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September 15, 2014

VIA ECF

Hon. Katherine B. Forrest United States District Judge United States Courthouse 500 Pearl Street New York, New York 10007

Re: JobDiva, Inc. v. Monster Worldwide Inc., No. 13 Civ. 8229 (S.D.N.Y.)

Dear Judge Forrest:

We write in response to Monster's September 11, 2014 letter bringing to the Court's attention the Federal Circuit's recent decision in Interval Licensing LLC v. AOL, Inc. et al., Nos. 2013-1282-85 (Fed. Cir. Sept. 10, 2014). We have reviewed Interval Licensing, and believe that it supports the conclusion that the phrase "improve a precision ratio" is not indefinite, for all of the same reasons discussed in JobDiva's briefing on this issue. JobDiva is prepared to substantively address Interval Licensing if it would be helpful to the Court.

Respectfully submitted,

Benjamin A. Lasky

cc: Counsel of record

Orderal

OK all: The Court needs to have you folks stop the paper Plew so that I can issue the Markman. Has everyone had their friend say?

9/15/14

K B. Forrest USDC