

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ACCELERATION BAY LLC,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 16-454 (RGA)
)	
ELECTRONIC ARTS INC.,)	
)	
Defendant.)	

ELECTRONIC ART'S MOTION FOR SUMMARY JUDGMENT

Electronic Arts Inc.'s moves for relief under Federal Rule of Civil Procedure 56.

The grounds for this motion are set forth in Electronic Art's accompanying brief. The precise relief sought is detailed in a proposed order accompanying this motion.

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March 23, 2018

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ELECTRONIC ARTS INC.,)
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[PROPOSED] ORDER

WHEREAS, the Court, having consider Electronic Arts Inc.’s Motion for Summary Judgment of Non-Infringement Under § 271(a) ;

IT IS HEREBY ORDERED this _____ day of _____, 2018, that Electronic Art’s Motion is GRANTED:

1. Electronic Arts does not infringe any asserted claim of the ’344, ’966, ’634, ’147, and ’069 Patents because the accused networks are not configured to be m-regular and non-complete as required by these patents.
2. Electronic Arts does not infringe the ‘344 Patent, the ‘966 Patent or Claim 22 of the ‘634 Patent because the Accused Games do not meet the broadcast/rebroadcast requirements of these patents.
3. Electronic Arts does not infringe the ‘344 and ‘966 Patents because Electronic Arts does not make, use, or sell the “Network” “System” or “Information Delivery Service” claimed in these patents.
4. Electronic Arts does not infringe claims 9 and 16 of the ’497 Patent because it does not make, use, sell or offer to sell the hardware component claimed in this patent.

5. Electronic Arts does not infringe the '069 Patent and Claim 1 of the '147 Patent because the actions alleged to infringe those method claims do not all occur in the United States.
6. Electronic Arts does not infringe the '069 and '634 Patents because users do not join the Accused Games as required by these patents.
7. Electronic Arts does not infringe the '147 Patent because users do not leave the Accused Games as required by this patent.
8. Electronic Arts does not infringe the asserted claims of the '497 Patent because the Accused Games do not contact a portal computer in the manner required by this patent.
9. Electronic Arts does not infringe any of the asserted patents under the doctrine of equivalents.
10. Electronic Arts accused acts outside the United States do not infringe any of the asserted patents.
11. Electronic Arts did not willfully infringe any of the asserted patents.

Judge Richard G. Andrews

CERTIFICATE OF SERVICE

I hereby certify that on March 23, 2018, 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 March 23, 2018, upon the following in the manner indicated:

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