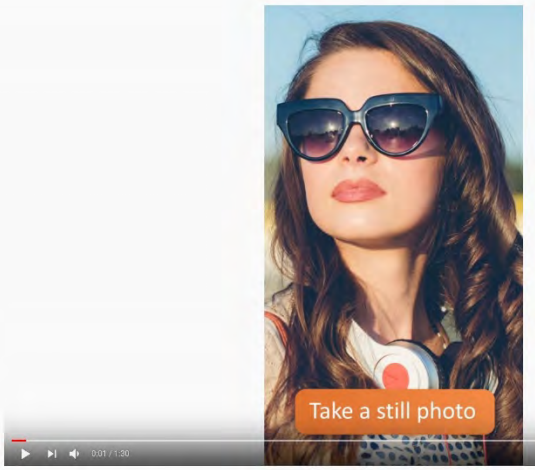
13. The method as recited in claim 12, further comprising receiving through the user interface a selection of the second portion of the first video frame around which the

first mask should be generated.		
14. The method of claim 13, further comprising:		
identifying one or more edges that form a first boundary around the second portion; and	The Erase tool of Motionleap can be used to identify edges that form a boundary.	
generating the first mask to cover area within the first boundary.	The Motionleap programming generates a mask to cover areas that have been erased with the Erase tool.	

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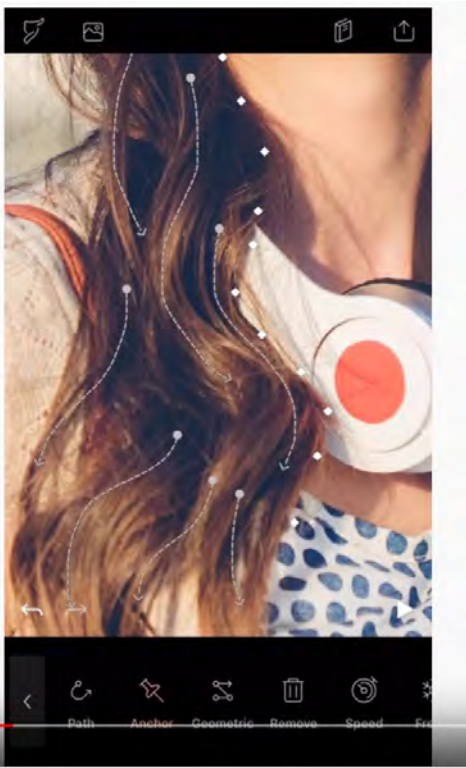
**Infringement Claim Chart for Infringement of
U.S. Patent No. 10,558,342 [the "342 patent"] by Pixaloop**

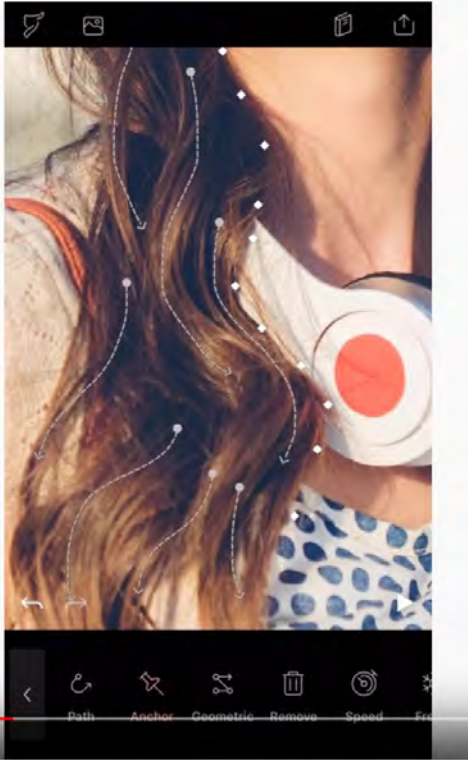
Claim Elements	Evidence of Presence in Pixaloop program	Notes
1. A computer system for automating a shifting of pixels within a digital image, comprising:	Pixaloop has been downloaded from the Google Play store more than 10 million times as of 2020.  This still is taken at 10:20 AM at https://www.youtube.com/watch?v=wjJAp_XtZYY&t=182s Entitled Enlight Pixaloop uploaded May 2, 2020.	Claim 1 is infringed when the claimed invention is made, used or sold. The claimed computer system is made when a user downloads the Pixaloop app or program to his/her smartphone, tablet or computer. The claimed computer system is sold when a user pays Lightricks for the app or program as a subscription or purchase.
one or more processors; and	The processor(s) is the processor within a user's smartphone, tablet or computer.	
one or more computer-readable media having stored thereon executable instructions that when executed by the one or more processors configure	The computer-readable media is the Pixaloop app's program which contains executable instruction for the processor to operate.	

the computer system to perform at least the following:		
access, from memory, a digital image file, wherein the digital image file comprises information that corresponds to individual pixels within the digital image;	This step is performed when a user selects a digital photo within the Pixaloop app from his/her photo collection.  Take a still photo How to Bring Your Selfie to Life With Pixaloop!	Screenshot from 0:01 sec of YouTube video entitled "How to Bring your Selfie to Life with Pixeloop!" uploaded December 6, 2018 by Motionleap by Lightricks https://www.youtube.com/watch?v=apYxF8cuF7E [hereinafter: the "Lightricks Tutorial"]
receive a first starting point through a user interface, wherein the first starting point is received through a user selection of a first beginning portion of the digital image;	This step is performed when a user starts to draw a path on the screen. In this still, the first starting point is the round dot at the top of white dashed line that has been drawn.	Screenshot from 0:08 sec of Lightricks Tutorial

		
receive a first ending point through the user interface, wherein the first ending point is received through a user selection of a first ending portion of the user interface;	The first ending point is the arrowhead at the bottom end of the dashed white line in the above still. The user establishes the first ending point by ending the path he/she is drawing.	
create a first link between the first starting point and the first ending point,	The first link is the dashed white line between the dot and the arrowhead.	

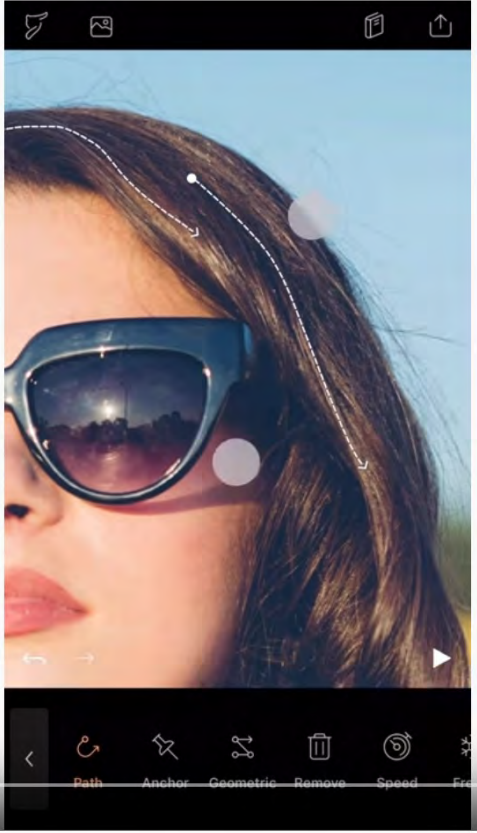
wherein the first link comprises: a non-linear pathway extending between the first starting point and the first ending point; and	The first link is a non-linear pathway because it is curved. The first link extends between the first starting point and the first ending point.	
a first length extending along the non-linear pathway between the first starting point and the first ending point;	The first length is the length of the dashed line that extends from the first starting point to the first ending point.	
identify a first set of pixels that lie along the first link between the first starting point and the first ending point; and	The Pixaloop programming identifies a set of pixels that lie along the first link between the first starting point and first ending point.	
shift the first set of pixels along the first length of the non-linear pathway, wherein shifting the first set of pixels comprises rendering and re-rendering in a loop the first set of pixels being shifted.	Shifting of the first set of pixels is visible beginning at about 0:50 sec in the Lightricks Tutorial video.	See 0:50-0:55 sec of Lightricks Tutorial.
2. The computer system of claim 1, wherein the executable instructions include instructions that are executable to configure	From about 0:28-0:48 in the Lightricks Tutorial, the user uses the "Anchor" tool to create a mask over the photo subject's face and surroundings.	

the computer system to identify a particular portion of the digital image to mask, wherein:		
a mask prevents pixels covered by the mask from being shifted, and	The mask is created to prevent the pixels making up the face and surroundings from being shifted.	
receiving an indication of a particular portion of the digital image to mask comprises receiving through a user interface a selection of a particular pixel within the digital image.	The white diamonds in this still at 0:35 sec of the LightTricks Tutorial show selection of particular pixels within the digital image to create a mask. 	

3. The computer system of claim 2, wherein the executable instructions include instructions that are executable to configure the computer system to generate the mask by:		
identifying one or more edges that form a boundary around the particular pixel; and	 The white diamonds form a boundary around the face area and create an edge	

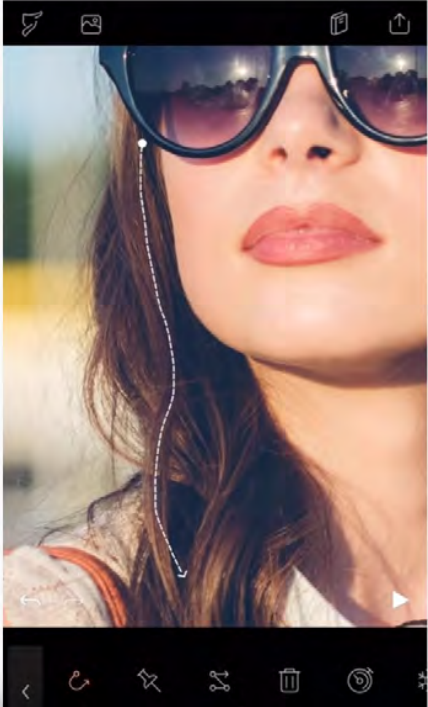
generating the mask to cover area within the boundary.	A mask is formed to cover the face area by the Pixeloop programming.	
4. The computer system of claim 1, wherein the executable instructions include instructions that are executable to configure the computer system to:		
receive a second starting point through the user interface, wherein the second starting point is received through a user selection of a second beginning portion of the digital image	At about 0:15 sec in the Lightricks Tutorial, a second pathway is drawn. The second starting point is the round dot indicating the beginning of the second pathway.	

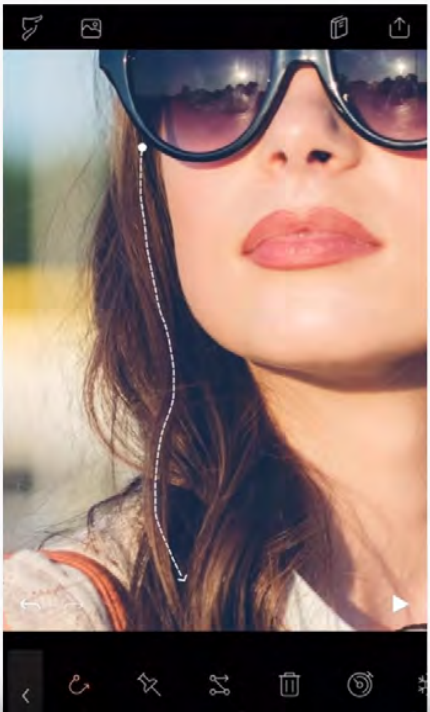
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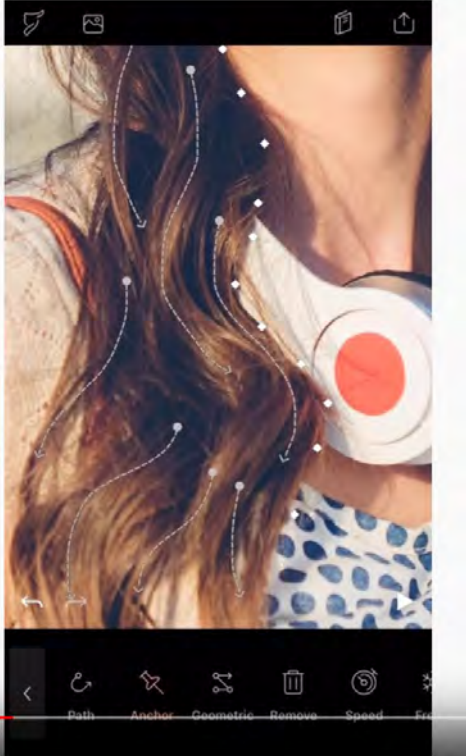
		
and the second beginning portion of the digital image is different than the first beginning portion of the digital image;	The second beginning portion for the second starting point is different from the first beginning portion, which is represented by the first beginning point.	
receive a second ending point through the user interface, wherein the second ending point is	The second ending point is the arrowhead of the second pathway shown above.	

received through a user selection of second ending portion of the user interface and		
the second ending portion of the digital image is different than the first ending portion of the digital image;	The second ending portion of the digital image is different than the first ending portion of the digital image.	
create a second link between the second starting point and the second ending point,	The second link in the above still photo is the dashed white line	
wherein the second link comprises: a second direction extending from the second starting point to the second ending point; and	The second link extends in a second direction from the second starting point to the second ending point.	
a second length between the second starting point and the second ending point;	The second link has a second length between the second starting point and the second ending point.	
identify a second set of pixels that lie between the second starting point and the second ending point; and	The Pixaloop programming identifies a second set of pixels that lie between the second starting point and the second ending point.	
shift the second set of pixels in the second direction, wherein shifting the second set of pixels comprises	Shifting of the second set of pixels is visible beginning at about 0:50 sec in the Lightricks Tutorial video.	See 0:50-0:55 sec of Lightricks Tutorial.

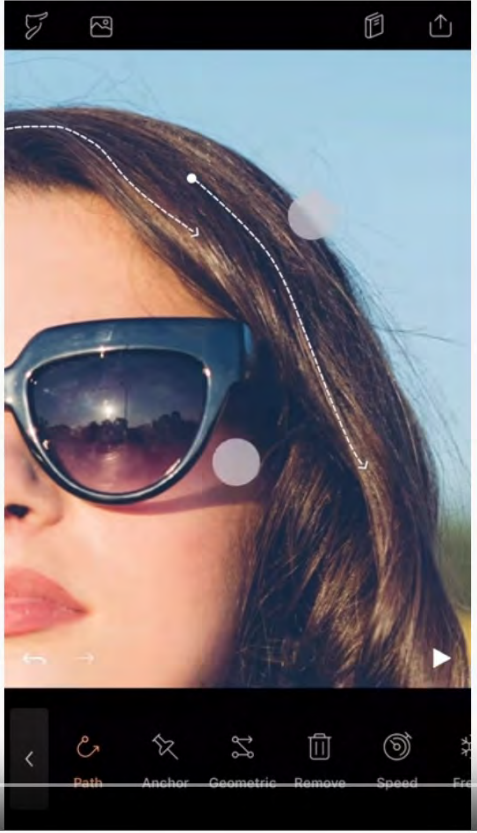
rendering and re-rendering in a loop the second set of pixels being shifted.		
5. The computer system of claim 4, wherein the non-linear pathway is different from the second direction.	The non-linear pathway (basically vertical curved line) is different from the second direction (generally a 45 degree angle to the vertical)	
6. The computer system of claim 4, wherein the first ending portion of the user interface is outside the edges of the digital image.	This is not demonstrated in the Lightricks Tutorial	
7. A method for automating a shifting of pixels within a digital image, comprising:		Claim 7 is infringed when a user uses the Pixaloop programming in a manner that the programming performs the steps of the claim.
receiving a first indication of a first starting point through a user interface, wherein the first starting point is received through a user selection of a portion of the digital image;	This step is performed when a user starts to draw a path on the screen. In this still below, the first starting point is the round dot at the top of white dashed line that has been drawn.	

		
receiving, through the user interface, an indication of a non-linear pathway extending away from the first starting point;	The non-linear pathway is the dashed line in the still photo above.	
selecting a first set of pixels extending along a length of the non-linear pathway and away from the first starting point; and	The Pixeloo programming selects the first set of pixels extending along a length of the non-linear pathway and away from the first starting point.	

shifting the first set of pixels along the non-linear pathway, wherein shifting the first set of pixels comprises rendering and re-rendering in a loop the first set of pixels being shifted.	The Pixaloop programming shifts the first set of pixels. This step is visible in the beginning at about 0:50 sec in the Lightricks tutorial video.	
8. The method as recited in claim 7, further comprising receiving an indication of an ending point through a user interface, wherein the ending point is received through a user selection of a different portion of the digital image.	The ending point is the arrowhead of the white dashed arrow in the photo below. The user selection is done when the user stops drawing the pathway. 	

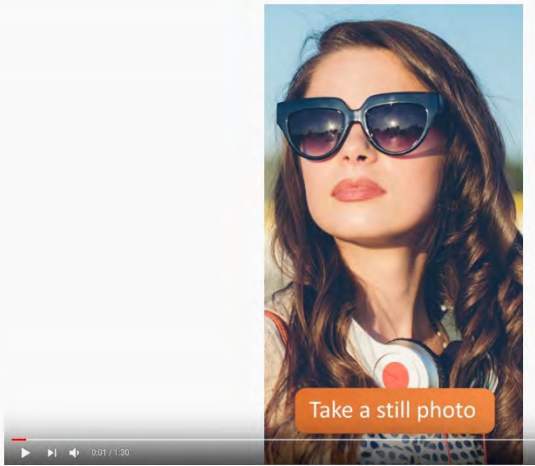
9. The method as recited in claim 8, further comprising when a pixel selected from the first set of pixels reaches the ending point, rendering and re-rendering in the loop the pixel being shifted from the first starting point to the ending point.	The Pixaloop programming appears to shift the first set of pixels by rendering and re-rendering them in a loop. This rendering and re-rendering is visible in the beginning at about 0:50 sec in the Lightricks Tutorial video.	
10. The method as recited in claim 7, further comprising receiving an indication to generate a mask over a portion of the digital image, wherein pixels under the mask are prevented from shifting.		

	The white diamonds in the above still from 0:35 sec of the Lightricks Tutorial show selection of particular pixels within the digital image to create a mask wherein pixels under the mask are prevented from moving.	
11. The method as recited in claim 10, further comprising receiving through a user interface a selection of a particular pixel within the digital image from which the mask should be generated.	The white diamonds indicate that a user interface has been used for selection of particular pixels within the digital image from which the mask should be generated.	
12. The method of claim 11, further comprising:		
identifying one or more edges that form a boundary around the particular pixel; and	The white diamonds create an edge that forms a boundary around the faced/neck portions of the photo.	
generating the mask to cover area within the boundary.	The Pixaloop programming generates the mask within the boundary.	
13. The method as recited in claim 7, further comprising:		
receiving a second indication of a second starting point through a user interface, wherein the second starting point	At about 0:15 in the Lightricks Tutorial, a second pathway is drawn. The second starting point is the round dot indicating the beginning of the second pathway.	

is received through a user selection of a portion of the digital image;		
receiving, through the user interface, a second direction associated with the second starting point;	The second direction is the roughly 45 degree orientation of the dashed arrow in the still above.	
selecting a second set of pixels extending in the direction away from the second starting point; and	The Pixaloop programming selects a second set of pixels extending in the direction away from the second starting point.	

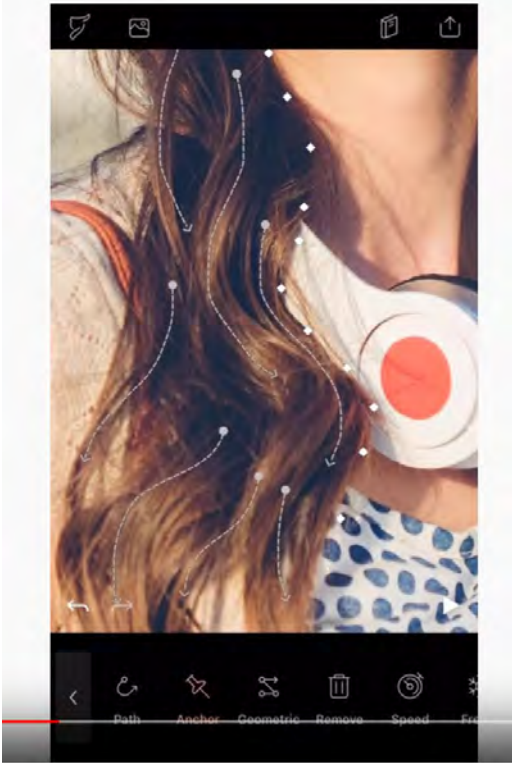
shifting the second set of pixels in the second direction, wherein shifting the pixels comprises rendering and re-rendering in a loop the second set of pixels being shifted.	The Pixaloop programming shifts the second set of pixels in the second direction as visible beginning at about 0:50 sec in the Lightricks tutorial video. The Pixaloop programming appears to shift the pixels by rendering and re-rendering them in a loop.	
14. The method as recited in claim 13, wherein the non-linear pathway is different from the second direction.	The non-linear pathway (basically vertical curved line) is different from the second direction (generally a 45 degree angle to the vertical)	
15. A method for automating a shifting of pixels within a digital image, comprising:		

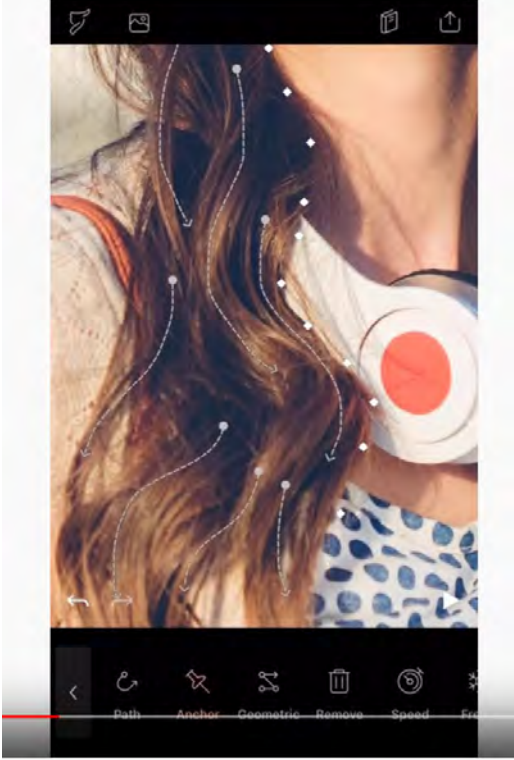
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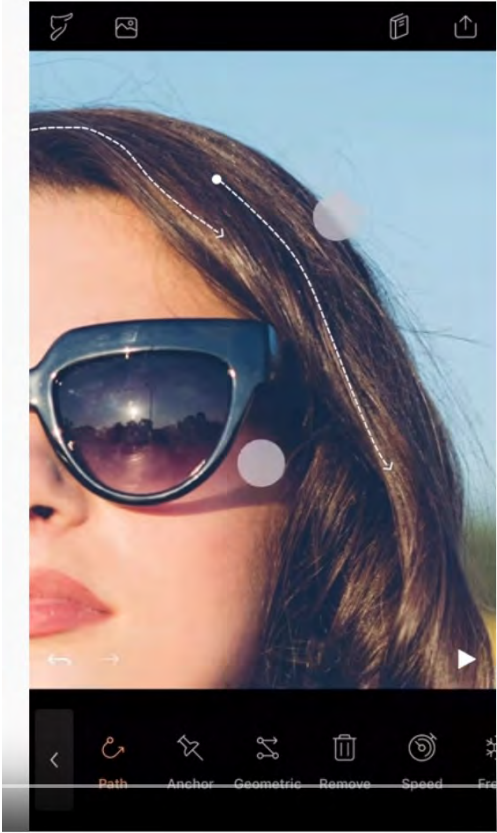
accessing, from memory, a digital image file, wherein the digital image file comprises information that corresponds to individual pixels within the digital image;	This step is performed when a user selects a digital photo within the Pixaloop app from his/her photo collection.  Take a still photo #Pixaloop How to Bring Your Selfie to Life With Pixaloop!	
receiving a first starting point through a user interface, wherein the first starting point is received through a user selection of a first beginning portion of the digital image;	This step is performed when a user starts to draw a path on the screen. In this still below, the first starting point is the round dot at the top of white dashed line that has been drawn.	

		
receiving a first ending point through the user interface, wherein the first ending point is received through a user selection of a first ending portion of the user interface;	The first ending point is the arrowhead at the bottom end of the dashed white line in the above still. The user establishes the first ending point by ending the path he/she is drawing.	
creating a first link between the first starting point and the first ending point, wherein the first link comprises:	The first link is the dashed white line between the dot and the arrowhead.	

a non-linear pathway extending between the first starting point and the first ending point; and	The first link is a non-linear pathway because it is curved. The first link extends between the first starting point and first ending point.	
a first length extending along the non-linear pathway between the first starting point and the first ending point;	The first length is the length of the dashed line that extends from the first starting point to the first ending point.	
identifying a first set of pixels that lie along the first length of the non-linear pathway between the first starting point and the first ending point; and	The Pixaloop programming identifies a set of pixels that lie along the first length of the non-linear pathway between the first starting point and first ending point.	
shifting the first set of pixels along the first length of the non-linear pathway, wherein shifting the first set of pixels comprises rendering and re-rendering in a loop the first set of pixels being shifted.	The Pixaloop programming shifts the first set of pixels along the first length of the non-linear pathway in a manner which appears to be rendering and re-rendering in a loop. Shifting of the first set of pixels is visible beginning at about 0:50 sec in the Lightricks tutorial video.	
16. The method of claim 15, further comprising		

identifying a particular portion of the digital image to mask, wherein a mask prevents pixels covered by the mask from being shifted; and	 The "Anchor" tool of Nixaloop is used to identify a particular portion of the digital image to mask. The white diamonds on the still image are indicating a particular portion of the image to mask.	CONFIDENTIAL
receiving an indication of a particular portion of the digital image to mask comprises receiving through a user interface a selection of a particular pixel within the digital image.	The white diamonds indicate selection of a particular pixel within the digital image.	CONFIDENTIAL

17. The method of claim 15, further comprising:		
generating a mask, wherein generating the mask comprises:		
identifying one or more edges that form a boundary around a particular pixel; and	 The Pixaloop "Anchor" tool is used to identify an edge (made up of the white diamonds) that form a boundary around a particular area (the face/neck area)	
generating the mask to cover the area within the boundary.	The Pixaloop programming generates a mask to cover the cover area within the face/neck area within the boundary of the white diamonds.	

18. The method of claim 15, further comprising:		
receiving a second starting point through the user interface, wherein the second starting point is received through a user selection of a second beginning portion of the digital image and the second beginning portion of the digital image is different than the first beginning portion of the digital image;	 At about 0:15 in the Lightricks Tutorial, a second pathway is drawn. The second starting point is the round dot indicating the beginning of the second pathway.	
receiving a second ending point through the user interface, wherein the second ending point is received through a	the second ending point is the arrowhead of the second pathway shown above.	

user selection of a second ending portion of the user interface and the second ending portion of the digital image is different than the first ending portion of the digital image;		
creating a second link between the second starting point and the second ending point, wherein the second link comprises:	The second link is the dashed line which extends between the dot and arrowhead of the second pathway.	
a second direction extending from the second starting point to the second ending point; and	The second direction is the roughly 45 degree orientation of the dashed arrow in the still above.	
a second length between the second starting point and the second ending point;	The second link has a second length between the second starting point and the second ending point.	
identifying a second set of pixels that lie between the second starting point and the second ending point; and	The Pixaloop programming identifies a second set of pixels that lie between the second starting point and the second ending point.	
shifting the second set of pixels in the second direction , wherein shifting the second set of pixels comprises	The Pixaloop programming shifts the second set of pixels in the second direction by rendering and re-rendering the pixels in a loop. Shifting is visible beginning at about 0:50 sec in the Lightricks tutorial video.	

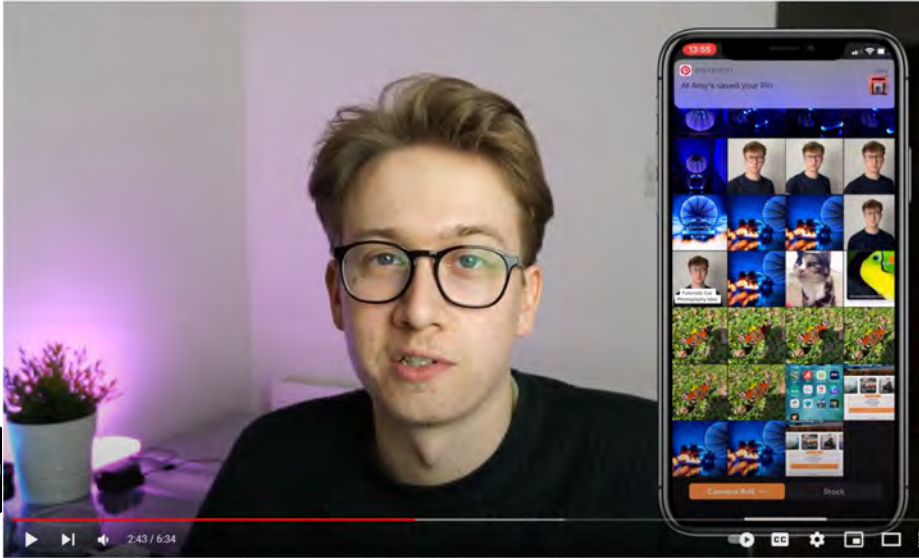
rendering and re-rendering in a loop the second set of pixels being shifted.		
19. The method of claim 18, wherein the non-linear pathway is different from the second direction.	The non-linear pathway (basically vertical curved line) is different from the second direction (generally a 45 degree angle to the vertical)	
20. The method of claim 18, wherein the first ending portion of the user interface is outside the edges of the digital image.	This is not demonstrated in the Lightricks Tutorial	

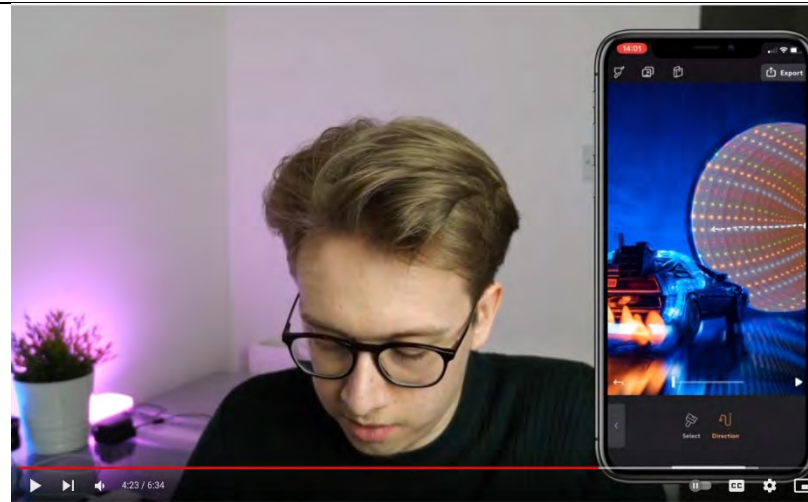
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**Infringement Claim Chart for Infringement of
U.S. Patent No. 10,558,342 [the “342 patent] by Motionleap**

Claim Elements	Evidence of Presence in Motionleap program	Notes
1. A computer system for automating a shifting of pixels within a digital image, comprising:		Claim 1 is infringed when the claimed invention is made, used or sold. The claimed computer system is made when a user downloads the Motionleap app or program to his/her smartphone, tablet or computer. The claimed computer system is sold when a user pays Lightricks for the app or program as a subscription or purchase.
one or more processors ; and	The processor(s) is the processor within a user's smartphone, tablet or computer.	
one or more computer-readable media having stored thereon executable instructions that when executed by the one or more processors configure the computer system to perform at least the following:	The computer-readable media is the Motionleap app's program which contains executable instructions for the processor to operate.	

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access, from memory, a digital image file, wherein the digital image file comprises information that corresponds to individual pixels within the digital image;	This step is performed when a user selects a digital photo within the Motionleap app from his/her photo collection. Starting at 2:43 in the Motionleap video, the user selects a digital photo from a collection stored in memory.  #mobilephotography #motionleap #photographyapps How To Add Live Motion to Your Photography Motion Leap App 4,041 views · Mar 31, 2021	Screenshot from 2:43 of YouTube video entitled "How to Add Live Motion to Your Photography Motion Leap App" uploaded March 21, 2021 and found at https://www.youtube.com/watch?v=ip27b0BAHQw [hereinafter the "Motionleap Video"].
receive a first starting point through a user interface, wherein the first starting point is received through a user selection of a first beginning portion of the digital image;	This step is performed when a user starts to draw a path on the screen using the Direction tool of Motionleap. In this still below, the first starting point is the round dot at the far right side of the screen.	Screenshot from 4:23 of Motionleap Video



#mobilephotography #motionleap #photographyapps
How To Add Live Motion to Your Photography | Motion Leap App
3,937 views · Mar 31, 2021

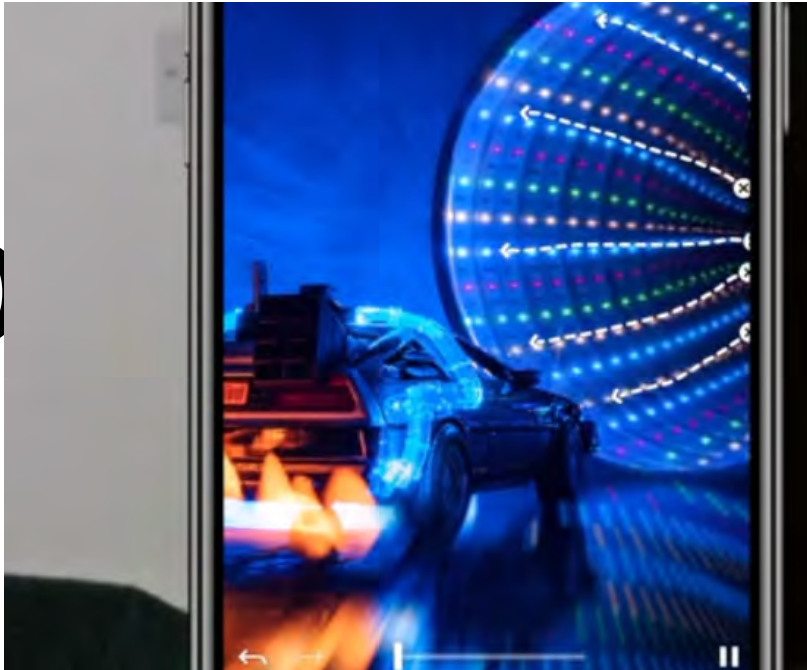
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receive a first ending point through the user interface, wherein the first ending point is received through a user selection of a first ending portion of the user interface;

The first ending point is the arrowhead at the left end of the dashed white line in the below still. The user establishes the first ending point by ending the path he is drawing.



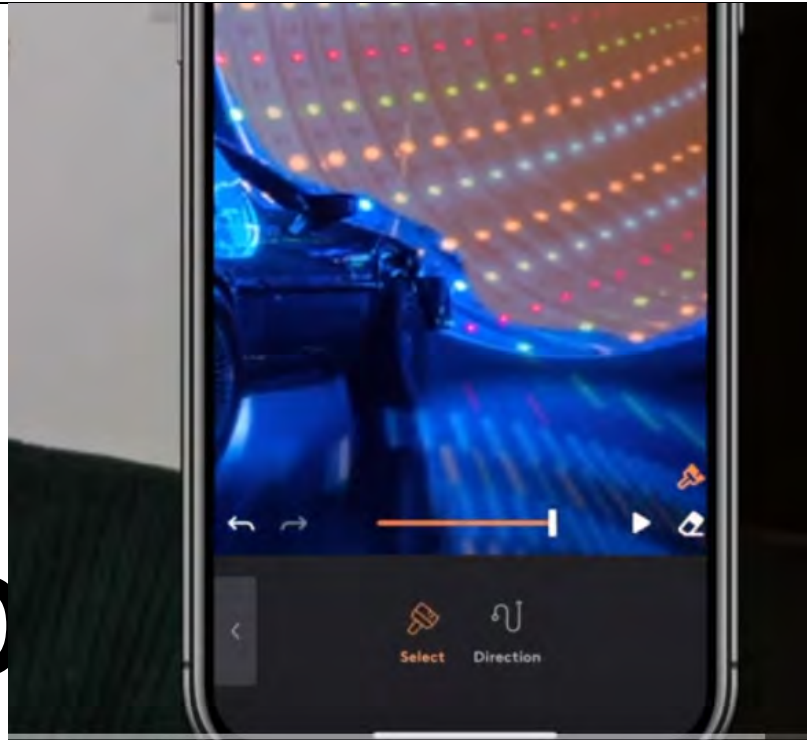
create a first link between the first starting point and the first ending point,	The first link is the dashed white line between the dot and the arrowhead.	
wherein the first link comprises: a non-linear pathway extending between the first starting point and the first ending point; and	The first link is a non-linear pathway because it has some curves. Other links are also visible in the Motionleap Video (shown below) which are curved. The first link extends between the first starting point and the first ending point. 	Screenshot from 4:48 of the Motionleap Video.
a first length extending along the non-linear pathway between the first starting point and the first ending point;	The first length is the length of the dashed line that extends from the first starting point to the first ending point.	

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identify a first set of pixels that lie along the first link between the first starting point and the first ending point; and	The Motionleap programming identifies a set of pixels that lie along the first link between the first starting point and first ending point.	
shift the first set of pixels along the first length of the non-linear pathway, wherein shifting the first set of pixels comprises rendering and re-rendering in a loop the first set of pixels being shifted.	Shifting of the first set of pixels is visible beginning at around 4:48 of the Motionleap Video.	
CONFIDENTIAL-DO NOT DISCLOSE 7. The computer system of claim 1, wherein the executable instructions include instructions that are executable to configure the computer system to identify a particular portion of the digital image to mask, wherein:		

a mask prevents pixels covered by the mask from being shifted, and



Beginning at around 3:23 of the MotionLeap Video, the user uses the Erase tool to create a mask over portions of the digital image proximate the car in the photo. Pixels in areas which are erased are prevented from shifting.

receiving an indication of a particular portion of the digital image to mask comprises receiving through a user interface a selection of a particular pixel within the digital image.

The user selects one or more particular pixels to mask using the "Erase" tool.

3. The computer system of claim 2, wherein the executable instructions include instructions that are executable to configure the computer system to generate the mask by:		
identifying one or more edges that form a boundary around the particular pixel; and	The user identifies one or more edges that form a boundary around the car in the photo using the "Erase" tool.	
generating the mask to cover area within the boundary.	The Motionleap programming generates a mask covering areas which have been erased.	
4. The computer system of claim 1, wherein the executable instructions include instructions that are executable to configure the computer system to:		
receive a second starting point through the user interface, wherein the second starting point is received through a user selection of a second beginning portion of the digital image	At 4:24-4:30 in the Motionleap Video, a second pathway is drawn as well as others. The second starting point is the round dot indicating the beginning of the second pathway.	Screenshot taken at 4:33 in the Motionleap Video.

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and the second beginning portion of the digital image is different than the first beginning portion of the digital image;	The second beginning portion for the second starting point is different from the first beginning portion, which is represented by the first beginning point.	
receive a second ending point through the user interface, wherein the second ending point is received through a user selection of second ending portion of the user interface and	The second ending point is the arrowhead of the second pathway shown above.	

the second ending portion of the digital image is different than the first ending portion of the digital image;	The second ending portion of the digital image is different than the first ending portion of the digital image.	
create a second link between the second starting point and the second ending point,	The second link in the above still photo is the dashed white line of the second line drawn using the Direction tool	
wherein the second link comprises: a second direction extending from the second starting point to the second ending point; and	The second link extends in a second direction from the second starting point to the second ending point.	
a second length between the second starting point and the second ending point;	The second link has a second length between the second starting point and the second ending point.	
identify a second set of pixels that lie between the second starting point and the second ending point; and	The Motionleap programming identifies a second set of pixels that lie between the second starting point and the second ending point. A set of pixels will be identified by the Motionleap programming that will be associated with each of the arrows drawn using the Direction tool.	

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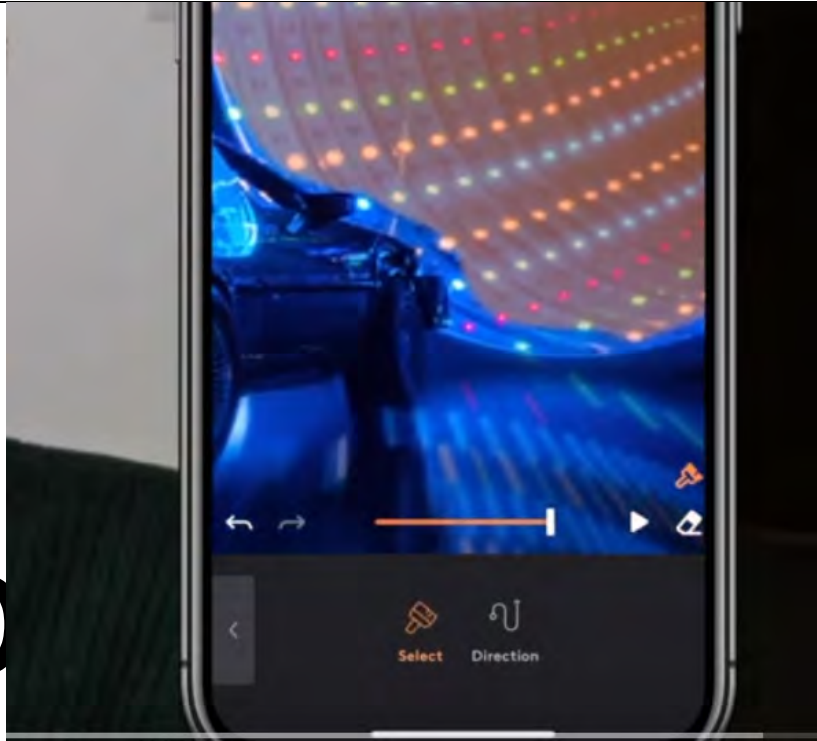
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shift the second set of pixels in the second direction, wherein shifting the second set of pixels comprises rendering and re-rendering in a loop the second set of pixels being shifted.	Shifting of the second set of pixels is visible beginning at around 4:38 of the Motionleap Video.	
5. The computer system of claim 4, wherein the non-linear pathway is different from the second direction.	The non-linear pathway is different from the second direction because the direction of the second arrow drawn is different from the direction of the first arrow drawn.	

6. The computer system of claim 4, wherein the first ending portion of the user interface is outside the edges of the digital image.	There is no evidence that this can be done with Motionleap.	
7. A method for automating a shifting of pixels within a digital image, comprising:		Claim 7 is infringed when a user uses the Motionleap programming in a manner that the programming performs the steps of the claim.
receiving a first indication of a first starting point through a user interface wherein the first starting point is received through a user selection of a portion of the digital image;	This step is performed when a user starts to draw a path on the screen using the Direction tool of Motionleap. In this still below, the first starting point is the round dot at the far right side of the screen.	Screenshot from 4:23 of Motionleap Video.
receiving, through the user interface, an indication of a non-linear	This step is performed when a user draws a curved pathway with the Direction tool of Motionleap from the first starting point.	

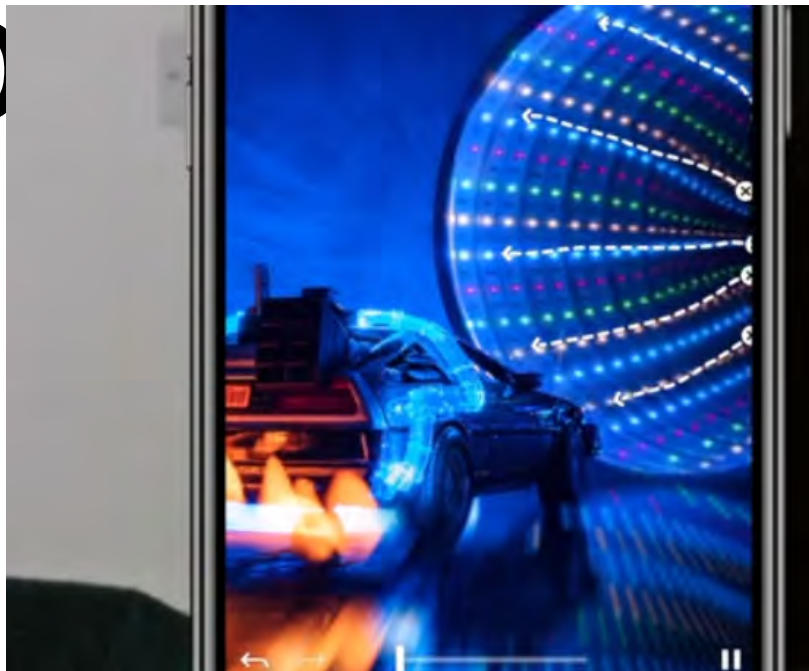


pathway extending away from the first starting point;		
selecting a first set of pixels extending along a length of the non-linear pathway and away from the first starting point; and	The Motionleap programming selects a first set of pixels which extends along the length of the non-linear pathway and away from the first starting point.	
shifting the first set of pixels along the non-linear pathway, wherein shifting the first set of pixels comprises rendering and re-rendering in a loop the first set of pixels being shifted	The Motionleap programming shifts the first set of pixels along the non-linear pathway by rendering and re-rendering in a loop. The shifting is visible starting a around 4:38 in the Motionleap Video.	
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8. The method as recited in claim 7, further comprising receiving an indication of an ending point through a user interface, wherein the ending point is received through a user selection of a different portion of the digital image.	The ending portion is chosen by the user when the user stops drawing a pathway with the Direction tool of Motionleap. The ending point is the arrowhead at the end of the pathway shown below.	Screenshot from 4:23 of the Motionleap Video.

		
9. The method as recited in claim 8, further comprising when a pixel selected from the first set of pixels reaches the ending point, rendering and re-rendering in the loop the pixel being shifted from the first starting point to the ending point.	Pixel shifting in a loop is visible starting at around 4:38 in the Motionleap Video	
10. The method as recited in claim 7, further comprising receiving an indication to generate a mask over a portion of the digital image, wherein pixels under the	Beginning at around 3:23 of the Motionleap Video, the user uses the Erase tool to create a mask over portions of the digital image proximate the car in the photo. Pixels in areas which are erased are prevented from shifting.	

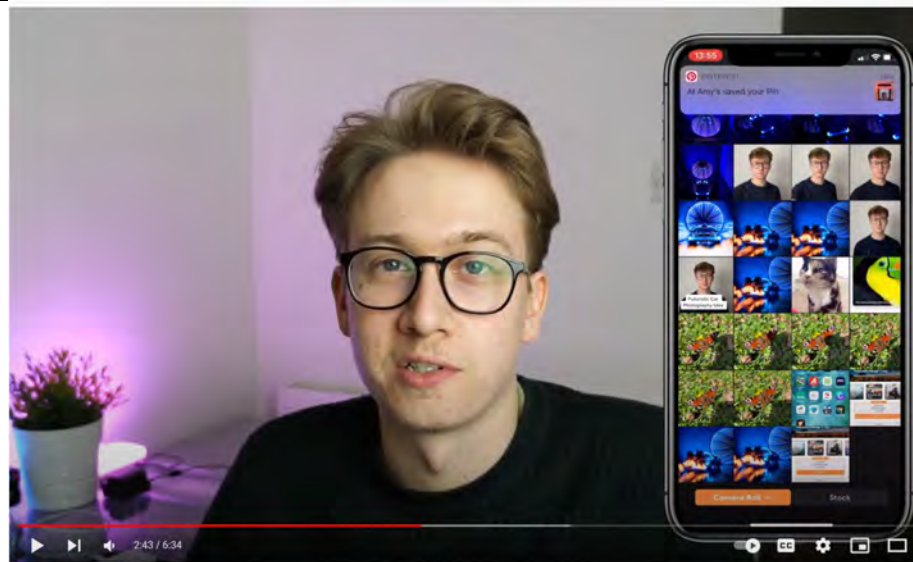
mask are prevented from shifting.		
11. The method as recited in claim 10, further comprising receiving through a user interface a selection of a particular pixel within the digital image from which the mask should be generated.	The Erase tool is used to select particular pixels within the digital image from which the mask is generated.	
12. The method of claim 11, further comprising:		

identifying one or more edges that form a boundary around the particular pixel; and	The Erase tool of Motionleap can be used to identify edges that form a boundary.	
generating the mask to cover area within the boundary.	The Motionleap programming generates a mask to cover areas that have been erased with the Erase tool.	
13. The method as recited in claim 7, further comprising:		
receiving a second indication of a second starting point through a user interface, wherein the second starting point is received through a user selection of a portion of the digital image;	The second starting point is created when a user draws a second pathway using the Direction tool. The second starting point is displayed as a round dot.	Screenshot taken at about 4:48 of the Motionleap Video.



receiving, through the user interface, a second direction associated with the second starting point;	A direction is provided with the Direction tool of Motionleap. The direction provided is from the starting point to the ending point of the pathways drawn by the user.	
selecting a second set of pixels extending in the direction away from the second starting point; and	The Motionleap programming selects a second set of pixels extending in the direction away from the second starting point.	
shifting the second set of pixels in the second direction, wherein shifting the pixels comprises rendering and re-rendering in a loop the second set of pixels being shifted.	The Motionleap programming shifts the second set of pixels in the second direction by rendering and re-rendering them in a loop. Shifting of the second set of pixels in the second direction is visible starting at around 4:38 of the Motionleap Video.	
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14. The method as recited in claim 13, wherein the non-linear pathway is different from the second direction.	The non-linear pathway is different from the second direction because the direction of the second arrow drawn is different from the direction of the first arrow drawn.	
15. A method for automating a shifting of pixels within a digital image, comprising:		
accessing, from memory, a digital image file, wherein the digital image file comprises	This step is performed when a user selects a digital photo within the Motionleap app from his/her photo collection. Starting at 2:43 in the Motionleap video, the user selects a digital photo from a collection stored in memory.	

information that corresponds to individual pixels within the digital image;



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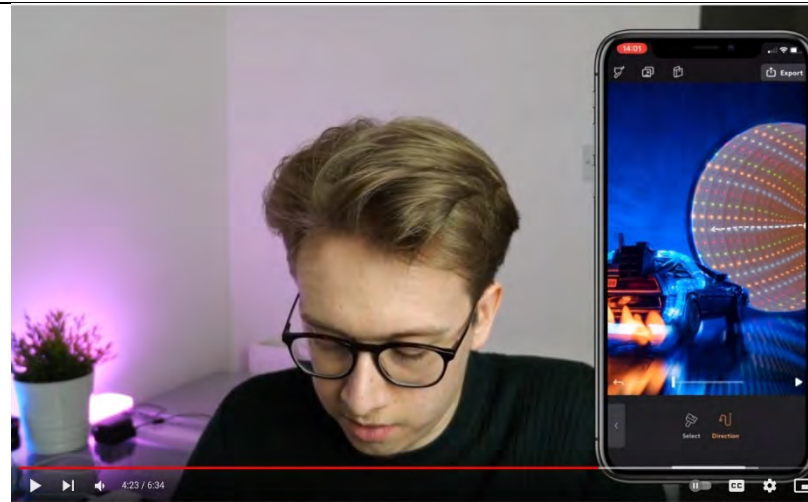
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receiving a first starting point through a user interface, wherein the first starting point is received through a user selection of a first beginning portion of the digital image;

This step is performed when a user starts to draw a path on the screen using the Direction tool of Motionleap. In this still below, the first starting point is the round dot at the far right side of the screen.

Screenshot from 4:23 of the Motionleap Video



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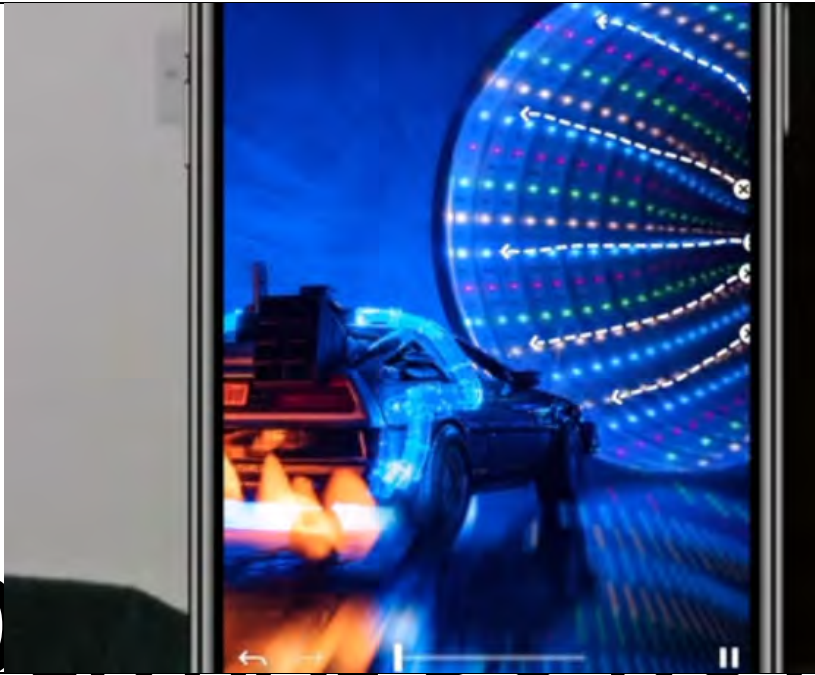
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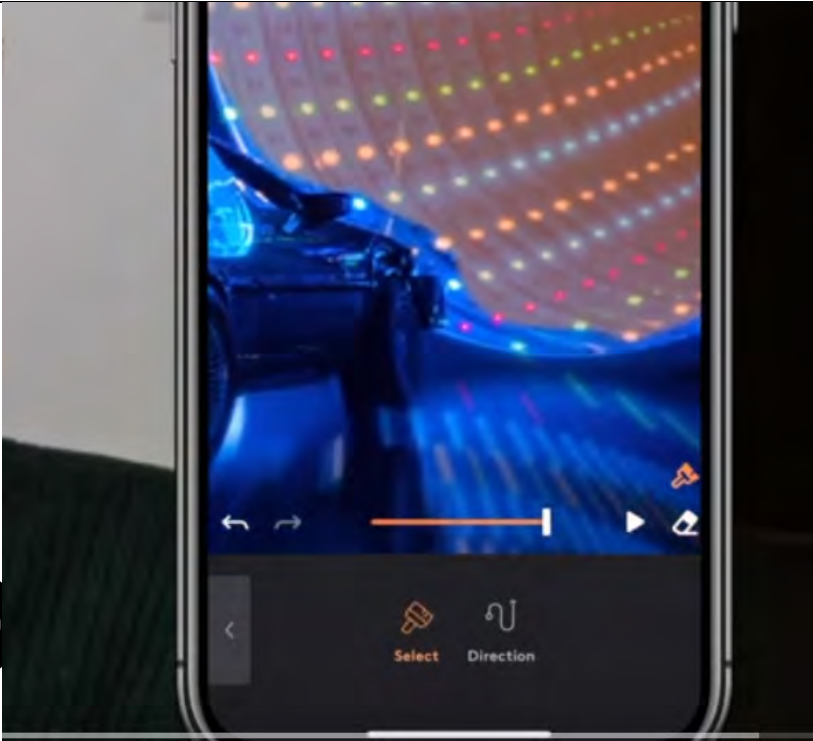
receiving a first ending point through the user interface, wherein the first ending point is received through a user selection of a first ending portion of the user interface;

The first ending point is the arrowhead at the left end of the dashed white line in the below still. The user establishes the first ending point by ending the path he is drawing.



creating a first link between the first starting point and the first ending point, wherein the first link comprises:	The first link is the dashed white line connecting the round dot and the arrowhead.	
a non-linear pathway extending between the first starting point and the first ending point; and	The first link is a non-linear pathway since it has curves.	
a first length extending along the non-linear pathway between the first starting point and the first ending point;	The first length is the length of the non-linear pathway.	
identifying a first set of pixels that lie along the first length of the non-linear pathway between the first starting point and the first ending point; and	The Motionleap programming selects a first set of pixels that lie along the first length between the first starting point and the first ending point.	
shifting the first set of pixels along the first length of the non-linear pathway, wherein shifting the first set of pixels comprises rendering and re-rendering in a loop the first set of pixels being shifted.	Shifting of the first set of pixels in the first direction is visible starting at around 4:38 of the Motionleap Video.	Screenshot taken at about 4:48 of the Motionleap Video

		
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16. The method of claim 15, further comprising:		

identifying a particular portion of the digital image to mask, wherein a mask prevents pixels covered by the mask from being shifted; and	 Beginning at around 3:23 of the Motionleap Video, the user uses the Erase tool to create a mask over portions of the digital image proximate the car in the photo. Pixels in areas which are erased are prevented from shifting.	
receiving an indication of a particular portion of the digital image to mask comprises receiving through a user interface a selection of a particular pixel within the digital image.	The Erase tool of Motionleap can be used to select particular pixels within the digital image.	

17. The method of claim 15, further comprising:		
generating a mask, wherein generating the mask comprises:		
identifying one or more edges that form a boundary around a particular pixel; and	The Erase tool of Motionleap can be used to identify edges that form a boundary.	
generating the mask to cover area within the boundary.	The Motionleap programming generates a mask to cover areas that have been erased with the Erase tool.	
18. The method of claim 15, further comprising:		
receiving a second starting point through the user interface wherein the second starting point is received through a user selection of a second beginning portion of the digital image and the second beginning portion of the digital image is different than the first beginning portion of the digital image;	The second starting point is created when a user draws a second pathway using the Direction tool. The second starting point is displayed as a round dot.	Screen shot taken at about 4:18 of the Motionleap Video.

		
receiving a second ending point through the user interface, wherein the second ending point is received through a user selection of a second ending portion of the user interface and the second ending portion of the digital image is different than the first ending portion of the digital image;	The second ending point is the arrowhead of the second pathway (top arrow) shown above.	
creating a second link between the second	The second link is the dashed line which extends between the dot and the arrowhead of the second pathway.	

starting point and the second ending point, wherein the second link comprises:		
a second direction extending from the second starting point to the second ending point; and	The second direction is the roughly 45 degree angle of the top arrow shown above.	
a second length between the second starting point and the second ending point;	The second link has a second length between the second starting point and the second ending point.	
identifying a second set of pixels that lie between the second starting point and the second ending point; and	The Motionleap programming identifies a second set of pixels that lie between the second starting point and the second ending point.	
shifting the second set of pixels in the second direction , wherein shifting the second set of pixels comprises rendering and re-rendering in a loop the second set of pixels being shifted.	The Motionleap programming shifts the second set of pixels in the second direction by rendering and re-rendering the pixels in a loop. Shifting is visible starting at around 4:38 of the Motionleap Video.	
19. The method of claim 18, wherein the non-linear pathway is different from the second direction .	The non-linear pathway (which is basically horizontal) is different from the second direction (generally a 45 degree angle to the vertical).	

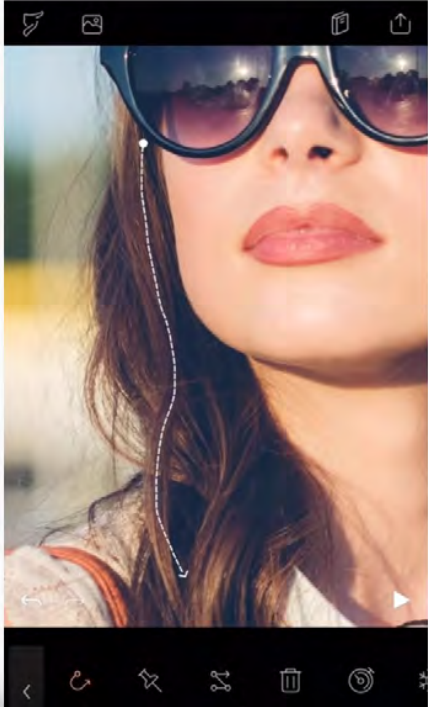
20. The method of claim 18, wherein the first ending portion of the user interface is outside the edges of the digital image.	There is no evidence that Motionleap can perform this method.	

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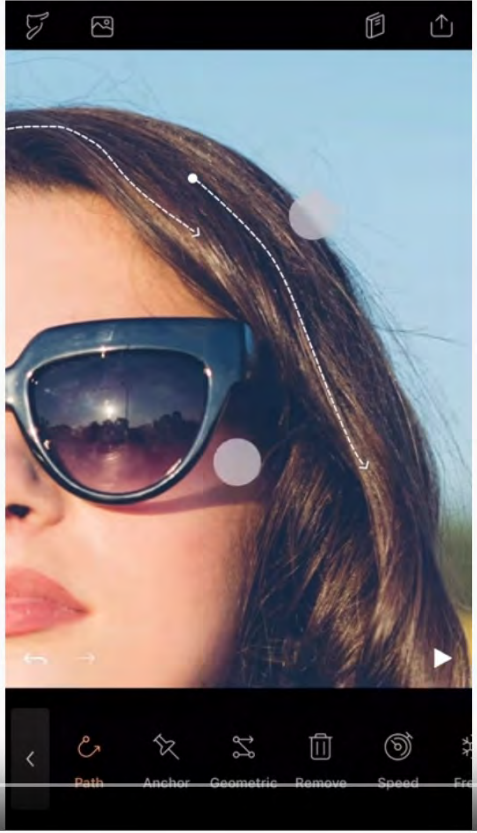
**Infringement Claim Chart for Infringement of
U.S. Patent No. 10,346,017 [the “’017 patent]**

Claim Elements	Evidence of Presence in Pixaloop program	Notes
8. A method for automating the shifting of pixels within a digital image, comprising:		
receiving a first indication of a first starting point through a user interface, wherein the first starting point is received through a user selection of a first starting portion of the digital image;	This step is performed when a user starts to draw a path on the screen. In this still below, the first starting point is the round dot at the top of white dashed line that has been drawn.	Screenshot from 0:08 sec of YouTube video entitled “How to Bring your Selfie to Life with Pixeloop!” uploaded December 6, 2018 by Motionleap by Lightricks https://www.youtube.com/watch?v=apYxF8cuF7E [hereinafter: the “Lightricks Tutorial”]

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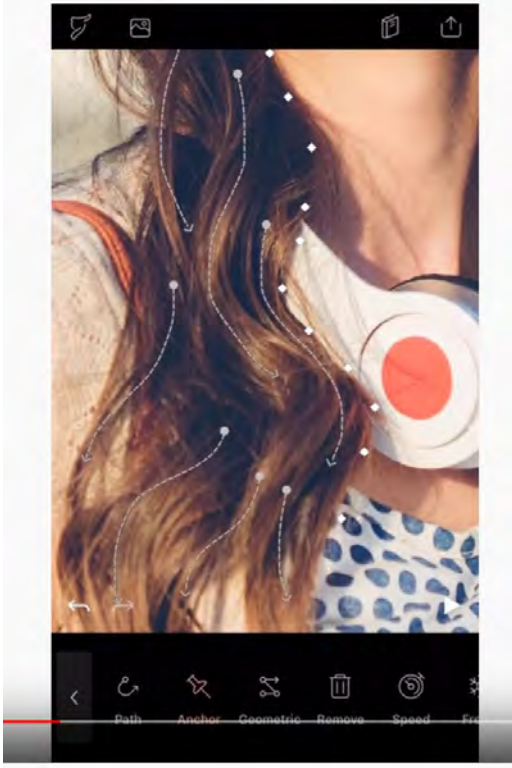
		
render a first visual indication of the first starting point on the user interface;	The Pixaloop programming displays a round white dot at the location where a user begins drawing the white dashed line.	
receiving, through the user interface, a first ending point associated with the first starting point, wherein the first ending point is received through a user selection of a first ending portion of the digital image;	The first ending point is the arrowhead at the bottom end of the dashed white line in the above still. The user establishes the first ending point by ending the path he/she is drawing.	

render a second visual indication of the first ending point on the user interface;	The Pixaloop programming renders an arrowhead on the user interface as the second visual indication of the first ending point.	
render, on the user interface, a first rendered link between the first starting point and the first ending point;	The Pixaloop programming displays a dashed white line on the user interface between the dot and arrowhead as the first rendered link.	
selecting a first set of pixels that intersect with the first rendered link;	The Pixaloop programming selects a first set of pixels that intersect with the first rendered link.	
automatically shifting the first set of pixels along the first rendered link between the first starting point and the first ending point, wherein shifting the first set of pixels comprises rendering in a loop the first set of pixels being shifted;	The Pixaloop programming automatically shifts the first set of pixels along the first rendered link between the first starting point and the first ending point by rendering them in a loop. Shifting of the first set of pixels is visible beginning at about 0:50 sec in the Lightricks Tutorial video.	See 0:50-0:55 sec of the Lightricks Tutorial video
receiving a second indication of a second starting point through the user interface, wherein the second starting point is received through a user selection of a second starting portion of a digital image, the second starting portion being different than both the first	At about 0:15 sec in the Lightricks Tutorial video a second pathway is drawn (still below). The second starting point is the round dot indicating the beginning of the second pathway. The second starting portion is different from the first starting portion and first ending portion.	

starting portion and the first ending portion;		
render a third visual indication of the second starting point on the user interface;	The third visual indication is the round dot in the still above	
receiving, through the user interface, a second ending point associated with the second starting point;	The second ending point is visible as the second arrowhead at the lower end of the white dashed line ending point associated with the still above. The Pixaloop programming with the second starting point receives, through the user interface (screen), the point, wherein the second user selection of a second ending point when the ending point is received	

through a user selection of a second ending portion of the digital image, the second ending portion being different than both the first starting portion and the first ending portion;		
render a fourth visual indication of the second end point on the user interface;	The fourth visual indication is the arrowhead on the still above which is rendered on the user interface (screen) by the Pixaloop programming.	
render, on the user interface, a second rendered link between the second starting point and the second ending point;	The second rendered link is rendered on the user interface (screen) as a dashed white line.	
selecting a second set of pixels that intersect with the second rendered link;	The Pixaloop programming selects a second set of pixels that intersect with the second rendered link.	
automatically shifting the second set of pixels along the second rendered link between the second starting point and the second ending point, wherein shifting the second set of pixels comprises rendering in a loop the second set of pixels being shifted;	The Pixaloop programming automatically shifts the second set of pixels along the second rendered link between the second starting point and the second ending point, rendering the pixels in a loop. Shifting of the second set of pixels is visible beginning at about 0:50 sec on the Lightricks Tutorial video.	

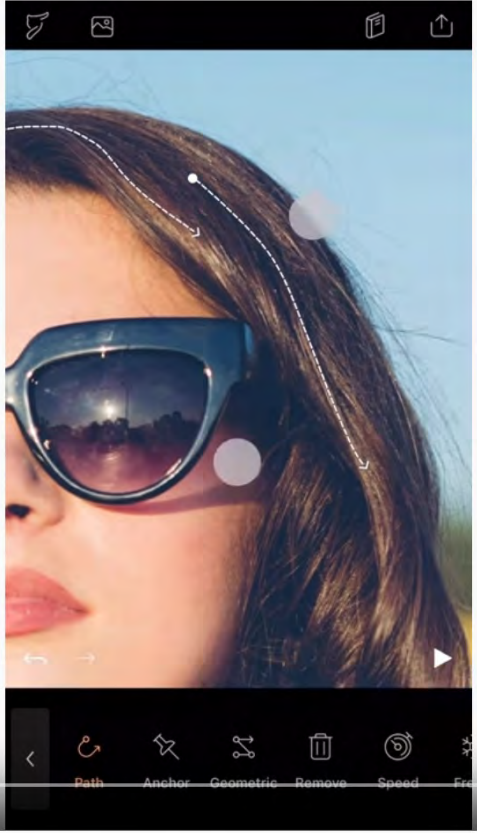
9. The method as recited in claim 8, further comprising when a pixel selected from the first set of pixels reaches the ending point, rendering and re-rendering in the loop the pixel being shifted from the first starting point to the ending point.	The Pixaloop programming appears to render and re-render in a loop such that a pixel is shifted from the first starting point to the (first) ending point. This rendering and re-rendering is visible in the beginning at about 0:50 sec in the Lightricks Tutorial video.	
10. The method as recited in claim 8, further comprising receiving an indication to generate a mask over a portion of the digital image, wherein pixels under the mask are prevented from shifting.	From about 0:28-0:48 in the Lightricks Tutorial the user uses the "Anchor" tool to create a mask over the photo subject's face and surroundings.	
11. The method as recited in claim 10, further comprising through a user interface a selection of a particular pixel within the digital image from which the mask should be generated.	The white diamonds in this still at 0:35 sec of the Lightricks Tutorial show selection by a user of particular pixels within the digital image to create a mask.	

		
12. The method of claim 11, further comprising:		
identifying one or more edges that form a boundary around the particular pixel; and	The white diamonds in the above still create an edge that forms a boundary around the face/neck area.	
generating the mask to cover area within the boundary.	The Pixaloop programming generates a mask to cover the face/neck area bounded by the white diamonds.	

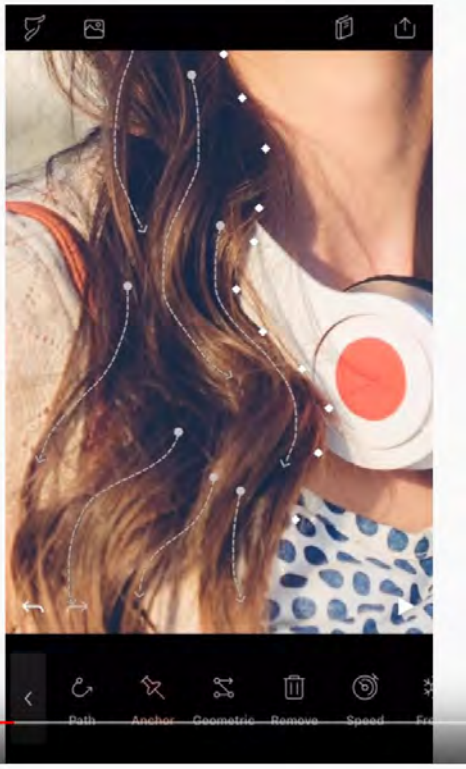
14. A method for automating the shifting of pixels within a digital image, comprising:		
accessing, from memory, a digital image file, wherein the digital image file comprises information that corresponds to individual pixels within the digital image;	Take a still photo 0:01 / 1:30 How to Bring Your Selfie to Life With Pixaloop! This step is performed when a user selects a digital photo within the Pixaloop app from his/her photo collection.	

rendering a first starting point through a user interface, wherein the first starting point is received through a user selection of a first beginning portion of the digital image;	This step is performed when a user starts to draw a path on the screen (user interface). 	Screenshot from 0:08 sec of Lightricks Tutorial
rendering a first visual indication of the first starting point on the user interface;	The Pixeloop programming renders the first starting point is a round dot (at the top of the white dashed line in the still above).	
receiving a first ending point through the user interface, wherein the first ending point is received through a user selection of a first ending portion of the digital image;	The Pixeloop programming receives a first ending point through the user interface (screen) when the user stops drawing a path on the screen. This ending point is the arrowhead at the lower end of the path in the still above.	

rendering, on the user interface, a first rendered link between the first starting point and the first ending point, wherein the first link comprises:	The Pixeloop programming renders on the user interface (screen) a dashed line between the round dot and the arrowhead.	
a non-linear pathway extending between the first starting point and the first ending point; and	The first rendered link is a non-linear pathway because it is curved. The non-linear pathway extends between the first starting point and the first ending point.	
a first length extending along the non-linear pathway;	The first length is the length of the dashed line that extends from the first starting point to the first ending point.	
identifying a first set of pixels that lie along the first rendered link;	The Pixeloop programming identifies a first set of pixels that lie along the first rendered link.	
automatically shifting the first set of pixels along the non-linear pathway, wherein shifting the first set of pixels comprises rendering and re-rendering in a loop the first set of pixels being shifted	The Pixeloop programming automatically shifts the first set of pixels along the non-linear pathway rendering and re-rendering the first set of pixels in a loop. Shifting of the first set of pixels is visible beginning at about 0:50 sec in the Lightricks Tutorial video.	See 0:50-0:55 sec of Lightricks Tutorial.
receiving a second starting point through the user interface, wherein the second starting point is received through a user selection of a second starting portion of the digital image, the second	At about 0:55 sec in the Lightricks Tutorial, a second pathway is drawn (see still below). The second starting point is the round dot indicating the beginning of the second pathway. The second starting portion is different than both the first starting portion and the first ending portion.	

starting portion being different than both the first starting portion and the first ending portion;		NOT DISCLOSE
rendering a third visual indication of the second starting point on the user interface;	The round dot, representing the second starting point, is rendered on the user interface (screen) by the Pixaloop programming.	
receiving, through the user interface, a second ending point associated with the second starting pathway on the user interface (screen). The second ending point is received	The Pixaloop programming receives a user selection of a second ending portion of the digital image when the user stops drawing the second pathway on the user interface (screen). The second ending portion is different than both the first starting portion and the first ending portion.	

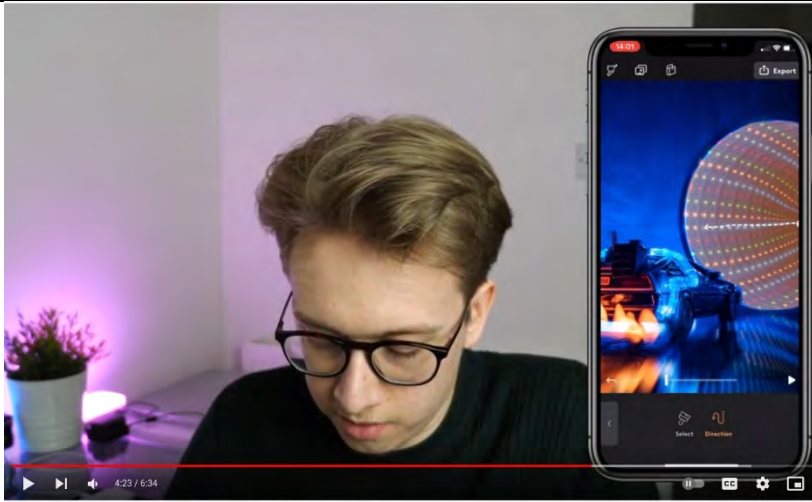
through a user selection of a second ending portion of the digital image, the second ending portion being different than both the first starting portion and the first ending portion;		
rendering a fourth visual indication of the second end point on the user interface;	The fourth visual indication of the second end point is rendered on the user interface (screen) as the arrowhead at the lower end of the pathway.	
rendering, on the user interface, a second link between the second starting point and the second ending point;	The second link is rendered on the user interface (screen) as a dashed white line which extends between the second starting point and the second ending point. This can be seen in the still photo above.	
selecting a second set of pixels along the second [second] link; and	The Pixaloop programming selects a second set of pixels along the second link.	
automatically shifting the second set of pixels between the second starting point and the second ending point, wherein shifting the second set of pixels comprises rendering in a loop the second set of pixels being shifted.	The Pixaloop programming automatically shifts the second set of pixels in this manner as can be seen from 0:50-0:55 sec of Lightricks Tutorial video.	

15. The method of claim 14, further comprising identifying a particular portion of the digital image to mask, wherein the mask prevents pixels covered by the mask from being shifted.	From about 0:28-0:48 in the Lightricks Tutorial, the user uses the "Anchor" tool to create a mask over the photo subject's face and surroundings.	
16. The method of claim 15, wherein receiving an indication of a particular portion of the digital image to mask comprises receiving through a user interface a selection of a particular pixel within the digital image.	 The white diamonds in this still at 0:35 sec of the Lightricks Tutorial show selection of particular pixels within the digital image to create a mask.	

17. The method of claim 15, further comprising:		
generating the mask, wherein generating the mask comprises:		
identifying one or more edges that form a boundary around the particular pixel; and	The white diamonds for a boundary around the face/neck area and create an edge	
generating the mask to cover area within the boundary.	The Pixeloop programming generates a mask to cover the face/neck area within the boundary.	

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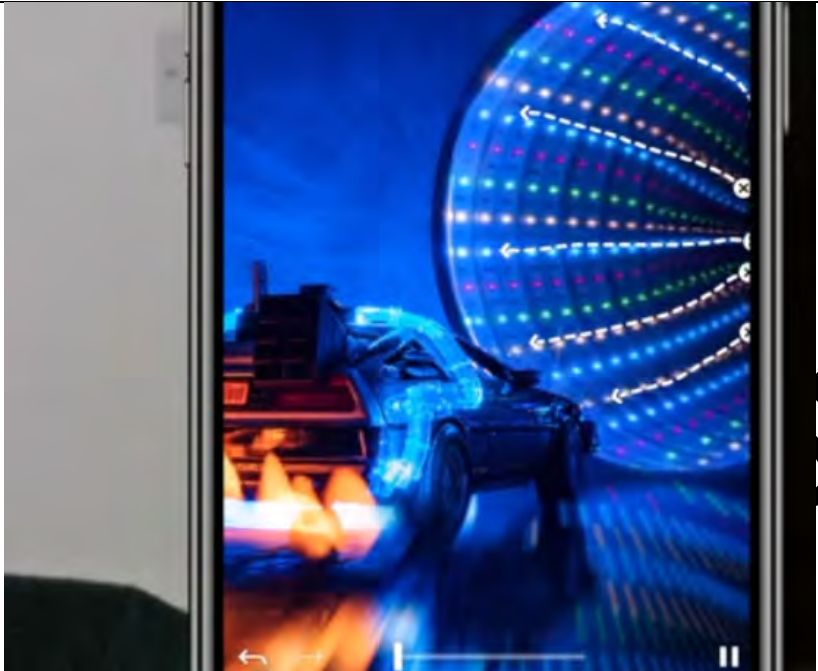
**Infringement Claim Chart for Infringement of
U.S. Patent No. 10,346,017 [the “’017 patent]**

Claim Elements	Evidence of Presence in Motionleap program	Notes
8. A method for automating the shifting of pixels within a digital image, comprising:		
receiving a first indication of a first starting point through a user interface, wherein the first starting point is received through a user selection of a first starting portion of the digital image;	 #mobilephotography #motionleap #photographyapps How To Add Live Motion to Your Photography Motion Leap App 3,937 views · Mar 31, 2021 Oliver Howells 1.1K subscribers	Screenshot from 4:23 of YouTube video entitled “How to Add Live Motion to Your Photography Motion Leap App” uploaded March 21, 2021 and found at https://www.youtube.com/watch?v=ip27b0BAHQw [hereinafter the “Motionleap Video”].

	At about 4:23 in the Motionleap Video, the user draws a path from right to left in the colored lights in the tunnel using the Direction tool in Motionleap. The indication of the first starting point is received when the user starts drawing a path on the user interface (phone screen).	
render a first visual indication of the first starting point on the user interface;	 The Motionleap programming renders an indication of the first starting point on the user interface (phone screen) as a dot.	
receiving, through the user interface, a first ending point associated with the first starting point, wherein the first ending point is	The Motionleap programming receives an indication of a first ending point when the user stops drawing a path on the screen.	

received through a user selection of a first ending portion of the digital image;		
render a second visual indication of the first ending point on the user interface;	The second visual indication is displayed on the phone screen (user interface) as an arrowhead.	
render, on the user interface, a first rendered link between the first starting point and the first ending point;	The first rendered link is the white dashed line which extends between the dot and the arrowhead.	
selecting a first set of pixels that intersect with the first rendered link;	The Motionleap programming selects a first set of pixels that intersect with the first rendered link.	
automatically shifting the first set of pixels along	The Motionleap programming automatically shifts the first set of pixels along the first rendered link between the first starting point and the first ending point by rendering them in	

the first rendered link between the first starting point and the first ending point, wherein shifting the first set of pixels comprises rendering in a loop the first set of pixels being shifted;	a loop. Shifting of the first set of pixels is visible starting at around 4:38 of the Motionleap Video.	
receiving a second indication of a second starting point through the user interface, wherein the second starting point is received through a user selection of a second starting	The Motionleap Programming receives a second indication of a second starting point when a user draws a second pathway using the Direction tool. The second starting point is also displayed as a round dot. In the screen shot below, second and subsequent pathways are drawn.	Screenshot taken at about 4:48 of the Motionleap Video.

portion of the digital image, the second starting portion being different that both the first starting portion and the first ending portion;		
render a third visual indication of the second starting point on the user interface;	The Motionleap programming renders a third visual indication of the second starting point on the user interface as a round dot.	
receiving, through the user interface, a second ending point associated	The Motionleap programming receives an indication of the second ending point when the user stops drawing the second pathway on the user interface (phone screen).	

with the second starting point, wherein the second ending point is received through a user selection of a second ending portion of the digital image, the second ending portion being different than both the first starting portion and the first ending portion;		
render a fourth visual indication of the second end point on the user interface;	The Motionleap programming renders a fourth visual indication of the second end point on the user interface (phone screen) as a second arrowhead.	
render, on the user	The Motionleap programming renders a second rendered link on the user interface (phone screen) as a white dashed	

interface, a second rendered link between the second starting point and the second ending point;	line between the second starting point and the second end point.	
selecting a second set of pixels that intersect with the second rendered link;	The Motionleap programming selects a second set of pixels that intersect with the second rendered link.	
automatically shifting the second set of pixels along the second rendered link between the second starting point and the second ending point, wherein shifting the second set of pixels comprises rendering in a	The Motionleap programming automatically shifts the second set of pixels along the second rendered link between the second starting point and the second ending point by rendering the second set of pixels in a loop. Shifting is visible starting at around 4:38 of the Motionleap Video.	

loop the second set of pixels being shifted.		
9. The method as recited in claim 8, further comprising when a pixel selected from the first set of pixels reaches the ending point, rendering and re-rendering in the loop the pixel being shifted from the first starting point to the ending point.	It appears that the Motionleap programming performs this step during shifting.	
14. A method for automating the shifting of pixels within		

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a digital image, comprising:		
accessing, from memory, a digital image file, wherein the digital image file comprises information that corresponds to individual pixels within the digital image;	This step is performed when a user selects a digital photo within the Motionleap app from his/her photo collection. Starting at 2:43 in the Motionleap video, the user selects a digital photo from a collection stored in memory.  #mobilephotography #motionleap #photographyapps How To Add Live Motion to Your Photography Motion Leap App 4,041 views • Mar 31, 2021	
rendering a first starting point through a user interface, wherein the first starting point is received	This step is performed when a user starts to draw a path on the screen using the Direction tool of Motionleap. In this still below, the first starting point is the round dot at the far right side of the screen.	

through a user selection of a first beginning portion of the digital image;



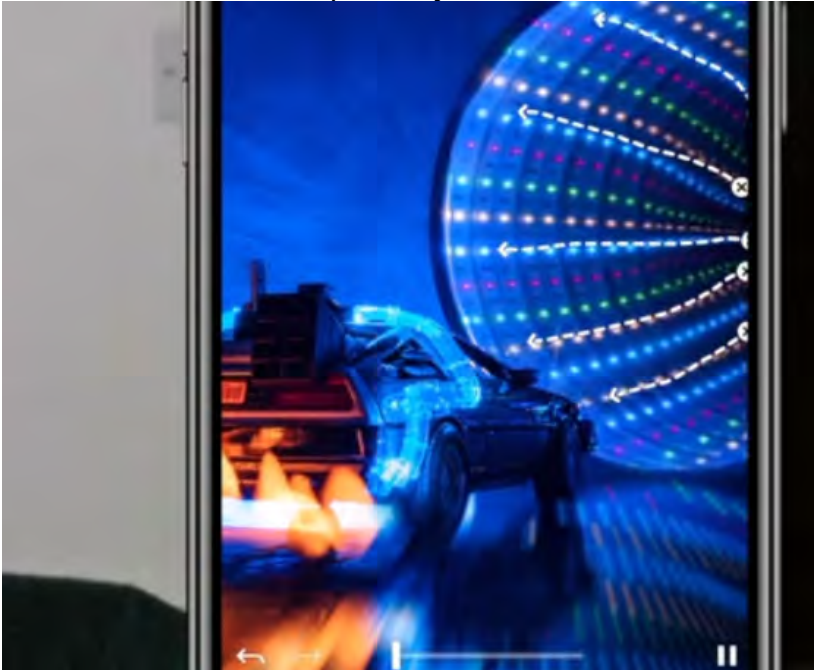
rendering a first visual indication of the first starting point on the user interface;

The Motionleap programming renders a round dot as a first visual indication of the first starting point on the screen (user interface).



receiving a first ending point through the user interface, wherein the first ending point is received through a user selection of a first ending portion of the digital image;	The Motionleap programming receives a user selection of a first ending portion of the digital image when a user stops drawing a pathway on the user interface (phone screen).	
rendering, on the user interface, a first rendered link between the first starting point and the first ending point, wherein the first link comprises:	The Motionleap programming renders a dashed white line between the first starting point and first ending point on the user interface (phone screen).	
a non-linear pathway extending between the first starting point and the	The first rendered pathway is a non-linear pathway since it includes curves and bends.	

first ending point; and		
a first length extending along the non-linear pathway;	The non-linear pathway has a first length.	
identifying a first set of pixels that lie along the first rendered link;	The Motionleap programming identifies a first set of pixels that lie along the first rendered link.	
automatically shifting the first set of pixels along the non-linear pathway, wherein shifting the first set of pixels comprises rendering and re-rendering in a loop the first set of pixels being shifted	The Motionleap programming automatically shifts the first set of pixels along the non-linear pathway, rendering and re-rendering them in a loop. Shifting of the first set of pixels is visible beginning around 4:48 of the Motionleap video.	
receiving a second starting point	The Motionleap programming receives a second starting point through the user interface when a user starts to draw a second pathway using the user interfaced (phone screen).	Screenshot taken at 4:33 in the Motionleap Video.

through the user interface, wherein the second starting point is received through a user selection of a second starting portion of the digital image, the second starting portion being different than both the first starting portion and the first ending portion;	At 4:24-4:30 in the Motionleap Video, a second pathway is drawn as well as other pathways. 	
rendering a third visual indication of the second starting point on the user interface;	The Motionleap programming renders a visual indication of the second starting point on the user interface as a round dot.	
receiving, through the	The Motionleap programming receives a user selection of a second ending portion of the digital image when the user	

user interface, a second ending point associated with the second starting point, wherein the second ending point is received through a user selection of a second ending portion of the digital image, the second ending portion being different than both the first starting portion and the first ending portion;	stops drawing a second pathway on the user interface (phone screen).	
rendering a fourth visual indication of the second	The Metamap programming renders a visual indication of the second ending point on the user interface as an arrowhead.	

end point on the user interface;		
rendering, on the user interface, a second link between the second starting point and the second ending point;	The Motionleap programming renders the second link on the user interface as a dashed white line.	
selecting a second set of pixels along the second [second] link; and	The Motionleap programming selects a second set of pixels along the second link.	
automatically shifting the second set of pixels between the second starting point and the second ending point, wherein shifting the second set of pixels	The Motionleap programming automatically shifts the second set of pixels between the second starting point and second ending point, rendering them in a loop. Shifting of the second set of pixels is visible beginning around 4:48 of the Motionleap Video.	

comprises rendering in a loop the second set of pixels being shifted.		
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**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

PLOTAGRAPH, INC., a Delaware
Corporation, Plaintiff

and

TROY PLOTA, an individual, Plaintiff

and

SASCHA CONNELLY, an individual,
Plaintiff

V.

LIGHTRICKS, LTD., an Israeli
Corporation, Defendant

Civil Action No. 4:21-CV-03873

JURY TRIAL DEMANDED

DECLARATION OF MARCELLOUS S. McZEAL

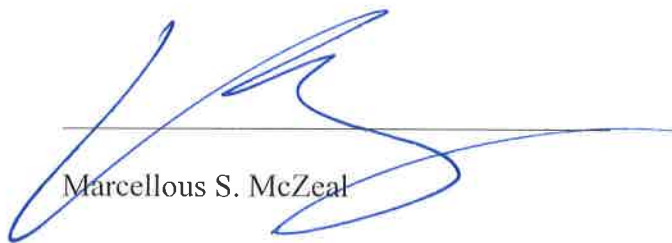
1. My name is Marcellous S. McZeal. I am fully competent to make this declaration and all facts stated herein are within my personal knowledge and are true and correct.
2. I am counsel for Plaintiffs, Plotagraph, Inc. and Troy Plota. In preparing for the representation of Plaintiffs, I worked with Plaintiffs' co-counsel, including counsel for Plaintiff, Sascha Connelly to divide the litigation assignments among the lawyers.
3. I assumed the responsibility for maintaining the deadlines pursuant to the Court's docket control order and for ensuring the timely compliance of the deadlines identified therein.
4. Specifically, I attended the scheduling conference and noted the deadline for the Parties to make disclosure of asserted claims and preliminary infringement contentions and make document production.

5. My colleagues worked diligently to prepare the responsive information and documents. That information was given to me. I calendered the deadline for production incorrectly and missed the deadline. I only learned of the error when alerted by respected opposing counsel.

6. My error was due to human fallibility and not conscious indifference to the Court's Order, counsel, the Parties, or the matter before the Court.

7. Consequently, I respectfully ask the Court to extend the deadline to make disclosure of asserted claims and preliminary infringement contentions and make document production

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is to the best of my knowledge and recollection true and correct. Executed on May 3, 2022.



Marcellous S. McZeal

