

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 1:17-cv-02869-MSK-STV

REALTIME ADAPTIVE STREAMING LLC,

Plaintiff,

v.

APPLE INC.

Defendant.

DEFENDANT APPLE INC.'S MOTION TO DISMISS

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I. INTRODUCTION

Realtime Adaptive Streaming LLC (“Realtime”) fails to plead necessary facts supporting a plausible inference that Apple Inc. (“Apple”) infringes the patents asserted in its Complaint. Under *Iqbal* and *Twombly*, a plaintiff must make out a plausible case that the defendant infringes at least one claim of each patent. Realtime’s Complaint in this case is voluminous, but the volume is merely a smokescreen. In each instance, Realtime fails to plausibly allege infringement of any patent claim. Allegations that the accused products comply with a standard are not enough to support a plausible inference that Apple infringes any of these patents for one

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