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February 23, 2011

BY ELECTRONIC FILING

The Honorable Leonard P. Stark
U.S. District Court for the District of Delaware
844 N. King Street, Unit 26, Room 6100
Wilmington, DE 19801-3556

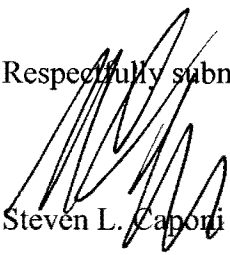
Re: Notice of Supplemental Authority in *Leader Technologies, Inc. v. Facebook, Inc.*, Civ. No. 08-862-LPS

Dear Judge Stark:

I write to cite the Court to a very recent Federal Circuit opinion relevant to the pending Facebook Motion for Summary Judgment of Invalidity of Claims 1, 4, 7, 21, 23, 25, 31 and 32 of U.S. Patent No. 7,139,761 (D.I. 382; 384), and Facebook Motion for Judgment as a Matter of Law of Invalidity (No. 4) (D.I. 631; 635). In *In Re Katz Interactive Call Processing Patent Litigation.*, 2009-1450, -1451, -1452, -1468, -1469, 2010-1017 (Fed. Cir. Feb. 18, 2011), the Federal Circuit confirmed its prior decision in *IPXL Holdings, L.L.C. v. Amazon.com, Inc.*, 430 F.3d 1377, 1384 (Fed. Cir. 2005) that system claims that incorporate a “wherein” method step are indefinite and invalid. *Katz*, at *24-25.

Facebook would be happy to provide additional briefing on *Katz* and how it relates to the pending motions should the Court determine that it would be helpful.

Respectfully submitted,


Steven L. Caponi (I.D. No. 3484)

SLC/mcl
Encl.

cc: All counsel of record