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10
11 **UNITED STATES DISTRICT COURT**
12 **SOUTHERN DISTRICT OF CALIFORNIA**
13

14 IN RE: AMERANTH PATENT
15 LITIGATION

16 **Lead Case No. 11cv1810 DMS (WVG)**

17 **NOTICE OF IDENTIFICATION OF**
18 **DEFENDANTS BY INDUSTRY GROUP**
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1 To the Court, all Parties, and their Attorneys of Record:

2 Please Take Notice that plaintiff Ameranth, Inc., hereby provides the following
3 identification of Defendants by Industry Group as listed in the Court's December
4 14, 2017 Case Management Conference Orders [Dkt. Nos. 898, 899, 900, 901, 902
5 and 903]:
6

7 **1. Pizza Companies and System Providers**

8 Pizza Hut/QuikOrder, Domino's, Papa John's

9 **2. Food Ordering Companies**

10 GrubHub/Seamless, Mobo/OLO, Onosys/Splickit, Starbucks*¹

11 **3. Hotel Companies**

12 Marriott, Hilton, Starwood, Best Western, Hyatt

13 **4. Travel Aggregators**

14 Expedia, Hotels.com, Orbitz, Travelocity, Hotwire, Hotels.com, Kayak,
15 Hotel Tonight
16

17 **5. Ticketing Companies**

18 Live Nation, Ticketmaster, StubHub, Fandango, Ticketfly, Ticketbiscuit,
19 Eventbrite
20

21
22 _____
23 ¹ Despite having not raised the issue in the parties' Joint Case Management
24 Statement [Dkt. 896], defendant Starbucks has now unilaterally filed its own
25 Notice [Dkt. 904] nominating itself to go into the last trial Industry Group (the
26 "Miscellaneous" group). While it is correct that Starbucks was the last defendant
27 sued by Ameranth prior to the stay and therefore was not originally listed among
28 the defendants included in the Industry Groups when those groups were first
formulated in the Court's earlier Case Management Order [Dkt. 345], the accused
Starbucks' system is a system for on-line/mobile food (and obviously beverage)
ordering. Therefore, consistent with the efficiency concerns behind organization
of this case into Industry Groups, Ameranth strongly believes that Starbucks is
properly included in the Food Ordering Companies Group.

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6. Miscellaneous/ Others

Apple, Usablenet, ATX, OpenTable, Oracle/Micros**, Agilysis**²

Respectfully submitted,

Dated: December 18, 2017

CALDARELLI HEJMANOWSKI & PAGE LLP

By: /s/ William J. Caldarelli

William J. Caldarelli

FABIANO LAW FIRM, P.C.

Michael D. Fabiano

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WATTS LAW OFFICE

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² Oracle/Micros and Agilysis were originally in the POS (“point of sale” system) Industry Group. The Court’s most recent case management orders do not contain a POS Industry Group, so these defendants are listed above in the Miscellaneous/Other Industry Group.