

AO 120 (Rev. 08/10)

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| TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450 | REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK |
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Eastern District of Virginia on the following

Trademarks or Patents. (the patent action involves 35 U.S.C. § 292.)

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| DOCKET NO. 1:12-CV-01394 | DATE FILED 12/5/2012 | U.S. DISTRICT COURT Eastern District of Virginia |
| PLAINTIFF Erik B. Cherdak | | DEFENDANT Fitbit, Inc. |
| PATENT OR TRADEMARK NO. | DATE OF PATENT OR TRADEMARK | HOLDER OF PATENT OR TRADEMARK |
| 1 5,343,445 | 8/30/1994 | Erik B. Cherdak |
| 2 5,452,269 | 9/19/1995 | Erik B. Cherdak |
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| 4 | | |
| 5 | | |

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

| | | | |
|-------------------------|--|-------------------------------|--|
| DATE INCLUDED | INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading | | |
| PATENT OR TRADEMARK NO. | DATE OF PATENT OR TRADEMARK | HOLDER OF PATENT OR TRADEMARK | |
| 1 | | | |
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In the above—entitled case, the following decision has been rendered or judgement issued:

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| DECISION/JUDGEMENT |
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|---------------------------|------------------------------------|-------------------|
| CLERK Fernando Galindo | (BY) DEPUTY CLERK Judith Lanham | DATE 12/6/2012 |
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