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Marathon Patent Group Announces Update on TLI Communications GmbH and TLI Communications LLC Patent Litigations

LOS ANGELES, CA -- (Marketwired) -- 10/14/15 -- ***Marathon Patent Group, Inc.*** (NASDAQ: MARA) ("Marathon"), a patent licensing company, announced a litigation update for TLI Communications GmbH ("TLI GmbH") involving EP 0 814 611 B1 ("EP '611") and TLI Communications LLC ("TLI LLC") involving U.S. Pat. No. 6,038,295 ("'295 Patent").

TLI GmbH currently has nine remaining active infringement actions pending in the Munich District Court and three active nullity actions pending in the Federal Patent Court in Munich. The German defendants include Facebook, Inc., Facebook Ireland Limited, Instagram LLC, Google, Inc., Yahoo! Inc., Yahoo! EMEA Limited, Tumblr, Inc., Twitter Inc., Twitter Germany GmbH, Pinterest, Inc., and Pinterest Germany GmbH.

On July 30, 2015, the Munich District Court ("Court") held a first Oral Hearing for defendants Yahoo! Inc. and Yahoo! EMEA Limited (collectively "Yahoo!"). At the first Oral Hearing, the Court agreed with all of TLI GmbH's proposed claim constructions. The Court expressed in the first Oral Hearing that its preliminary indication was that Yahoo! practices the EP '611 Patent. A second Oral Hearing for Yahoo! is scheduled for October 22, 2015, in Munich; Yahoo!'s request to stay the proceedings pending the outcome of the parallel nullity proceedings as well as certain defense arguments announced by Yahoo! were not yet discussed in the first Oral Hearing. A few weeks after the second Oral Hearing, it is expected that a judgment regarding Yahoo!'s alleged infringement of EP '611 will be announced by the Court.

On September 17, 2015, the Munich District Court held a first Oral Hearing for defendant Google, Inc. ("Google"). The Court expressed in the first Oral Hearing that its preliminary indication was that Google practices the EP '611 Patent; Google's request to stay the proceedings pending the outcome of the parallel nullity proceedings as well as certain defense arguments announced by Google were not yet discussed in the first Oral Hearing. A second Oral Hearing for Google is scheduled for March 10, 2016, in Munich. A few weeks after the second Oral Hearing, it is expected that a judgment regarding Google's alleged infringement of EP '611 will be announced by the Court.

On October 22, 2015, the Munich District Court will hold a first Oral Hearing for Facebook, Inc. and Facebook Ireland Limited (collectively, "Facebook"). At the first Oral Hearing, the Court will typically rule on the claim constructions for the case and provide a preliminary indication of whether Facebook practices the EP '611 Patent. The date of the second Oral Hearing has yet to be assigned, as the date is typically set at the end of the first Oral Hearing.

On December 10, 2015, the Munich District Court will hold a first Oral Hearing for Twitter Germany GmbH and Pinterest Germany GmbH. The dates of the first Oral Hearings for Tumblr, Inc., Instagram LLC, Twitter Inc., and Pinterest, Inc., are scheduled for March 10, 2016.

Both the EP '611 Patent and the US '295 Patent are related to server resources and/or application software for smartphones and tablet computers, which receive and manage digital images. In the event that the Munich District Court enters a judgment of infringement after the second Oral Hearing, the Court can also grant TLI GmbH the right to enforce an injunction against the infringing service or product.

Yahoo!, Google, and Facebook have each filed separate nullity actions with the Federal Patent Court, challenging the validity of the claims of EP '611. In Germany, the validity of a patent is determined by the Federal Patent Court and not the District Court. A nullity hearing has yet to be docketed by the Federal Patent Court for any of the three nullity actions. Depending on the filing date of the nullity complaint, there potentially could be a gap of up to a year or more between the enforcement of a permanent injunction against the infringing services and/or products after an infringement determination at the District Court and a validity determination at the Federal Patent Court, with the permanent injunction lasting until the expiration of the patent.

TLI LLC has appealed the U.S. District Court for the Eastern District of Virginia's ruling that the claims of the '295 Patent are invalid because they are directed toward unpatentable subject matter, to the U.S. Court of Appeals for the Federal Circuit. The Appellees include AV Automotive, L.L.C., Hall Automotive, LLC, Yahoo! Inc., Tumblr, Inc., Twitter, Inc., Google, Inc., Pinterest, Inc., Facebook, Inc., Instagram, LLC, Dropbox Inc., IAC/InteractiveCorp, CityGrid Media LLC, VIMEO LLC, Imgur LLC, Shutterfly, Inc., Tripadvisor Inc., Tripadvisory LLC, Snapchat Inc., Yelp, Inc., Capital One Financial Corporation, Capital One, N.A., Capital One Services, LLC, and Vine Labs, Inc. Briefing for the appeal is complete and on October 16, 2015, the parties must file a joint appendix. Oral Argument for the Appeal has not yet been scheduled, but expected around mid-March 2016.

About Marathon Patent Group
Marathon is a patent acquisition and monetization company. The Company acquires patents from a wide-range of patent holders from individual inventors to Fortune 500 companies. Marathon's strategy of acquiring patents that cover a wide-range of subject matter allows the Company to achieve diversity within its patent asset portfolio. Marathon generates revenue with its diversified portfolio through actively managed concurrent patent rights enforcement campaigns. This approach is expected to result in a long-term, diversified revenue stream. To learn more about Marathon Patent Group, visit www.marathonpg.com.

About Noerr LLP, attorney-of-record of TLI Communications GmbH
Noerr is one of the top European law firms with more than 500 professionals in Germany, Europe and the USA. The firm delivers real value to clients by devising and handling the right solutions to complex and sophisticated legal matters. The Noerr difference is its unique combination of legal excellence, creative thinking, international experience and in-depth industry knowledge.

About Mishcon de Reya New York, LLP, attorney-of-record of TLI Communications LLC
Mishcon de Reya New York LLP commenced operations in 2010 and has grown

significantly, with capabilities across ten different practice areas: Complex Civil Litigation, IP and Patent Litigation, Family, International Arbitration, Internal Investigations, White Collar Criminal and Regulatory Defense, Fraud and Asset Recovery, Hedge and Mutual Funds, and Employment Litigation. We fiercely guard our clients' interests, offer flexibility in what can be an overly rigid profession and avoid traditional models. The firm acts for plaintiffs and defendants, institutions and individuals, with very low levels of conflict. We are trial lawyers, experienced advocates at both the trial and appellate levels.

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