

July 18, 2016

VIA EMAIL: twoods@trialnewport.com

Mr. Tyler J. Woods, Esq.
Newport Trial Group
4100 Newport Place, Suite 800
Newport Beach, CA 92660

Re: Shipping and Transit LLC vs. LogiNext Solutions Inc., Case No. 2:16-cv-03834.

Dear Mr. Woods:

Last week I received a copy of the complaint referenced above asserting US Patent Nos. 6,415,207 and 6,763,299. The '299 patent expired March 18, 2013. LogiNext Solutions Inc. was incorporated on November 20, 2013 well after the '299 patent expired. It is impossible for LogiNext to infringe a patent that expired before LogiNext existed. The '207 patent is invalid on its face under 35 USC Sec. 101 as an attempt to patent an abstract idea using a general purpose computer, for the same reasons set forth by this court in *Eclipse IP LLC vs. McKinley Equipment Corporation*, Case No. SACV 14-742-GW(AJWx) (CD CA) on September 4, 2014.

Pursuant to Rule 11 FRCP we ask that you immediately withdraw the complaint since LogiNext was formed after the '299 patent expired and therefore it was impossible for LogiNext to infringe the '299 patent. Further, the Supreme Court's holding in *Alice* was directed to patents like the '207 patent in this case claiming nothing more than abstract human activity using a computer, as this court has already held in the *Eclipse IP LLC* case cited above.

Filing suit on an expired patent under these circumstances makes this case exceptional and LogiNext will seek all its attorney's fees for the defense of the case if it is not dismissed immediately. LogiNext is a tiny startup with no full time employees. There is no justification for filing the present action, in violation of Rule 11 FRCP. Please let me know when you are available to discuss my motion to dismiss and motion for sanctions. I am available to discuss the motions on Thursday July 21, 2016. I am also available Friday afternoon.

Sincerely,


Byron Cooper