

United States Court of Appeals for the Federal Circuit

2011-1366: LEADER TECH V FACEBOOK

U.S. District Court
District of Delaware
Judge Leonard P. Stark

Lower Court/Agency #: 08-CV-0862
Nature of Suit: 830
Case Type: Civil Private
DCT Type: Infringement
Basis of Jurisdiction: Federal Question

Notice of Appeal and Certified List Received: 04/29/2011
Notice of Appeal Filed: 04/21/2011
Docketed and Notice Sent to Parties: 05/04/2011
Certified List Filed: 05/04/2011

Fee Paid: 04/21/2011
Fee Amount: 455.00 Receipt No: 879057

<u>Date</u>	<u>Event Summary</u>
	Nothing Due
07/25/2011	Appellant Principal Brief Filing Date
10/24/2011	Appellee or Cross Appellant Principal Brief Filing Date
11/28/2011	Appellant Reply Brief Filing Date
	Appellee or Cross Appellant Reply Brief Filing Date
12/03/2011	Appendix Filing Date
03/05/2012	Oral Argument Date/Calendared
05/08/2012	Disposition: Affirmed; Panel
07/23/2012	Mandate

United States Court of Appeals for the Federal Circuit

2011-1366: LEADER TECH V FACEBOOK

List of Parties/Representation

Party Type/Name

Represented by

Plaintiff-Appellant

Leader Technologies, Inc.

Paul J. Andre
Kramer Levin Naftalis & Frankel LLP
990 Marsh Road
Menlo Park, CA 94025
Phone #: (650)533-3116
Fax #: (212)715-8000
Email: pandre@kramerlevin.com
Bar admit: 10/20/1998
EOA Filed: 05/17/2011
Principal Attorney

Daryl L. Joseffer
King & Spalding LLP
1700 Pennsylvania Avenue, N.W.
Suite 200
Washington, DC 20006
Phone #: (202)737-0500
Fax #: (202)626-3737
Email: djoeffe@kslaw.net
Bar admit: 04/30/2009
EOA Filed: 07/29/2011
[Withdrawn: 05/17/2012]

United States Court of Appeals for the Federal Circuit

2011-1366: LEADER TECH V FACEBOOK

Party Type/Name

Represented by

Adam M. Conrad
King & Spalding LLP
100 N. Tryon Street
Suite 3900
Charlotte, NC 28202
Phone #: (704)503-2600
Fax #: (704)503-2622
Email: aconrad@kslaw.com
Bar admit: 08/13/2009
EOA Filed: 08/01/2011
[Withdrawn: 05/17/2012]

Lisa Kobialka
Kramer Levin Naftalis & Frankel LLP
Bar admit: 01/08/2003
EOA Filed: 05/17/2011

Defendant-Appellee

Facebook, Inc.

Thomas G. Hungar
Gibson, Dunn & Crutcher LLP
1050 Connecticut Avenue, N.W.
Washington, DC 20036-5306
Phone #: (202)955-8558
Fax #: (202)530-9580
Email: thungar@gibsondunn.com
Bar admit: 03/21/2003
EOA Filed: 05/18/2011
Principal Attorney

William G. Jenks
Gibson, Dunn & Crutcher LLP
Email: wjenks@gibsondunn.com
Bar admit: 06/26/2001
EOA Filed: 05/18/2011

United States Court of Appeals for the Federal Circuit

2011-1366: LEADER TECH V FACEBOOK

Party Type/Name

Represented by

Michael F. Murray
Gibson, Dunn & Crutcher LLP
Email: mmurray@gibsondunn.com
Bar admit: 10/03/2011
EOA Filed: 10/03/2011

Michael G. Rhodes
Gibson, Dunn & Crutcher LLP
101 California Street
5th Floor
San Francisco, CA 94111
Phone #: (415)693-2000
Fax #: (415)693-2222
Email: mrhodes@cooley.com
Bar admit: 05/19/2011
EOA Filed: 05/19/2011

Heidi L. Keefe
Cooley LLP
3175 Hanover Street
Palo Alto, CA 94304-1130
Phone #: (650)843-5000
Fax #: (650)857-7400
Email: hkeefe@cooley.com
Bar admit: 09/01/1998
EOA Filed: 05/18/2011

Mark R. Weinstein
Cooley LLP
Email: mweinstein@cooley.com
Bar admit: 09/02/2003
EOA Filed: 05/18/2011

United States Court of Appeals for the Federal Circuit

2011-1366: LEADER TECH V FACEBOOK

Docket Entries

Date	Type	Entry#	Entry Text
05/04/2011	F	1	Appeal docketed on 05/04/2011. EOD(05/04/2011 by SJ) 2011-1366
05/04/2011	O	2	Official Caption. Court Service - 05/04/11. Filed: 05/04/11. REV(05/04/11 by SJ) 2011-1366
05/19/2011	O	3	Entry of Appearance for Mark R. Weinstein as counsel on behalf of appellee, Facebook, Inc. Mail Service - 05/18/11. Filed: 05/18/11. REV(05/23/11 by SCN) 2011-1366
05/19/2011	O	4	Entry of Appearance for William G. Jenks as counsel on behalf of appellee, Facebook, Inc. Mail Service - 05/18/11. Filed: 05/18/11. REV(05/23/11 by SCN) 2011-1366
05/19/2011	O	5	Entry of Appearance for Heidi Lyn Keefe as counsel on behalf of appellee, Facebook, Inc. Mail Service - 05/18/11. Filed: 05/18/11. REV(05/23/11 by SCN) 2011-1366
05/19/2011	O	6	Entry of Appearance for Thomas G. Hungar as principal counsel on behalf of appellee, Facebook, Inc. Mail Service - 05/18/11. Filed: 05/18/11. REV(05/23/11 by SCN) 2011-1366
05/19/2011	O	7	Entry of Appearance for Lisa Kobialka as counsel on behalf of appellant, Leader Technologies, Inc. Mail Service - 05/18/11. Filed: 05/18/11. REV(05/23/11 by SCN) 2011-1366
05/19/2011	O	8	Entry of Appearance for Paul J. Andre as counsel on behalf of appellant, Leader Technologies, Inc. Mail Service - 05/17/11. Filed: 05/17/11. REV(05/24/11 by AMT) 2011-1366
05/19/2011	O	9	Docketing Statement from appellee, Facebook, Inc. Mail Service - 05/18/11. Filed: 05/18/11. REV(05/19/11 by JSG) 2011-1366
05/19/2011	O	10	Docketing Statement from appellant, Leader Technologies, Inc. Mail Service - 05/17/11. Filed: 05/17/11. REV(05/19/11 by JSG) 2011-1366
05/23/2011	O	11	Certificate of Interest for appellant, Leader Technologies, Inc. Mail Service - 05/17/11. Filed: 05/17/11. REV(05/23/11 by SCN) 2011-1366
05/23/2011	O	12	Certificate of Interest for appellee, Facebook, Inc. Mail Service - 05/18/11. Filed: 05/18/11. REV(05/23/11 by SCN) 2011-1366

United States Court of Appeals for the Federal Circuit

2011-1366: LEADER TECH V FACEBOOK

Date	Type	Entry#	Entry Text
05/24/2011	O	13	Entry of Appearance for Michael G. Rhodes as counsel on behalf of appellee, Facebook Inc. Mail Service - 05/11/11. Filed: 05/19/11. REV(05/24/11 by SCN) 2011-1366
05/26/2011	M	14	Appellant [Leader Technologies, Inc.] - Unopposed Motion for a twenty-day extension of time to file brief. Mail Service - 05/26/11. Filed: 05/26/11. On consent. Action on Motion (15): Granted. Brief is due July 25, 2011. by Clerk. Filed: 05/26/11. EOD(05/26/11 by LRP) REV(06/03/11 by AR) 2011-1366
06/15/2011	O	16	Appellant Leader Technologies, Inc., Certificate of Compliance with FCR 11(d). Mail Service - 06/15/11. Filed: 06/15/11. REV(06/15/11 by MDB) 2011-1366
06/21/2011	O	17	Appellee Facebook, Inc., Certificate of Compliance with FCR 11(d). Mail Service - 06/20/11. Filed: 06/20/11. REV(06/21/11 by MDB) 2011-1366
07/26/2011	B	18	Leader Technologies, Inc. [Appellant] - Opening Brief of Plaintiff-Appellant Leader Technologies, Inc. Mail Service- 07/25/11. Filed: 07/25/11. Entry of Appearance Notice Issued. REV(07/26/11 by SEW) 2011-1366
08/01/2011	O	19	Entry of Appearance for Daryl Langdon Joseffer as counsel on behalf of appellant, Leader Technologies, Inc. Mail Service - 07/18/11. Filed: 07/29/11. REV(08/01/11 by SCN) 2011-1366
08/01/2011	O	20	Entry of Appearance for Adam Conrad as counsel on behalf of appellant, Leader Technologies, Inc. Mail Service - 07/18/11. Filed: 08/01/11. REV(08/01/11 by SCN) 2011-1366
08/25/2011	M	21	Appellee [Facebook, Inc.] - Unopposed Motion for Extension of Time to File Principal Brief for Appellee Facebook, Inc. Mail Service - 08/23/11. Filed: 08/23/11. On consent. Action on Motion (22): Granted. Appellee's brief is due on October 24, 2011. by Clerk. Filed: 08/25/11. EOD(08/25/11 by MDB) 2011-1366
10/04/2011	O	23	Entry of Appearance for Michael F. Murray as counsel on behalf of the appellee, Facebook, Inc. Mail Service - 09/29/11. Filed: 10/03/11. REV(10/07/11 by C C) 2011-1366
10/05/2011	O	24	Amended Certificate of Interest for appellee Facebook, Inc. Mail Service - 09/29/11. Filed: 09/29/11. REV(10/07/11 by C C) 2011-1366
10/17/2011	O	25	Amended Entry of Appearance for Paul J. Andre, as principal counsel on behalf of the Plaintiff-Appellant, Leader Technologies, Inc. Mail Service - 10/03/11. Filed: 10/04/11. REV(10/17/11 by SCN) 2011-1366

United States Court of Appeals for the Federal Circuit

2011-1366: LEADER TECH V FACEBOOK

Date	Type	Entry#	Entry Text
10/17/2011	O	26	Amended Entry of Appearance for Lisa Kobialka as counsel on behalf of the Plaintiff-Appellant, Leader Technologies, Inc. Mail Service - 10/03/11. Filed: 10/04/11. REV(10/17/11 by SCN) 2011-1366
10/25/2011	B	27	Facebook, Inc. [Appellee] - Brief for Defendant-Appellee Facebook, Inc. Mail Service-10/24/11. Filed: 10/24/11. REV(10/25/11 by VW) 2011-1366
10/31/2011	M	28	Appellant [Leader Technologies, Inc.] - Unopposed Motion for a fourteen day enlargement of time to file reply brief. Mail Service - 10/28/11. Filed: 10/31/11. On consent. Action on Motion (29): Granted. Reply brief is due November 28, 2011. by Clerk. Filed: 10/31/11. EOD(10/31/11 by LRP) 2011-1366
11/29/2011	B	30	Leader Technologies, Inc. [Appellant] - Reply Brief of Plaintiff-Appellant Leader Technologies, Inc. Mail Service-11/28/11. Filed: 11/28/11. REV(11/29/11 by VW) 2011-1366
12/05/2011	O	31	Joint Statement of Compliance with Federal Circuit Rule 33(a). Mail Service - 12/02/11. Filed: 12/02/11. REV(12/05/11 by LRP) 2011-1366
12/08/2011	B	32	Leader Technologies, Inc. [Appellant] - Joint Appendix (Two Volumes). Mail Service-12/03/11. Filed: 12/03/11. [Confidential and Nonconfidential versions] REV(12/08/11 by VW) 2011-1366
01/17/2012	O	33	Letter of counsel for appellant Leader Technologies, Inc. requesting that the court avoid scheduling the arguments in 2011-1366 and 2011-1466 close together or close to a case scheduled for 3/8 in the Fifth Circuit. Hand Service - 01/17/12. Received: 01/17/12. REV(01/17/12 by KSH) 2011-1366
01/18/2012	O	34	Letter of counsel for appellant Leader Technologies, Inc. requesting that oral argument for this appeal be scheduled during the March calendar, preferably on March 5 due to a conflict with 3/8 oral argument in the 5th Circuit. Fax Service - 01/17/12. Received: 01/17/12. REV(01/18/12 by KSH) 2011-1366
01/23/2012	O	35	NOTICE OF CALENDARING issued. Panel: 1203B on March 5, 2012. Entered: 01/23/2012. (EOD 01/23/2012 by KSH) 2011-1366
02/15/2012	O	36	Response to oral argument order from the appellant, Leader Technologies Inc., stating that Daryl L. Joseffer will argue. Mail Service - 02/14/12. Received: 02/14/12. REV(02/15/12 by EO) 2011-1366

United States Court of Appeals for the Federal Circuit

2011-1366: LEADER TECH V FACEBOOK

Date	Type	Entry#	Entry Text
02/15/2012	O	37	Response to oral argument order from the appellee, Facebook Inc., stating that Thomas G. Hungar will argue. Mail Service - 02/14/12. Received: 02/14/12. REV(02/15/12 by EO) 2011-1366
03/05/2012	O	38	Submitted after ORAL ARGUMENT by Daryl L. Joseffer and Thomas G. Hungar. Panel: Lourie, Moore and Wallach. Entered: 03/05/2012. (EOD 03/05/2012 by KSH) 2011-1366
05/08/2012	D	39	Disposition: Affirmed by Panel. Precedential Opinion by: J. Lourie. Judgment Entered: 05/08/12. Costs against Appellant. Opinion sent to parties: 05/08/12. Filed: 05/08/12. Mandate issued to the DCT: 07/23/12. REV (07/23/12 by LRP) 2011-1366
06/08/2012	P	40	Appellant [Leader Technologies, Inc.] - Combined Petition for Panel Rehearing and Rehearing En Banc [NPF] Mail Service- 06/06/12. Rejected: 06/08/12, not filed. REV(06/08/12 by LB) 2011-1366
06/08/2012	O	41	Notice of Deficiency sent to Leader Tech. Combined petition for rehearing is not filed because it is overlong. The statement of counsel must be included in the page limits. Leader may submit corrected petition by June 22, 2012. Court Service - 06/08/12. Mailed: 06/08/12. REV(06/08/12 by LB) 2011-1366
06/13/2012	P	42	Appellant [Leader Technologies, Inc.] - Combined Petition for Panel Rehearing and Rehearing En Banc Mail Service- 06/12/12. Filed: 06/13/12. Petition Circulated: 06/13/12. En Banc circulated: 06/28/12. Petition/En Banc Action(45): Denied/Denied on 07/16/12. REV(07/16/12 by LB) 2011-1366
07/11/2012	M	43	Other [Lakshmi Arunachalam, Ph.D.] - Motion of Lakshmi Arunachalam, Ph.D. for Leave to File Brief of Amicus Curiae in Support of Leader Technologies' Petition for Rehearing and Rehearing En Banc [NPF] Mail Service - 07/10/12. Filed: 07/11/12. Action on Motion (44): The motion is denied. The amicus curiae brief is not accepted for filing. by Merits Panel. Filed: 07/11/12. EOD(07/11/12 by LB) REV(07/23/12 by LB) 2011-1366

United States Court of Appeals for the Federal Circuit

2011-1366: LEADER TECH V FACEBOOK

Date	Type	Entry#	Entry Text
07/19/2012	M	46	Other [Arunachalam, Ph.D.] - Motion for Reconsideration of Notice of Motion of Lakshmi Arunachalam, Ph.D. for Leave to File Brief of Amicus Curiae in Support of Leader Technologies' Petition for Rehearing and Rehearing En Banc [NPF] Mail Service - 07/18/12. Filed: 07/19/12. Action on Motion (47): The motion for reconsideration is denied as the brief is moot and was filed out of time and in excess of the permitted page count. by Merits Panel. Filed: 07/24/12. EOD(07/19/12 by LB) REV(08/03/12 by LB) 2011-1366
08/10/2012	M	48	Other [Arunachalam, Ph.D.] - Renewed Motion of Lakshmi Arunachalam, Ph.D. for Leave to File Brief of Amicus Curiae in Support of Leader Technologies' Petition for Rehearing and Rehearing En Banc [NPF] Mail Service - 07/27/12. Filed: 07/30/12. Action on Motion (49): The motion is denied. by Merits Panel. Filed: 08/10/12. EOD(08/10/12 by LB) 2011-1366
09/06/2012	O	50	Request for Relief from Judgment and Order Pursuant to Rules 60(a) and 60(b) for Newly Discovered Evidence, Mistake, Fraud, Surprise, Misrepresentation, Misconduct and the Judgment is Void Mail Service - 09/01/12. Received: 09/04/12. REV(09/06/12 by LB) 2011-1366
09/06/2012	O	51	Motion to Compel Each Member of the Federal Circuit to Disclose Conflicts of Interest Court Service - 09/06/12. Received: 09/06/12. REV(09/06/12 by LB) 2011-1366
09/10/2012	O	52	Ordered: Lakshmi Arunachalam's request for relief from judgment and order and motion to compel disclosure are denied. By: PER CURIAM. Court Service - 09/10/12. Filed: 09/10/12. REV(09/10/12 by LB) 2011-1366
09/17/2012	M	53	Other [Federal Circuit Bar Association] - Request for reissue of Order as precedential. Mail Service - 09/11/12. Filed: 09/12/12. Reply 1 (55) Filed: 09/18/12 Action on Motion (54): The motion for reissuance of the court's August 10, 2012 order as precedential is denied. by Merits Panel. Filed: 09/18/12. EOD(09/17/12 by LRP) REV(09/19/12 by LB) 2011-1366
11/21/2012	O	56	Notice from the Clerk of the Supreme Court of the United States indicating that a petition for a writ of certiorari was filed on November 14, 2012 and placed on the docket as No. 12-617, Leader Technologies, Inc. v. Facebook, Inc. No Service Required. Received: 11/16/12. REV(11/21/12 by LB) 2011-1366

United States Court of Appeals for the Federal Circuit

2011-1366: LEADER TECH V FACEBOOK

Date	Type	Entry#	Entry Text
11/21/2012	S	57	Petition for Writ of Certiorari filed 11/14/12, Supreme Court #: 12-617. Cert. Denied on 01/07/13. REV(01/08/13 by LB) 2011-1366
01/08/2013	O	58	Notice from the Clerk of the Supreme Court of the United States that the petition for a writ of certiorari was denied on January 7, 2013 No Service Required. Received: 01/07/13. REV(01/08/13 by LB) 2011-1366