

**U.S. District Court
District of Maryland (Greenbelt)
CIVIL DOCKET FOR CASE #: 8:22-cv-03337-MJM**

Desktop Alert Inc. v. Alertus Technologies, LLC
Assigned to: District Judge Matthew J. Maddox
Cause: 28:1338 Patent Infringement

Date Filed: 12/23/2022
Jury Demand: None
Nature of Suit: 830 Patent
Jurisdiction: Federal Question

Plaintiff

Desktop Alert Inc.

represented by **Joseph Farco**
Norris McLaughlin PA
7 Times Square
New York, NY 10036
2128080700
Fax: 2128080844
Email: JFarco@norris-law.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Andrew Charles Aitken
IP Law Leaders PLLC
6701 Democracy Blvd., Ste 555
Bethesda, MD 20817
301 537-3299
Email: acaitken@aitkenlawoffices.com
ATTORNEY TO BE NOTICED

V.

Defendant

Alertus Technologies, LLC

represented by **Brian Matthew Koide**
Millen, White, Zelano & Branigan, P.C.
2200 Clarendon Boulevard
Suite 1400
Arlington, VA 22201
703-812-5309
Email: brian@koideiplaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael John Neary
Lerch Early and Brewer Chtd
7600 Wisconsin Avenue
Suite 700
Bethesda, MD 20814
13019861300

Fax: 13013471790
 Email: mjneary@lerchearly.com
 ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/23/2022	<u>1</u>	COMPLAINT against Alertus Technologies, LLC (Filing fee \$ 402 receipt number AMDDC-10341535.), filed by Desktop Alert, LLC. (Attachments: # <u>1</u> Exhibit US Patent No. 9,172,765, # <u>2</u> Exhibit Alertus Tech. Marketing Doc., # <u>3</u> Exhibit Robertson Transcript, filed under seal, # <u>4</u> Exhibit Alertus Tech. Marketing Doc., # <u>5</u> Exhibit Desktop Alert press releases)(Aitken, Andrew) (Entered: 12/23/2022)
12/28/2022	<u>2</u>	QC NOTICE: <u>1</u> Complaint, filed by Desktop Alert, LLC was filed incorrectly. <i>**The following attachments or exhibits are missing - Civil Cover Sheet and Proposed Summonses for issuance. To correct this problem, file Civil Cover Sheet and Proposed Summonses for issuance using the event Notice (Other) and link Civil Cover Sheet and Proposed Summonses for issuance to <u>1</u> Complaint.</i> (kk5s, Deputy Clerk) (Entered: 12/28/2022)
12/28/2022	<u>3</u>	QC NOTICE: <u>1</u> Complaint, filed by Desktop Alert, LLC was filed incorrectly. <i>**A Motion to Seal is required for filing an exhibit under seal. Please file the Motion to seal and then separately, file the Proposed Sealed Exhibit using the event "Notice of Filing Exhibit or Attachment Under Seal." Please contact the Clerks Office, if needed, prior to filing.</i> (kk5s, Deputy Clerk) (Entered: 12/28/2022)
12/28/2022		Deficiency Notice -- Your Local Rule 103.3 disclosure statement has not been filed. The Statement must be filed by 1/4/2023 (kk5s, Deputy Clerk) (Entered: 12/28/2022)
12/28/2022		Deficiency Notice -- Report on Filing Patent/Trademark form (AO 120) has not been filed. The form is located at http://www.mdd.uscourts.gov/publications/DisplayForms.asp?ActiveTab=Civil . Please <u>fully complete</u> and file the form by selecting Civil > Other Filings > Other Documents > Report on Filing Patent/Trademark. The form must be filed by 1/4/2023 (kk5s, Deputy Clerk) (Entered: 12/28/2022)
12/30/2022	<u>4</u>	-SEALED - NOTICE of Filing Under Seal Exhibit C to Complaint by Desktop Alert, LLC re <u>1</u> Complaint, (Aitken, Andrew) (Entered: 12/30/2022)
12/30/2022	<u>5</u>	MOTION for Protective Order <i>to Seal Exhibit C to Complaint</i> by Desktop Alert, LLC(Aitken, Andrew) (Entered: 12/30/2022)
12/30/2022	<u>6</u>	NOTICE by Desktop Alert, LLC <i>Civil Cover Sheet</i> (Aitken, Andrew) (Entered: 12/30/2022)
12/30/2022	<u>7</u>	NOTICE by Desktop Alert, LLC <i>Proposed Summons</i> (Aitken, Andrew) (Entered: 12/30/2022)
01/03/2023	<u>8</u>	Summons Issued 21 days as to Alertus Technologies, LLC.(kk5s, Deputy Clerk) (Entered: 01/03/2023)
01/04/2023	<u>9</u>	NOTICE by Desktop Alert, LLC <i>of Patent Filing to US Patent and Trademark Officep</i> (Aitken, Andrew) (Entered: 01/04/2023)
01/04/2023	<u>10</u>	(FILED IN ERROR) Local Rule 103.3 Disclosure Statement by Desktop Alert, LLC (Aitken, Andrew) Modified on 1/5/2023 (heps, Deputy Clerk). (Entered: 01/04/2023)

01/04/2023	<u>11</u>	NOTICE by Desktop Alert, LLC of Patent Filing for US Patent and Trademark Office (Aitken, Andrew) (Entered: 01/04/2023)
01/05/2023	<u>12</u>	PAPERLESS ORDER granting <u>5</u> motion to seal Exhibit C to the Complaint. Signed by Judge Deborah L. Boardman on 1/5/2023. (lmys, Chambers) (Entered: 01/05/2023)
01/05/2023	<u>13</u>	QC NOTICE: <u>10</u> Local Rule 103.3 Disclosure Statement filed by Desktop Alert, LLC was filed incorrectly. <i>It has been noted as FILED IN ERROR, and the document link has been disabled.</i> <i>**When docketing the Local Rule 103.3 Disclosure Statement the Corporate Parents, Affiliates and parties with a financial interest MUST be entered when prompted by CM/ECF to do so. Please re-file the document correctly.</i> (heps, Deputy Clerk) (Entered: 01/05/2023)
01/20/2023	<u>14</u>	QC NOTICE: <u>11</u> Notice (Other) filed by Desktop Alert, LLC, <u>9</u> Notice (Other) filed by Desktop Alert, LLC was filed incorrectly. <i>It has been noted as FILED IN ERROR, and the document link has been disabled. Wrong Event Selected. Please refile using the event Report on Filing Patent/Trademark so the patent office is notified.</i> (heps, Deputy Clerk) (Entered: 01/24/2023)
01/24/2023	<u>15</u>	[FILED IN ERROR] Local Rule 103.3 Disclosure Statement by Desktop Alert, LLC (Aitken, Andrew) Modified on 1/25/2023 (kk5s, Deputy Clerk). (Entered: 01/24/2023)
01/24/2023	<u>16</u>	Report on Filing Patent/Trademark (Aitken, Andrew) (Entered: 01/24/2023)
01/25/2023	<u>17</u>	SECOND QC NOTICE: <u>15</u> Local Rule 103.3 Disclosure Statement filed by Desktop Alert Inc. was filed incorrectly. <i>**Corporate parents an/or affiliates must be added when the disclosure is filed. Please refile and add the party when prompted by the system. If needed, contact the Clerk's office with questions, prior to refile. It has been noted as FILED IN ERROR, and the document link has been disabled.</i> (kk5s, Deputy Clerk) (Entered: 01/25/2023)
02/09/2023	<u>18</u>	Joint MOTION for Extension of Time to File Answer by Desktop Alert Inc. (Attachments: # <u>1</u> Text of Proposed Order)(Aitken, Andrew) (Entered: 02/09/2023)
02/10/2023	<u>19</u>	Local Rule 103.3 Disclosure Statement by Desktop Alert Inc. identifying Other Affiliate Metis Secure Solutions for Desktop Alert Inc..(Aitken, Andrew) (Entered: 02/10/2023)
02/10/2023	<u>20</u>	PAPERLESS ORDER granting <u>18</u> Joint MOTION for Extension of Time to File Answer Alertus Technologies, LLC's response to the complaint is due 4/17/2023. Signed by Judge Deborah L. Boardman on 2/10/2023. (lmys, Chambers) (Entered: 02/10/2023)
04/14/2023	<u>21</u>	Joint MOTION for Extension of Time to File Answer <i>Consented to Plaintiff</i> by Desktop Alert Inc. (Attachments: # <u>1</u> Text of Proposed Order)(Aitken, Andrew) (Entered: 04/14/2023)
04/14/2023	<u>22</u>	PAPERLESS ORDER granting <u>21</u> Joint MOTION for Extension of Time to File Answer <i>Consented to Plaintiff</i> Defendant's response to the complaint is due June 1, 2023. Signed by Judge Deborah L. Boardman on 4/14/2023. (lmys, Chambers) (Entered: 04/14/2023)
05/31/2023	<u>23</u>	MOTION for Leave to File <i>First Amended Complaint</i> by Desktop Alert Inc. (Attachments: # <u>1</u> Memorandum in Support Memoradum in Support of Motion for Leave, # <u>2</u> Exhibit Ex 1 First Amended Complaint, # <u>3</u> Exhibit Ex 2 First Amended

		Complaint showing changes, # <u>4</u> Text of Proposed Order Proposed Order)(Aitken, Andrew) (Entered: 05/31/2023)
06/01/2023	<u>24</u>	Joint MOTION for Extension of Time to File Answer by Desktop Alert Inc. (Attachments: # <u>1</u> Text of Proposed Order Proposed order)(Aitken, Andrew) (Entered: 06/01/2023)
06/02/2023	<u>25</u>	ORDER granting <u>23</u> Motion for Leave to Amend Complaint; denying as moot <u>24</u> Joint Motion for Extension of Time. Signed by Judge Deborah L. Boardman on 6/2/2023. (kk5s, Deputy Clerk) (Entered: 06/05/2023)
06/02/2023	<u>26</u>	AMENDED COMPLAINT against Alertus Technologies, LLC, filed by Desktop Alert Inc.. (Attachments: # <u>1</u> Redline Version)(kk5s, Deputy Clerk) (Entered: 06/05/2023)
06/22/2023	<u>27</u>	MOTION to Dismiss for Failure to State a Claim by Alertus Technologies, LLC (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order Exhibit A, # <u>3</u> Exhibit B)(Neary, Michael) (Entered: 06/22/2023)
06/22/2023	<u>28</u>	Local Rule 103.3 Disclosure Statement by Alertus Technologies, LLC (Neary, Michael) (Entered: 06/22/2023)
06/28/2023	<u>29</u>	MOTION to Appear Pro Hac Vice for Joseph Farco (Filing fee \$100, receipt number AMDDC-10679390.) by Desktop Alert Inc.(Aitken, Andrew) (Entered: 06/28/2023)
06/29/2023	<u>30</u>	PAPERLESS ORDER granting <u>29</u> Motion to Appear Pro Hac Vice on behalf of Joseph Farco. Directing attorney Joseph Farco to register for pro hac vice filing in the District of Maryland through PACER at https://pacer.uscourts.gov/ if attorney has not already done so. The <i>Pro Hac Vice</i> option must be selected when registering. Signed by Clerk on 6/29/2023. (mh4s, Deputy Clerk) (Entered: 06/29/2023)
07/05/2023	<u>31</u>	NOTICE of Appearance by Brian Matthew Koide on behalf of Alertus Technologies, LLC (Koide, Brian) (Entered: 07/05/2023)
07/06/2023	<u>32</u>	RESPONSE re <u>27</u> MOTION to Dismiss for Failure to State a Claim <i>and Motion for Partial Summary Judgment</i> , RESPONSE to Motion filed by Desktop Alert Inc.. (Attachments: # <u>1</u> Affidavit Declaration of Joseph Farco, # <u>2</u> Attachment Exhibit A to Joseh Farco Declaration, # <u>3</u> Text of Proposed Order Proposed Order)(Aitken, Andrew) (Entered: 07/06/2023)
07/20/2023	<u>33</u>	REPLY to Response to Motion re <u>27</u> MOTION to Dismiss for Failure to State a Claim filed by Alertus Technologies, LLC.(Neary, Michael) (Entered: 07/20/2023)
07/28/2023	<u>34</u>	MOTION for Leave to File <i>Sur-Reply</i> by Desktop Alert Inc. (Attachments: # <u>1</u> Attachment Sur-Reply, # <u>2</u> Text of Proposed Order Proposed order)(Aitken, Andrew) (Entered: 07/28/2023)
08/11/2023	<u>35</u>	RESPONSE in Opposition re <u>34</u> MOTION for Leave to File <i>Sur-Reply by Plaintiff</i> filed by Alertus Technologies, LLC. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order Denying Motion)(Neary, Michael) (Entered: 08/11/2023)
11/14/2023		Case Reassigned to Judge Matthew J. Maddox. Judge Deborah L. Boardman no longer assigned to the case. (mg3s, Deputy Clerk) (Entered: 11/14/2023)

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