



MEYERTONS
HOOD
KIVLIN
KOWERT
& GOETZEL

A PROFESSIONAL CORPORATION

PATENTS, TRADEMARKS, COPYRIGHTS & UNFAIR COMPETITION

1120 S. Capital of Texas Hwy.
Building 2, Suite 300
Austin, Texas 78746
Telephone (512) 853-8800
Facsimile (512) 853-8801
www.inprop.com

MEMO ENDORSED

RYAN T. BEARD
(512) 853-8833
rbeard@inprop.com

FILE NO: 6713-00100

December 22, 2014

Via Facsimile (212-805-6326)

Honorable Judge Colleen McMahon
United States District Court
Southern District of New York
500 Pearl Street, Room 1640
New York, New York 10007

12/22/2014
File an answer
NEXT week.
need to file
you should
have answered
long ago.

Re: Blue Spike v. Soundmouse; Case No. 1:14-cv-02243;
In the United States District Court, Southern District of New York

Dear Judge McMahon:

Your Docket Order No. 48 sets forth a schedule for the parties. The schedule states: "The first order of business in a patent case in THIS court is claim construction. All other activity will, therefore, cease, while the parties comply with the following schedule (which has taken the holiday season into account, and which will not be extended for any reason):"

This schedule does not identify a date for the defendant Soundmouse to file its answer to the pending Complaint. It is our understanding, based on the Court's order, that Soundmouse should not file an answer until instructed by the Court after the claim construction process is complete. If this is not correct, then please let me know and we will file an answer according to the Court's instructions.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 12/23/14

Sincerely,

Ryan T. Beard

RTB/cwc

cc: Counsel for Plaintiff (via Email)

I will be
shocked to hear
that you are
in default.