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PATENT

**U.S. District Court
District of Delaware (Wilmington)
CIVIL DOCKET FOR CASE #: 1:23-cv-01116-GBW**

Metarail, Inc. v. Google LLC
Assigned to: Judge Gregory B. Williams
Cause: 35:1 Patent Infringement

Date Filed: 10/06/2023
Jury Demand: Plaintiff
Nature of Suit: 830 Patent
Jurisdiction: Federal Question

Plaintiff**Metarail, Inc.**

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Date Filed	#	Docket Text
10/06/2023	<u>1</u>	COMPLAINT filed with Jury Demand against Google LLC (Filing fee \$ 402, receipt number ADEDC-4242661.) - filed by Metarail, Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Civil Cover Sheet)(mpb) (Entered: 10/06/2023)
10/06/2023	<u>2</u>	Notice, Consent and Referral forms re: U.S. Magistrate Judge jurisdiction. (mpb) (Entered: 10/06/2023)
10/06/2023	<u>3</u>	Report to the Commissioner of Patents and Trademarks for Patent/Trademark Number(s) US 9,633,378 ;US 10,152,734 ;US 10,262,342 ;US 10,789,626. (mpb) (Entered: 10/06/2023)
10/06/2023	<u>4</u>	Disclosure Statement pursuant to Rule 7.1: No Parents or Affiliates Listed filed by Metarail, Inc.. (mpb) (Entered: 10/06/2023)
10/06/2023		No Summons Issued. (mpb) (Entered: 10/06/2023)
10/10/2023	<u>5</u>	SUMMONS Returned Executed by Metarail, Inc..Google LLC served on 10/10/2023, answer due 10/31/2023. (Mayo, Andrew) (Entered: 10/10/2023)
10/11/2023		Case Assigned to Judge Gregory B. Williams. Please include the initials of the Judge (GBW) after the case number on all documents filed. (rjb) (Entered: 10/11/2023)
10/12/2023	<u>6</u>	MOTION for Pro Hac Vice Appearance of Attorney Elizabeth Day, Marc Belloli, Jerry D. Tice II, Richard C. Lin, Hillary N. Bunsow, and Michael E. Flynn-OBrien - filed by Metarail, Inc.. (Mayo, Andrew) (Entered: 10/12/2023)
10/13/2023		SO ORDERED, re <u>6</u> MOTION for Pro Hac Vice Appearance of Attorney Elizabeth Day, Marc Belloli, Jerry D. Tice II, Richard C. Lin, Hillary N. Bunsow, and Michael E. Flynn-OBrien filed by Metarail, Inc. Signed by Judge Gregory B. Williams on 10/13/23. (ntl) (Entered: 10/13/2023)
10/13/2023		Pro Hac Vice Attorney Hillary Bunsow and Jerry D. Tice, II for Metarail, Inc. added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the

		registered users of CM/ECF and shall be required to file all papers. (mpb) (Entered: 10/13/2023)
10/16/2023		Pro Hac Vice Attorneys Marc Belloli, Elizabeth Day, and Michael E. Flynn-O'Brien for Metarail, Inc. added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (mpb) (Entered: 10/16/2023)
10/16/2023		Pro Hac Vice Attorney Richard C. Lin for Metarail, Inc. added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (mpb) (Entered: 10/16/2023)
10/17/2023	7	STIPULATION TO EXTEND TIME to answer, move, or otherwise respond to the Complaint to December 15, 2023 - filed by Google LLC. (Moore, David) (Entered: 10/17/2023)
10/20/2023		SO ORDERED, re 7 STIPULATION TO EXTEND TIME to answer, move, or otherwise respond to the Complaint to December 15, 2023 filed by Google LLC. Signed by Judge Gregory B. Williams on 10/19/23. (ntl) (Entered: 10/20/2023)
10/30/2023	8	MOTION for Pro Hac Vice Appearance of Attorney Gregory F. Corbett, Charles T. Steenburg, Marie A. McKiernan, Jie Xiang, Elizabeth A. DiMarco and John W. McGrath of Wolf, Greenfield & Sacks, P.C. - filed by Google LLC. (Palapura, Bindu) (Entered: 10/30/2023)
10/31/2023		SO ORDERED, re 8 MOTION for Pro Hac Vice Appearance of Attorney Gregory F. Corbett, Charles T. Steenburg, Marie A. McKiernan, Jie Xiang, Elizabeth A. DiMarco and John W. McGrath of Wolf, Greenfield & Sacks, P.C. filed by Google LLC. Signed by Judge Gregory B. Williams on 10/31/23. (ntl) (Entered: 10/31/2023)
11/09/2023		Pro Hac Vice Attorney Jie Xiang, John W. McGrath, Charles T Steenburg, Marie A. McKiernan, Gregory F. Corbett, and Elizabeth A. DiMarco for Google LLC added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (smg) (Entered: 11/09/2023)
12/15/2023	9	MOTION to Dismiss for Failure to State a Claim - filed by Google LLC. (Attachments: # 1 Text of Proposed Order)(Moore, David) (Entered: 12/15/2023)
12/15/2023	10	OPENING BRIEF in Support re 9 MOTION to Dismiss for Failure to State a Claim filed by Google LLC. Answering Brief/Response due date per Local Rules is 12/29/2023. (Moore, David) (Entered: 12/15/2023)
12/15/2023	11	DECLARATION re 10 Opening Brief in Support [<i>Declaration of Marie McKiernan</i> by Google LLC. (Attachments: # 1 Exhibit A-I)(Moore, David) (Entered: 12/15/2023)
12/15/2023	12	Disclosure Statement pursuant to Rule 7.1: identifying Corporate Parent XXVI Holdings, Inc. for Google LLC filed by Google LLC. (Moore, David) (Entered: 12/15/2023)
12/20/2023	13	STIPULATION to extend deadline to respond to motion to dismiss to January 12, 2024, by Metarail, Inc.. (Mayo, Andrew) (Entered: 12/20/2023)
12/21/2023		SO ORDERED, re 13 Stipulation to Extend Deadline to Respond to Motion to Dismiss filed by Metarail, Inc. Signed by Judge Gregory B. Williams on 12/21/23. (ntl) (Entered: 12/21/2023)
01/09/2024	14	NOTICE requesting Clerk to remove Michael E. Flynn-O'Brien as co-counsel.. (Mayo, Andrew) (Entered: 01/09/2024)

01/12/2024	<u>15</u>	First AMENDED COMPLAINT against Google LLC- filed by Metarail, Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J)(Mayo, Andrew) (Entered: 01/12/2024)
01/26/2024	<u>16</u>	MOTION to Dismiss for Failure to State a Claim <i>Plaintiff's First Amended Complaint</i> - filed by Google LLC. (Attachments: # <u>1</u> Text of Proposed Order)(Moore, David) (Entered: 01/26/2024)
01/26/2024	<u>17</u>	OPENING BRIEF in Support re <u>16</u> MOTION to Dismiss for Failure to State a Claim <i>Plaintiff's First Amended Complaint</i> filed by Google LLC.Answering Brief/Response due date per Local Rules is 2/9/2024. (Moore, David) (Entered: 01/26/2024)
01/26/2024	<u>18</u>	DECLARATION re <u>17</u> Opening Brief in Support, <u>16</u> MOTION to Dismiss for Failure to State a Claim <i>Plaintiff's First Amended Complaint [Declaration of Marie A. McKiernan]</i> by Google LLC. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Moore, David) (Entered: 01/26/2024)
02/09/2024	<u>19</u>	ANSWERING BRIEF in Opposition re <u>16</u> MOTION to Dismiss for Failure to State a Claim <i>Plaintiff's First Amended Complaint</i> filed by Metarail, Inc..Reply Brief due date per Local Rules is 2/16/2024. (Attachments: # <u>1</u> Exhibit 1)(Mayo, Andrew) (Entered: 02/09/2024)
02/09/2024	<u>20</u>	STIPULATION TO EXTEND TIME for Defendant to file its reply brief in further support of its motion to dismiss (DI 16) to February 23, 2024 - filed by Google LLC. (Moshos, Andrew) (Entered: 02/09/2024)
02/13/2024		SO ORDERED, re <u>20</u> STIPULATION TO EXTEND TIME for Defendant to file its reply brief in further support of its motion to dismiss (DI 16) to February 23, 2024 filed by Google LLC. Signed by Judge Gregory B. Williams on 2/13/24. (ntl) (Entered: 02/13/2024)
02/23/2024	<u>21</u>	REPLY BRIEF re <u>16</u> MOTION to Dismiss for Failure to State a Claim <i>Plaintiff's First Amended Complaint</i> filed by Google LLC. (Moore, David) (Entered: 02/23/2024)
06/10/2024	<u>22</u>	MOTION to Transfer Case to Northern District of California - filed by Google LLC. (Attachments: # <u>1</u> Text of Proposed Order)(Moore, David) (Entered: 06/10/2024)
06/10/2024	<u>23</u>	[SEALED] OPENING BRIEF in Support re <u>22</u> MOTION to Transfer Case to Northern District of California filed by Google LLC.Answering Brief/Response due date per Local Rules is 6/24/2024. (Moore, David) (Entered: 06/10/2024)
06/10/2024	<u>24</u>	[SEALED] DECLARATION re <u>22</u> MOTION to Transfer Case to Northern District of California <i>[Declaration of Ana Chan]</i> by Google LLC. (Moore, David) (Entered: 06/10/2024)
06/10/2024	<u>25</u>	DECLARATION re <u>22</u> MOTION to Transfer Case to Northern District of California <i>[Declaration of Marie A. McKiernan]</i> by Google LLC. (Attachments: # <u>1</u> Exhibit 1-31) (Moore, David) (Entered: 06/10/2024)
06/10/2024	<u>26</u>	DECLARATION re <u>22</u> MOTION to Transfer Case to Northern District of California <i>[Declaration of Walter Vulej]</i> by Google LLC. (Moore, David) (Entered: 06/10/2024)
06/12/2024	<u>27</u>	STIPULATION to Extend Briefing Schedule on Google LLC's Motion to Transfer Venue to the Northern District of California, by Metarail, Inc.. (Day, John) (Entered: 06/12/2024)
06/14/2024		SO ORDERED, re <u>27</u> STIPULATION AND ORDER to Extend Briefing Schedule on Google LLC's Motion to Transfer Venue to the Northern District of California, by filed by

		Metarail, Inc. Signed by Judge Gregory B. Williams on 6/14/24. (jaa) (Entered: 06/14/2024)
06/17/2024	28	REDACTED VERSION of 23 Opening Brief in Support by Google LLC. (Moore, David) (Entered: 06/17/2024)
06/17/2024	29	REDACTED VERSION of 24 Declaration of Ana Chan by Google LLC. (Moore, David) (Entered: 06/17/2024)
07/08/2024	30	[SEALED] ANSWERING BRIEF in Opposition re 22 MOTION to Transfer Case to Northern District of California filed by Metarail, Inc..Reply Brief due date per Local Rules is 7/15/2024. (Mayo, Andrew) (Entered: 07/08/2024)
07/08/2024	31	DECLARATION re 30 Answering Brief in Opposition (<i>Declaration of Gina White</i>) by Metarail, Inc.. (Mayo, Andrew) (Entered: 07/08/2024)
07/08/2024	32	DECLARATION re 30 Answering Brief in Opposition (<i>Declaration of Marc Belloli</i>) by Metarail, Inc.. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J, # 11 Exhibit K, # 12 Exhibit L)(Mayo, Andrew) (Entered: 07/08/2024)
07/15/2024	33	REDACTED VERSION of 30 Answering Brief in Opposition by Metarail, Inc.. (Mayo, Andrew) (Entered: 07/15/2024)
07/29/2024	34	[SEALED] REPLY BRIEF re 22 MOTION to Transfer Case to Northern District of California filed by Google LLC. (Moore, David) (Entered: 07/29/2024)
08/05/2024	35	REDACTED VERSION of 34 Reply Brief by Google LLC. (Moore, David) (Entered: 08/05/2024)
08/23/2024	36	Letter to The Honorable Gregory B. Williams from Andrew C. Mayo regarding notice of supplemental authority. (Attachments: # 1 Exhibit A)(Mayo, Andrew) (Entered: 08/23/2024)
08/26/2024	37	[SEALED] Letter to The Honorable Gregory B. Williams from David E. Moore regarding response to MetaRail's notice of supplemental authority - re 36 Letter. (Attachments: # 1 Exhibit 1)(Moore, David) (Entered: 08/26/2024)
09/03/2024	38	REDACTED VERSION of 37 Letter by Google LLC. (Attachments: # 1 Exhibit 1) (Moore, David) (Entered: 09/03/2024)

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