

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

ACCELERATION BAY LLC,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 15-228 (RGA)
	)	
ACTIVISION BLIZZARD, INC.	)	
	)	
Defendant.	)	

**ACTIVISION|BLIZZARD, INC.’S MOTION TO DISMISS  
PLAINTIFF’S CLAIMS OF INDUCED INFRINGEMENT**

Pursuant to Fed. R. Civ. P. 12(b)(6), Defendant Activision|Blizzard, Inc. (“Activision”) moves to dismiss the induced infringement claims (Counts IV, VII, and IX) of Plaintiff’s Amended Complaint (D.I. 7). The grounds for this motion are more fully set forth in Activision’s Opening Brief, filed herewith.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

*/s/ Jack B. Blumenfeld*

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Jack B. Blumenfeld (#1014)  
1201 North Market Street  
P.O. Box 1347  
Wilmington, DE 19899  
(302) 658-9200  
jblumenfeld@mnat.com

OF COUNSEL:

Michael A. Tomasulo  
David Enzminger  
Dae Hee Cho  
David Lin  
WINSTON & STRAWN LLP  
333 South Grand Avenue  
Los Angeles, CA 90071-1543  
(310) 774-6486

*Attorneys for Defendant*

May 4, 2015

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

ACCELERATION BAY LLC,	)	
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Plaintiff,	)	
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v.	)	C.A. No. 15-228 (RGA)
	)	
ACTIVISION BLIZZARD, INC.	)	
	)	
Defendant.	)	

**[PROPOSED] ORDER**

This \_\_\_ day of \_\_\_\_\_ 2015, having considered Defendant Activision|Blizzard, Inc.’s Motion to Dismiss Plaintiff’s Claims of Induced Infringement for failure to state a claim pursuant to Fed. R. Civ. P. 12(b)(6) and the parties’ arguments in support of and in opposition to the motion;

IT IS HEREBY ORDERED that Defendant Activision|Blizzard, Inc.’s Motion to Dismiss Plaintiff’s Claims of Induced Infringement is GRANTED. Plaintiff’s claims of induced infringement (Counts IV, VII, and IX) are dismissed.

\_\_\_\_\_  
United States District Judge

**CERTIFICATE OF SERVICE**

I hereby certify that on May 4, 2015, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on May 4, 2015, upon the following in the manner indicated:

Philip A. Rovner, Esquire  
Jonathan A. Choa, Esquire  
POTTER ANDERSON & CORROON LLP  
1313 North Market Street, 6<sup>th</sup> Floor  
Wilmington, DE 19801  
*Attorneys for Plaintiff*

*VIA ELECTRONIC MAIL*

Paul J. Andre, Esquire  
Lisa Kobialka, Esquire  
James R. Hannah, Esquire  
KRAMER LEVIN NAFTALIS & FRANKEL LLP  
990 Marsh Road  
Menlo Park, CA 94025  
*Attorneys for Plaintiff*

*VIA ELECTRONIC MAIL*

*/s/ Jack B. Blumenfeld*

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Jack B. Blumenfeld (#1014)