

IN THE UNITED STATES DISTRICT COURT**FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CROSS ATLANTIC CAPITAL PARTNERS, INC.,

CIVIL ACTION

Plaintiff,

NO. 07-CV- 02768-JP

v.

FACEBOOK, INC. and THEFACEBOOK, LLC,

ORAL ARGUMENT REQUESTED

Defendants.

FACEBOOK MOTION NO. 1**FACEBOOK'S NOTICE OF MOTION AND MOTION FOR PARTIAL SUMMARY
JUDGMENT OF NON-INFRINGEMENT RE CURRENT FACEBOOK SYSTEM**

COME NOW the defendants Facebook, Inc. and Thefacebook, LLC ("Facebook"), by and through undersigned counsel, and hereby move for partial summary judgment that Facebook's current system does not infringe U.S. Patent No. 6,519,629, as alleged by plaintiff Cross Atlantic Capital Partners, Inc.

The grounds for this motion are set forth in the accompanying memorandum, statement of material facts in accordance with the Hon. John R. Padova's Policies and Procedures, declarations and attached exhibits, which are incorporated by reference as if fully set forth herein.

A certificate of service and proposed order are also supplied herewith in accordance with Local Rules 7.1(a) and (d).

Oral argument is hereby requested in accordance with Local Rule 7.1(f).

CERTIFICATE OF SERVICE

This is to hereby certify that on June 20, 2008, I caused a true and correct copy of the foregoing **Facebook’s Notice of Motion and Motion for Partial Summary Judgment of Non-infringement re Current Facebook System** to be served *via* this Court’s Electronic Filing (“ECF”) System, upon the following:

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/s/ Heidi L. Keefe
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