



## Apple Demands Fees. Monec Demands Reconsideration.

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Hot on the heels of its early victory, Apple has filed a motion for sanctions against Monec under Rule 11, and a request for its attorney fees. [Fees.pdf](#) Apple contends that the allegations of infringement by the iPhone were objectively unreasonable, because of the limitation in the patent that the invention permit one page of a book to be displayed at a "normal size." According to Apple, and Judge Brinkema in the order granting judgment of noninfringement, the iPhone does not meet this limitation. Monec has filed a motion for reconsideration, arguing that the Court's claim construction includes errors of law, and that the Court's order denies Monec due process. [Monec.pdf](#) Specifically, Monec argues that the Court improperly took judicial notice that a librarian constituted a person having ordinary skill in the art without complying with Federal Rule of Evidence 201, and that the Court should not have granted judgment without the benefit of discovery, a Markman hearing, etc. A hearing on both motions is set for August 21.

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