AO 440 (Rev. 12/09) Summons in a Civil Action

**United States District Court**
**for the**
**District of Delaware**

REALTIME DATA LLC d/b/a IXO,

Plaintiff,

v.

COMMVAULT SYSTEMS, INC. AND SPECTRA LOGIC CORPORATION,

Defendant.

C.A. No. 17-925

**JURY TRIAL DEMANDED**

**Summons in a Civil Action**

To: CommVault Systems, Inc.
c/o The Prentice-Hall Corporation System, Inc.
251 Little Falls Drive
Wilmington, DE 19808

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Stephen B. Brauerman
Sara E. Bussiere
Bayard, P.A.
222 Delaware Avenue, Suite 900
Wilmington, Delaware 19801
302-655-5000 (phone)
302-658-6395 (fax)

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

JUL 11 2017

JUL 11 2017
DATE

DEPUTY CLERK'S SIGNATURE

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Civil Action No. 17-925

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

This summons for *(name of individual and title, if any)* COMMVAULT SYSTEMS, INC.
was received by me on *(date)* 7/11/17

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ , or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____ , a person of suitable age and discretion who resides there,
on *(date)* _____ , and mailed a copy to the individual's last known address; or

☒ I served the summons on *(name of individual)* LYNANNE GARES (MANAGING AGENT) , who is designated by law to accept service of process on behalf of *(name of organization)* COMMVAULT SYSTEMS, INC.
C/O PRENTICE HALL CORPORATION SYSTEM, INC., 251 LITTLE FALLS DRIVE, WILMINGTON, DE 19808 on *(date)* 7/11/17

☐ I returned the summons unexecuted because _____ , or

☐ Other *(specify):*

My fees are $ _____ for travel and $ _____ for services, for a total of $ _____

I declare under penalty of perjury that this information is true.

Date: JULY 11, 2017

*Server's signature*

KEVIN S. DUNN PROCESS SERVER
*Printed name and title*

BRANDYWINE PROCESS SERVERS
PO BOX 1360
WILMINGTON, DE 19899
302-475-2600
*Server's address*

Additional information regarding attempted service, etc:

SERVED SUMMONS; COMPLAINT FOR PATENT INFRINGEMENT WITH EXHIBITS; CIVIL COVER SHEET

DENORRIS ANGELO BRITT
NOTARY PUBLIC
STATE OF DELAWARE
My Commission Expires May 16, 2018