UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

MASTER CASE No. 14-cv-81447 DMM

In re LEADING EDGE PATENT INFRINGEMENT LITIGATION

LEADING EDGE NOVELTY, INC. and TSAN-YAO CHEN,
Plaintiffs,

v.

BED BATH & BEYOND, INC. and DGL GROUP, LTD.,
Defendants.

PLAINTIFFS' UNOPPOSED MOTION FOR ENTRY OF FINAL JUDGMENT

Plaintiffs move for entry of final judgment (against themselves) of non-infringement based on this Court's "Markman Order" (DE 66) and this Court's Order Denying Reconsideration (DE 69).

This is a consolidated patent suit involving allegations of infringement of U.S. Patent No. 7,617,624 (the '624 Patent).[1] Based on the Court's Markman Order, Plaintiffs cannot establish infringement of the '624 Patent. Accordingly, Plaintiffs seek entry of judgment of non-infringement.

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[1] The consolidated cases are: *Leading Edge Novelty Inc., et al. v. Bed Bath & Beyond et al*., 14- cv-81447-DMM ("Lead Case"); *Leading Edge Novelty Inc., et al. v. Target Corp., et al*., 14-cv- 81449-DMM; *Leading Edge Novelty et al. v. Dollar General Corp., et al.*, 14-cv-81450-DMM; *Leading Edge Novelty, Inc., et al. v. Wal-Mart Stores, Inc., et al.*, 14-cv-81453-DMM; *Leading Edge Novelty Inc., et al. v. KMart Corp., et al.* , 14-cv-8 1465-DMM; *Leading Edge Novelty Inc., et al. v. Forever Gifts, Inc.*, 14-cv-81595-DMM; *Leading Edge Novelty Inc., et al. v. Gradus Group, LLC*, 14-cv-8161I-DMM; *Leading Edge Novelty Inc., et al. v. Home Depot USA, Inc., et a1*., 14-cv-8 1451-DMM; and *Leading Edge Novelty Inc., et a1. v. TigerDirect, Inc., et al*., 14-cv-81454-DMM (collectively, "Member Cases").

Entry of judgment of non-infringement renders all counterclaims moot accordingly all counterclaims should be dismissed without prejudice. Furthermore, any and all pending motions should be denied as moot.

Plaintiffs note the following disposition of "Member cases" has occurred:

(1) Case No. 14-cv-81449 stipulation of dismissal was filed on June 24, 2015;

(2) Case No. 14-cv-81451 was closed on April 2, 2015;

(3) Case No. 14-cv-81454, notice of voluntary dismissal filed July 1, 2015

(4) Case No. 14-cv-81464 Order closing case April 2, 2015;

(5) Case No. 14-cv-81465 Order closing case March 27, 2015;

(6) Case No. 14-cv-81463 administratively closed on March 17, 2015;

(7) Case No. 14-cv-81492 was closed on June 3, 2015 (DE 29)

(8) Case No. 14-cv-81611 Stipulation for Dismissal filed July 6, 2015;

(9) Case No.14-cv-81595 for which settlement documents are currently being exchanged.

A proposed Order for each of the remaining consolidated cases accompanies this Motion.

Counsel for Defendants in the Remaining Member Cases have indicated no objection to the present motion.

Dated: July 6, 2015

Respectfully submitted,

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CERTIFICATE OF SERVICE

This is to certify that July 6, 2015, the foregoing was electronically served on all counsel or parties of record on the service list below.

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