

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

**SHENZHEN HAPPY VAPING
TECHNOLOGY LTD.,**

Plaintiff,

v.

**LOGIC TECHNOLOGY DEVELOPMENT
LLC, and
JAPAN TOBACCO INTERNATIONAL
U.S.A., INC.,**

Defendants.

CIVIL ACTION NO. 0:22-cv-61407-RS

**DEFENDANTS' REPLY IN SUPPORT OF MOTION TO DISMISS FOR IMPROPER
VENUE OR TO TRANSFER VENUE**

TABLE OF CONTENTS

I.	INTRODUCTION	1
II.	ARGUMENT	2
A.	Plaintiff Fails to Show that Its Novel Joint Enterprise Venue Theory Is a Proper Basis for Establishing Patent Venue for Logic	2
B.	The Amended Complaint Does Not Moot Defendants’ Motion.....	5
1.	The Brickell Key Address Is Not a Regular and Established Place of Business of JTI USA or Logic.....	5
2.	None of Plaintiff’s New Allegations Establish that the Corporate Separateness of JTI USA and Logic Is a Legal Fiction	7
C.	The Court Should Deny Plaintiff’s Request for Jurisdictional Discovery.....	9
III.	CONCLUSION.....	Error! Bookmark not defined.

TABLE OF AUTHORITIES

	Page(s)
Cases	
<i>Akamai Techs., Inc. v. Limelight Networks, Inc.</i> , 797 F.3d 1020 (Fed. Cir. 2015) (per curiam).....	3
<i>Andra Grp., LP v. Victoria's Secret Stores, L.L.C.</i> , 6 F.4th 1283 (Fed. Cir. 2021)	4, 6
<i>Blue Water Innovations, LLC v. Vevazz, LLC</i> , No. 6:20-cv-774-Orl-78DCI, 2020 WL 6828950 (M.D. Fla. Oct. 29, 2020)	9
<i>Celgene Corp. v. Mylan Pharms. Inc.</i> , 17 F.4th 1111 (Fed. Cir. 2021)	2, 4, 6
<i>In re Cray Inc.</i> , 871 F.3d 1355 (Fed. Cir. 2017).....	3, 5
<i>Eurofins Pharma US Holdings v. BioAlliance Pharma SA</i> , 623 F.3d 147 (3d Cir. 2010).....	9
<i>Galderma Lab'ys, L.P. v. Medinter US, LLC</i> , No. 18-1892-CFC-CJB, Dkt. No. 98 (D. Del. Oct. 25, 2019)	9
<i>In re Google LLC</i> , 949 F.3d 1338 (Fed. Cir. 2020).....	2, 3
<i>Hargrave v. Fibreboard Corp.</i> , 710 F.2d 1154 (5th Cir. 1983)	8
<i>Javelin Pharms., Inc. v. Mylan Lab'ys Ltd.</i> , No. 16-224-LPS, 2017 WL 5953296 (D. Del. Dec. 1, 2017)	10
<i>L.D. Schreiber Cheese Co. v. Clearfield Cheese Co.</i> , 495 F. Supp. 313 (W.D. Pa. 1980).....	6
<i>Magnacoustics, Inc. v. Resonance Tech. Co.</i> , 132 F.3d 49, 1997 WL 592863 (Fed. Cir. 1997) (unpublished table decision)	4
<i>MCI Telecomms. Corp. v. O'Brien Mktg., Inc.</i> , 913 F. Supp. 1536 (S.D. Fla. 1995)	4, 8
<i>Pearson v. Component Tech. Corp.</i> , 247 F.3d 471 (3d Cir. 2001).....	2

<i>Symbology Innovations, LLC v. Lego Sys., Inc.</i> , 282 F. Supp. 3d 916 (E.D. Va. 2017)	8, 9
<i>TC Heartland LLC v. Kraft Foods Grp. Brands LLC</i> , 581 U.S. 258 (2017).....	1
<i>United Steelworkers of Am., AFL-CIO-CLC v. Connors Steel Co.</i> , 855 F.2d 1499 (11th Cir. 1988)	4
<i>Vision Media TV Grp., LLC v. Forte</i> , 724 F. Supp. 2d 1260 (S.D. Fla. 2010)	9
<i>Wilson v. McKinney Mfg. Co.</i> , 59 F.2d 332 (9th Cir. 1932)	6

Statutes

28 U.S.C. § 1400(b)	<i>passim</i>
28 U.S.C. § 1406.....	1
35 U.S.C. § 271(a)	4

I. INTRODUCTION

Neither of the Defendants Logic Technology Development LLC (“Logic”) nor Japan Tobacco International U.S.A., Inc. (“JTI USA”) resides in or has a “regular and established place of business” in Florida, making venue improper in this District. *See TC Heartland LLC v. Kraft Foods Grp. Brands LLC*, 581 U.S. 258, 262-70 (2017); 28 U.S.C. § 1400(b). Undeterred by this fact, Plaintiff Shenzhen Happy Vaping Technology Ltd. (“SHV”) latches onto minimal JTI USA activity at a Miami address primarily used by its parent to attempt to draw *both* Defendants into a forum where they otherwise could not be. ECF 17-4. But binding Federal Circuit law makes clear that if a defendant’s activities in a forum are too transient or insubstantial compared to its overall operations, no “regular and established place of business” under § 1400(b) exists in the district. *See infra* Section II(B)(1). JTI USA’s activities at the Brickell Key address do not rise to the level necessary to render it a “regular and established place of business” in this District.

Even putting aside the dispute over JTI USA’s activities in Florida, however, SHV has fallen woefully short of its burden of showing that this District is a proper venue for Logic. SHV has not and cannot show that Logic had a “regular and established place of business” in Florida when the Complaint was filed. Plaintiff nevertheless attempts to impute JTI USA’s venue to Logic by ignoring the notoriously high legal bar—corporate separateness—for doing so and inventing its own joint enterprise venue theory with a lower bar. *See infra* Section II(A).

Because SHV has not identified a regular and established place of business of either Defendant in this District, its Complaint cannot support venue here with respect to either Defendant. This Court is thus compelled by 28 U.S.C. § 1406(a) to dismiss this case or transfer it to the District of New Jersey where it could have been brought in the first instance.

II. ARGUMENT

A. Plaintiff Fails to Show that Its Novel Joint Enterprise Venue Theory Is a Proper Basis for Establishing Patent Venue for Logic

Plaintiff concludes that because “JTI USA is an agent of Logic, venue is proper for Logic too” based on JTI USA’s activities at the Brickell Key address. ECF 17-10. But even putting aside whether the Brickell Key address is a “regular and established place of business” of JTI USA, which Defendants contest below, Plaintiff’s position is legally untenable. While SHV proposes that “[t]he application of the law on joint enterprises [for direct patent infringement] should extend to the application of venue,” it fails to cite any supporting legal authority. ECF 17-7. It also overlooks the Federal Circuit’s long-established standard for imputing one corporation’s venue to a related corporation—“an alter-ego or veil-piercing theory.” *Celgene Corp. v. Mylan Pharms. Inc.*, 17 F.4th 1111, 1125 (Fed. Cir. 2021) (citations omitted). And it fails to cite any facts that could even meet this much higher legal standard for imputing venue to a related corporation, “a burden [that] is notoriously difficult for plaintiffs to meet.” *See, e.g., Pearson v. Component Tech. Corp.*, 247 F.3d 471, 485 (3d Cir. 2001).

To construct its novel joint enterprise venue theory, SHV plucks a statement out of its context in *In re Google* and stitches it together with the joint liability standard for direct patent infringement in *Akamai*. ECF 17-6-7. But neither case supports SHV’s conclusion that venue is proper in this District.

The court in *In re Google* did not hold that a defendant’s agent’s regular and established place of business can be imputed to the defendant to satisfy 28 U.S.C. § 1400(b). The section from that case that SHV relies on was discussing *just one prong* of the three-part test set forth in *In re Cray* for resolving the ultimate question of what constitutes a “regular and established place of business” under the patent venue statute. *See In re Google LLC*, 949 F.3d 1338, 1344 (Fed. Cir.

2020). The court explicitly explained that it was addressing “Google’s alternative argument . . . under the second *Cray* factor.” *Id.*; see also *In re Cray Inc.*, 871 F.3d 1355, 1360 (Fed. Cir. 2017) (holding that a “regular and established place of business” under § 1400(b) requires (1) “a physical place in the district” (2) that is a “regular and established place of business,” and (3) is “the place of the defendant”). While the wording of the second *In re Cray* factor mirrors part of the statute, this prong sets forth the requirements under the patent venue statute that a place of business must (a) include “regular,” as opposed to sporadic, activity; and (b) be “established,” as opposed to transient. *In re Cray*, 871 F.3d at 1362-63. As such, the issue in *In re Google* was “whether Google had an employee or agent with a *regular, physical presence* at its ‘place of business.’” 949 F.3d at 1345 (emphasis added). This was important because Congress intended patent venue to attach only to places of business where “permanent agency”—rather than transient, or isolated acts of infringement—occurred. *Id.* at 1344-45 (citations omitted).

The second case SHV mistakenly relies on for its novel venue theory relates to an area of the law—divided patent infringement—distinct from the patent venue statute. See *Akamai Techs., Inc. v. Limelight Networks, Inc.*, 797 F.3d 1020, 1022 (Fed. Cir. 2015) (per curiam) (“[W]e unanimously set forth the law of divided infringement under 35 U.S.C. § 271(a).”). In *Akamai*, the court addressed the situation where “more than one actor” takes part in “practicing the steps” of a claimed method. *Id.* The issue was “whether the acts of one are attributable to the other such that a single entity is responsible for the infringement.” *Id.* The court’s holding with respect to joint enterprises was explicitly limited to that context: “We will hold an entity responsible for *others’ performance of method steps in two sets of circumstances*: (1) where that entity directs or controls others’ performance, and (2) *where the actors form a joint enterprise.*” *Id.* (emphases added). The patent venue statute was not at issue in *Akamai*.

Nevertheless, SHV now contends, without explanation, that “[t]he application of the law on joint enterprises should extend to the application of venue”—a completely different statutory scheme. ECF 17-7. Yet SHV does not even attempt to explain why this Court should adopt a standard for determining vicarious liability in the different context of determining where a party should be subject to suit. SHV does not examine the purpose or history of the venue or infringement statutes, compare any aspect of 35 U.S.C. § 271(a) to 28 U.S.C. § 1400(b), or otherwise attempt to justify its sweeping suggestion for a new law other than broadly implicating “common sense and justice.” ECF 17-8-9.

Moreover, SHV never explains why the Court should jettison the Federal Circuit’s long-established standard for imputing one corporation’s venue to a related corporation. The general rule is that patent venue must be shown individually for each corporate defendant, even if they are related corporations. *See, e.g., Magnacoustics, Inc. v. Resonance Tech. Co.*, 132 F.3d 49, 1997 WL 592863, at *1 (Fed. Cir. 1997) (unpublished table decision) (“[A]s firmly established by judicial decisions, in an action involving multiple defendants[,] venue and jurisdiction requirements must be met as to each defendant.”). However, the Federal Circuit has found that “[v]enue may be imputed under an alter-ego or veil-piercing theory.” *Celgene*, 17 F.4th at 1125. “But where related companies have maintained corporate separateness, the place of business of one corporation is not imputed to the other for venue purposes.” *Andra Grp., LP v. Victoria’s Secret Stores, L.L.C.*, 6 F.4th 1283, 1289 (Fed. Cir. 2021). The 11th Circuit law provides the standard for corporate separateness in this case. *See Celgene*, 17 F.4th at 1125; *see also MCI Telecomms. Corp. v. O’Brien Mktg., Inc.*, 913 F. Supp. 1536, 1541 (S.D. Fla. 1995) (applying the 11th Circuit standard for piercing the corporate veil); *United Steelworkers of Am., AFL-CIO-CLC v. Connors Steel Co.*, 855 F.2d 1499, 1506 (11th Cir. 1988) (same). Yet, SHV never attempts to

meet its burden of showing that JTI USA and Logic have not maintained corporate separateness. As SHV bears the burden of establishing that venue is proper as to both Defendants, its failure to show, or even analyze, that JTI USA and Logic have not maintained corporate separateness is fatal to its attempt to impute JTI USA's venue to Logic.

B. The Amended Complaint Does Not Moot Defendants' Motion

Plaintiff continues to allege venue based on registration to do business in Florida, and the activities at the Pompano and Dadeland addresses, none of which confers venue for the reasons explained in Defendants' opening brief. ECF 13-9-13; ECF 21, ¶¶ 7, 8, 11. Plaintiff also has not established venue based on the Brickell Key address or its theory that Defendants operate as a "joint enterprise." See ECF 21, ¶¶ 9, 12-18. Defendants thus renew the prior motion at ECF 13. See Defendants' Notice to Reassert Motion to Dismiss for Improper Venue or to Transfer Venue ECF 24.

1. The Brickell Key Address Is Not a Regular and Established Place of Business of JTI USA or Logic

The Amended Complaint alleges that "[u]pon information and belief, . . . the address of [JTI USA's Title] Director, Mr. John Colton, is located at 501 Brickell Key Drive in Miami, Florida." *Id.*, ¶ 9. However, the Brickell Key address is not a "regular and established place of business" of JTI USA under the three-prong *In re Cray* test for purposes of § 1400(b), as explained in detail in Defendants' opening brief. See ECF 13-13-15; *In re Cray*, 871 F.3d at 1360. Rather than face the unfavorable merits under the three-prong *In re Cray* test, SHV factually distinguishes *In re Google* from the present dispute. ECF 17-9-10. But this is a strawman argument. The fact that SHV is relying on the activities of people rather than a machine is not dispositive; not all human activities are of sufficient character to confer venue. See ECF 17-9 (distinguishing between the activities of people versus machines).

Neither of the people-based activities SHV cites confers venue under § 1400(b). *See* ECF 13-13-15. For example, while Mr. Colton is a director at JTI USA, he is an employee of JTI Holding, not JTI USA. Ex. 1 (LeMoult Decl.), ¶ 9. As such, on a daily basis, he is not “engaged in carrying on in a continuous manner a substantial part of [JTI USA’s] ordinary business.” *See Wilson v. McKinney Mfg. Co.*, 59 F.2d 332, 335 (9th Cir. 1932) (citations omitted). To the extent that he participates as a Board member in activities for JTI USA from the Brickell Key address, those activities would be sporadic and insubstantial compared to JTI USA’s overall operations in New Jersey. *See* Ex. 1 (LeMoult Decl.), ¶ 5. SHV has not cited a single case to support its allegation that a director’s location “alone makes venue proper in this District.” ECF 17-9.

The activities of Ms. Gandolfo are likewise too sporadic and insubstantial to confer patent venue. *See Wilson*, 59 F.2d at 335; *L.D. Schreiber Cheese Co. v. Clearfield Cheese Co.*, 495 F. Supp. 313, 317 (W.D. Pa. 1980) (“A regular and established place of business under 28 U.S.C. § 1400(b) has been described as a place where a party is ‘engaged in carrying on in [a] continuous manner a substantial part of its ordinary business.’” (citation omitted)); Ex. 1 (LeMoult Decl.), ¶ 8. SHV merely reiterates the facts from Defendants’ motion without citing any caselaw or otherwise explaining why or how they allegedly give rise to patent venue. ECF 17-9-10; ECF 21, ¶ 17.

Moreover, the assertion that the parent corporation to JTI USA and Logic maintains an office at the Brickell Key address (*see* ECF 21, ¶ 18) is not sufficient to confer venue on either Defendant absent a showing that corporate separateness is not maintained between this parent and each of the Defendants. *See, e.g., Andra*, 6 F.4th at 1289; *Celegene*, 17 F.4th at 1125. Again, the Brickell Key address is leased to JTI Duty-Free USA Inc., not JTI USA, such that it is not a place “of the defendant” under the third prong of the *In re Cray* test. Exs. 12-20; Ex. 1 (LeMoult Decl.), ¶ 8; *see also In re Cray*, 871 F.3d at 1363. Accordingly, the Brickell Key address is not a “regular

and established place of business” of JTI USA for purposes of § 1400(b) and cannot confer patent venue on JTI USA or Logic in Florida even under Plaintiff’s joint enterprise theory. *See Wilson*, 59 F.2d at 335; *L.D. Schreiber*, 495 F. Supp. at 317.

2. None of Plaintiff’s New Allegations Establish that the Corporate Separateness of JTI USA and Logic Is a Legal Fiction

As explained above, the correct standard for determining whether to impute patent venue from JTI USA to Logic inquires whether corporate separateness between the entities is merely a legal fiction. *See supra* Section II(A). SHV’s allegations regarding the relationship between JTI USA and Logic are either incorrect or insufficient to show that corporate separateness has not been maintained.

For example, SHV alleges that the Defendants have an “implied agreement . . . to carry out the common purpose of selling and marketing nicotine products,” and ruminates that “it is likely that written agreements confirm this implied agreement.” ECF 17-8; ECF 21, ¶ 13. But the Defendants do not have any such agreement. *See* Declaration of Brendan LeMoult, attached hereto as **Exhibit 1** (“LeMoult Decl. 2”), ¶¶ 3-4; Declaration of Nadezda Pshenitsyna, attached hereto as **Exhibit 2** (“Pshenitsyna Decl. 2”), ¶¶ 3-4. Each Defendant sells a different type of nicotine product under distinct brand names. *Id.* JTI USA sells “combustible” products, i.e., products that are burned to create smoke. Ex. 1 (LeMoult Decl. 2), ¶ 3. Examples of combustible products sold by JTI USA include Ready Made Cigarettes (RMC), Little Filtered Cigars (LFC), and Pipe tobacco (Pipe). *Id.* Logic, on the other hand, sells two e-liquid “vapor” products, the Logic Power and Logic Pro. Ex. 2 (Pshenitsyna Decl. 2), ¶ 3. These products are commonly referred to as Electronic Nicotine Delivery Systems (ENDS). *Id.* ENDS are different from “combustible” products at least because they do not combust or burn. *Id.* JTI USA does not sell vapor products, and Logic does not sell combustible products. *Id.*, ¶¶ 3, 4; Ex. 1 (LeMoult Decl. 2), ¶ 4. As such, they are not

engaged in a single purpose of selling a given category of products or the products accused in the Amended Complaint.

Plaintiff also alleges that Defendants share office space, executives, and use the same registered agent. ECF 17-8; ECF 21, ¶¶ 7, 14-15. But none of these facts show that corporate separateness has not been maintained. For example, the fact that the Defendants share an office and have a principal place of business in New Jersey cuts against a finding of a joint enterprise with a regular and established place of business in Florida. *See, e.g.*, Ex. 1 (LeMoult Decl.), ¶ 5; Ex. 2 (Pshenitsyna Decl.), ¶ 5. Use of the same registered agent in Florida also has no bearing on corporate separateness, as the agent merely accepts service of process and can do so for companies that have no relation to one another. *See, e.g., MCI*, 913 F. Supp. at 1541.

Moreover, SHV wrongly attributes a website for the JTI family of companies to JTI USA. *See* Ex. D. The URL for this website is <https://www.jti.com/americas/usa>. *Id.* As shown, it outlines the activities of the family of JTI companies under the JTI global group of companies (not JTI USA) in the United States. *Id.* Logic, on the other hand, has its own website at www.logicvapes.us. Further, the fact that there is incomplete overlap in the Board of Directors for the Defendants (i.e., each company has at least one director that the other company does not) does not establish a lack of corporate separateness between the entities. *See, e.g., Hargrave v. Fibreboard Corp.*, 710 F.2d 1154, 1160 (5th Cir. 1983) (finding that even “100% stock ownership and commonality of officers and directors are not alone sufficient to establish an alter ego relationship between two corporations”); *Symbology Innovations, LLC v. Lego Sys., Inc.*, 282 F. Supp. 3d 916, 932 (E.D. Va. 2017) (“The courts will also be more likely to find separate corporate entities if the officers and directors of the parent and the subsidiary are not all the same.” (citation omitted)).

C. The Court Should Deny Plaintiff's Request for Jurisdictional Discovery

This Court should reject SHV's "request[]" that this Court allow Plaintiff an opportunity to conduct discovery on the relevant issues here, including both the extent of which JTI USA, Logic, and other JTI entities operate jointly and the extent of their activities in Florida." *See* ECF 17-6. Prior courts in this Circuit have applied the 11th Circuit's jurisdictional discovery standard for patent venue-related discovery requests. *See Blue Water Innovations, LLC v. Vevazz, LLC*, No. 6:20-cv-774-Orl-78DCI, 2020 WL 6828950, at *4-5 (M.D. Fla. Oct. 29, 2020). Under that standard, SHV was required to "provide the Court with some showing establishing the need for" venue-related discovery, *see Vision Media TV Grp., LLC v. Forte*, 724 F. Supp. 2d 1260, 1267 n.3 (S.D. Fla. 2010), and to "set forth the specific information sought that will establish jurisdiction," *Blue Water*, 2020 WL 6828950, at *4. SHV has failed to meet this burden.

Plaintiff has not presented factual allegations or identified with specificity the information it hopes to uncover sufficient to find that discovery is necessary nor has it challenged any of the evidence put forth by Defendants. As discussed above, SHV's Amended Complaint fails to establish a *prima facie* showing of patent venue for either Defendant. *See supra* Section II(B). Courts in other circuits have also denied venue-related discovery when the plaintiff provided "little evidence" that does not "speak impactfully to the prospect that [a first company's] corporate separateness from [a second company] is a 'legal fiction.'" *Galderma Lab'ys, L.P. v. Medinter US, LLC*, No. 18-1892-CFC-CJB, Dkt. No. 98 at 11-14 (D. Del. Oct. 25, 2019) (denying discovery where plaintiff provided barely any evidence of corporate separateness not being maintained). Here, SHV asserts its novel joint enterprise theory but fails to present evidence relevant to any of the factors in the corporate separateness analysis, as explained above. SHV should not be entitled to "undertake a fishing expedition based only upon bare allegations, under the guise of jurisdictional discovery." *See Eurofins Pharma US Holdings v. BioAlliance Pharma SA*, 623 F.3d

147, 157 (3d Cir. 2010); *see also Symbology*, 282 F. Supp. 3d at 934 (denying venue-related discovery where “[t]he facts presented—revenue, corporate registration, an agent for service of process, and periodic promotional events—fail to suggest any continuous presence here,” as required under § 1400(b) and no indication that corporate separateness was not maintained between the defendants).

SHV’s sole citation for its request for “venue-related discovery” is also legally and factually distinguishable. ECF 17-11 (citing *Javelin Pharms., Inc. v. Mylan Lab ’ys Ltd.*, No. 16-224-LPS, 2017 WL 5953296, at *3 (D. Del. Dec. 1, 2017)). First, the cited case applied the 3rd Circuit’s “clearly frivolous” standard, not the 11th Circuit’s legal standard for venue-related discovery. Yet even under that standard, a plaintiff is not given freedom to “investigate the related corporate entities of Defendants” (ECF 17-11) merely because they are related corporations. For example, in *Javelin*, the court permitted venue-related discovery in part because “the ‘place’ of a corporate affiliate or subsidiary of a named defendant may . . . be treated as a ‘place of the defendant.’” 2017 WL 5953296, at *4. But the court clarified that this was true only in “some circumstances.” *Id.* Again, one of the “pertinent circumstances to be considered is whether the formalities of corporate separateness are preserved.” *Id.* The *Javelin* plaintiff—unlike SHV—had made a sufficient showing suggesting that “formal corporate separateness” was not maintained, such that the court permitted discovery on that issue. *Id.* Here, SHV has made no such showing. Consequently, SHV has not shown that it is entitled to any venue-related discovery.

Request for Hearing

Pursuant to Local Rule 7.1(b)(2), Defendants request oral argument on the present motion and estimate that one hour is needed. Defendants believe that oral argument will be helpful and offer a more interactive exchange of the information presented in the parties’ memoranda.

Certification of Conferral

Pursuant to Local Rule 7.1(a)(3), counsel for the Defendants certify that counsel has conferred with counsel for Plaintiff, by telephone, in a good faith effort to resolve by agreement, that portion of Defendants' motion that request the alternative relief that this case be transferred to the District of New Jersey, but Plaintiff would not agree to transfer venue.

Dated: January 17, 2023

Respectfully submitted,

**KLUGER, KAPLAN, SILVERMAN,
KATZEN & LEVINE**

By: /s/Terri Ellen Tuchman Meyers
Terri Ellen Tuchman Meyers
tmeyers@klugerkaplan.com
Fla. Bar No. 881279
Marissa A. Reichel
mreichel@klugerkaplan.com
Fla. Bar No. 1016190
201 S. Biscayne Boulevard, Suite 2700
Miami, Florida 33131
Telephone: (305) 379-9000

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, LLP
C. Gregory Gramenopoulos (*pro hac vice* motion to be filed)
c.gregory.gramenopoulos@finnegan.com
Kelly Horn (*pro hac vice* motion to be filed)
Kelly.Horn@finnegan.com
901 New York Avenue, NW
Washington, DC 20001
Telephone: (202) 408-4000