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10 UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 ROBERT JACOBSEN,) No. C-06-1905-JSW
14)
Plaintiff,) **PLAINTIFF ROBERT JACOBSEN'S**
15) **REQUEST FOR JUDICIAL NOTICE IN**
v.) **SUPPORT OF OPPOSITION TO**
16) **DEFENDANTS' MOTION TO DISMISS**
MATTHEW KATZER, et al.,) **FOR MOOTNESS**
17)
Defendants.) Date: Fri., December 19, 2008
18) Time: 9:00 a.m.
19) Courtroom: 2, 17th Floor
20) Judge: Hon. Jeffrey S. White
21)
_____)

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23 Plaintiff Robert Jacobsen respectfully requests that the Court take judicial notice of the
24 attached exhibits, per Federal Rules of Evidence Rule 201. The following exhibits are not subject
25 to reasonable dispute because they are "capable of accurate and ready determination by resort to
26 sources whose accuracy cannot reasonably be questioned." Fed. R. Evid. 201(b).

27 Exhibit A is a true and correct copy of the DigiToys webpage, www.digitoy-systems.com,
28 taken on April 21, 2008. As of this filing, the webpage is still up.

1 Exhibit B is a true and correct copy of the Information Disclosure Sheet for U.S. Patent
2 App. No. 11/607,233, as obtained from the United States Patent and Trademark website,
3 www.uspto.gov.

4 Exhibit C is a true and correct copy of the Information Disclosure Sheet for U.S. Patent
5 Application No. 11/592,784, as obtained from the United States Patent and Trademark website,
6 www.uspto.gov.

7 Exhibit D is a true and correct copy of the Office Action, dated April 3, 2008, for U.S.
8 Patent Application No. 11/592,784, as obtained from the United States Patent and Trademark
9 website, www.uspto.gov.

10 Exhibit E is a true and correct copy of the Information Disclosure Sheet for U.S. Patent
11 Application No. 10/889,995, as obtained from the United States Patent and Trademark website,
12 www.uspto.gov.

13 Exhibit F is a true and correct copy of the Office Action, dated August 7, 2006, for U.S.
14 Patent Application No. 10/889,995, as obtained from the United States Patent and Trademark
15 website, www.uspto.gov.

16 Exhibit G is a true and correct copy of the Office Action, dated December 21, 2006, for
17 U.S. Patent Application No. 10/889,995, as obtained from the United States Patent and Trademark
18 website, www.uspto.gov.

19 Exhibit H is a true and correct copy of the original complaint in Micron Technology, Inc. v.
20 MOSAID Technologies, Inc., No. 06-cv-4496-JF (filed N.D. Cal. July 24, 2006). Jacobsen
21 obtained this complaint from PACER.

22 Exhibit I is a true and correct copy of Matthew A. Katzer v. Mireille Tanner, 02-cv-1293-
23 ST (filed D. Or. Sept. 17, 2002). Jacobsen obtained this copy from the National Archives.

24 Exhibit J is a true and correct copy of Matthew A. Katzer v. Freiwald Software, 02-cv-
25 1292-ST (filed D. Or. Sept. 17, 2002). Jacobsen obtained this copy from the National Archives.

26 Exhibit K is a true and correct copy of a letter from Kevin L. Russell to Mireille Tanner,
27 dated Sept. 18, 2002, regarding alleged patent infringement. This letter is in Defendants'
28

1 possession since they wrote the letter.

2 Exhibit L is a true and correct copy of a letter from Kevin L. Russell to Freiwald Software,
3 dated Sept. 18, 2002, regarding alleged patent infringement. This letter is in Defendants'
4 possession since they wrote the letter.

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6 Respectfully submitted,

7

8 DATED: October 10, 2008

By _____ /s/
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