

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

REALTIME ADAPTIVE STREAMING

LLC,

Plaintiff,

v.

APPLE INC.,

Defendant.

C.A. No. 1:17-cv-02869-RBJ-STV

**PLAINTIFF REALTIME ADAPTIVE STREAMING LLC'S OPPOSITION TO
DEFENDANT APPLE INC.'S MOTION TO DISMISS**

On March 5, 2018, Defendant Apple Inc. ("Apple") filed a motion to dismiss (Dkt. No. 32). Plaintiff Realtime Adaptive Streaming LLC ("Realtime") disagrees that Apple's motion to dismiss has any merit. In any event, on March 26, 2018, Realtime filed an amended complaint. Therefore, Apple's motion to dismiss is now moot. Accordingly, the Court should deny Apple's motion to dismiss as moot.

Dated: March 26, 2018

Respectfully submitted,

/s/ C. Jay Chung

Marc A. Fenster (CA SBN 181067)

Reza Mirzaie (CA SBN 246953)

Brian D. Ledahl (CA SBN 186579)

C. Jay Chung (CA SBN 252794)

Philip X. Wang (CA SBN 262239)

RUSS AUGUST & KABAT

12424 Wilshire Boulevard, 12th Floor

Los Angeles, CA 90025

(310) 826-7474

mfenster@raklaw.com

rmirzaie@raklaw.com

bledahl@raklaw.com

jchung@raklaw.com

pwang@raklaw.com

Eric B. Fenster (CO Atty Reg # 33264)

ERIC B. FENSTER, LLC
1522 Blake Street, Suite 200
Denver, CO 80202
(303) 921-3530
Eric@fensterlaw.net

Attorneys for Plaintiff
Realtime Adaptive Streaming LLC

CERTIFICATE OF SERVICE

I hereby certify that the counsel of record are being served on March 26, 2018, with a copy of this document via electronic service.

/s/ C. Jay Chung