

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

EDEKKA LLC,

Plaintiff,

vs.

3BALLS.COM, INC.,

Defendant.

**CASE NO. 2:15-cv-00541-JRG
(Lead Case)**

JURY TRIAL DEMANDED

EDEKKA LLC,

Plaintiff,

vs.

E REVOLUTION VENTURES, INC.,

Defendant.

**CASE NO. 2:15-cv-00585-JRG
(Lead Case)**

JURY TRIAL DEMANDED

FISH & RICHARDSON'S DEFENDANTS' NOTICE OF FEE SUBMISSION

Pursuant to the Court's order on December 17, 2015, Defendants represented by Fish & Richardson P.C. hereby submit evidence concerning the amount of fees incurred.¹

In this circuit, a district court calculating reasonable attorneys' fees must follow a two-step procedure. First, the court must determine the number of hours reasonably expended on the litigation and a reasonable hourly rate for the prevailing party's lawyers. *Louisiana Power & Light Co. v. Kellstrom*, 50 F.3d 319, 323-24 (5th Cir.1995); *see also Hensley v. Eckerhart*, 461 U.S. 424,

¹ Fish & Richardson P.C. represents the following defendants in these cases: Action Envelope & Printing Co.; Aldo U.S. Inc.; Asics America Corporation; Cymax Stores USA, LLC; Encore Holdings, LLC; Garrett Brands LLC; Gemvara Inc.; Guess ?, Inc.; iHerb, Inc.; International Coffee & Tea, LLC; Levenger Company; Minted, LLC; Nanal, Inc.; Overnightprints, Inc.; skinnyCorp, LLC; Sweetwater Sound, Inc.; TGIB Marketing, Inc.; The Life Is Good Company; Toni&Guy U.S.A., LLC; The Walking Company; Webbed Sphere, Inc.; and Vineyard Vines, LLC.

433 (1983). The hourly rate and the number of hours are multiplied to determine the lodestar, a presumptively reasonable fee award. See *Watkins v. Fordice*, 7 F.3d 453, 457 (5th Cir.1993) (citing *City of Burlington v. Dague*, 505 U.S. 557, 562 (1992)).

Attached hereto are invoices and time records demonstrating the presumptively reasonable fee incurred by the Fish & Richardson defendants, which are summarized in the table below:

Defendant Name	Total Fees to Date
Action Envelope & Printing Co	\$14,784.27
Aldo U.S. Inc.	\$15,705.77
ASICS America Corporation	\$14,669.85
Cymax Stores USA, LLC	\$13,247.85
Encore Holdings, LLC	\$15,800.75
Garrett Brands LLC	\$15,064.39
Gemvara Inc.	\$14,657.44
Guess?, Inc.	\$13,910.18
iHerb, Inc.	\$30,968.26
International Coffee & Tea, LLC	\$15,781.51
Levenger Company	\$14,913.39
The Life Is Good Company	\$13,001.86
Minted, LLC	\$15,659.99
Nanal, Inc.	\$12,178.67
Overnightprints, Inc.	\$15,252.02
skinnyCorp, LLC	\$13,622.72
Sweetwater Sound, Inc.	\$14,564.02
TGIB Marketing, Inc.	\$13,855.22
Toni&Guy U.S.A., LLC	\$13,971.55
Vineyard Vines, LLC	\$12,803.79
The Walking Company	\$16,854.64
Webbed Sphere, Inc.	\$14,148.64

See December 31, 2015 Declaration of Michael Bittner and attached exhibits.

Dated: December 31, 2015

Respectfully submitted,

By: /s/ Neil J. McNabnay

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LLC, ENCORE HOLDINGS, LLC,
GARRETT BRANDS LLC, GEMVARA
INC., GUESS ?, INC., IHERB, INC.,
INTERNATIONAL COFFEE & TEA, LLC,
LEVENGER COMPANY, MINTED, LLC
NANAL, INC., OVERNIGHTPRINTS, INC.,
SKINNYCORP, LLC., SWEETWATER
SOUND, INC., TGIB MARKETING, INC.,
THE LIFE IS GOOD COMPANY,
TONI&GUY U.S.A., LLC, THE WALKING
COMPANY, WEBBED SPHERE, INC., and
VINEYARD VINES, LLC**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on December 31, 2015, to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Michael A. Bittner

Michael A. Bittner