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20 IN THE UNITED STATES DISTRICT COURT
21 FOR THE CENTRAL DISTRICT OF CALIFORNIA

22 BLACKBERRY LIMITED, a
23 Canadian corporation,

24 Plaintiffs,

25 v.

26 FACEBOOK, INC., a Delaware
27 corporation, WHATSAPP INC., a
28 Delaware corporation, and
INSTAGRAM, LLC, a Delaware
limited liability company

Defendants.

) CASE NO. 2:18-cv-01844
) GW(KSx)

) **BLACKBERRY'S OPPOSITION**
) **TO DEFENDANTS' MOTION**
) **FOR SUMMARY JUDGMENT**
) **AND MOTION TO STRIKE**

) Hearing Date: February 20, 2020
) Time: 8:30 A.M.
) Judge: Hon. George H. Wu
) Courtroom: 9D

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Case No. 2:18-cv-01844 GW(KSx)

BLACKBERRY'S OPPOSITION TO MOTION FOR SUMMARY JUDGMENT & MOTION TO STRIKE

5		On A Misinterpretation Of BlackBerry's Infringement Theory.....	
6		1. <i>Defendants' summary judgment motion is based on an untimely non-infringement theory that should be excluded.</i>	
7		2. <i>Defendants' non-infringement theory is irrelevant and should be denied because it ignores BlackBerry's infringement theories.</i>	
8		3. <i>BlackBerry did not attempt to change its infringement theory and thus Dr. Rubin's clarification should not be stricken.</i>	
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