

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

REALTIME ADAPTIVE STREAMING)	
LLC,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 17-1693 (JFB) (SRF)
)	
SONY ELECTRONICS INC. and)	
SONY CORPORATION,)	
)	
Defendants.)	

SONY’S MOTION TO DISMISS FOR PATENT INELIGIBILITY

Pursuant to Fed. R. Civ. P. 12(b)(6), Defendant Sony Electronics Inc. (“Sony”) moves to dismiss Counts I, III, IV, VI, and VII of the Complaint for unpatentability under 35 U.S.C. § 101 as to U.S. Patent Nos. 7,386,046 (Count I); 8,929,442 (Count III); 8,934,535 (Count IV); 9,762,907 (Count VI); and 9,769,477 (Count VII). The grounds for this motion are set forth in Sony’s Opening Brief, submitted herewith.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Rodger D. Smith II

Jack B. Blumenfeld (#1014)
Rodger D. Smith II (#3778)
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200
jblumenfeld@mnat.com
rsmith@mnat.com

OF COUNSEL:

Gregory S. Gewirtz
Jonathan A. David
Alexander Solo
LERNER DAVID LITTENBERG KRUMHOLZ
& MENTLIK LLP
600 South Avenue West
Westfield, NJ 07090
(908) 654-5000

Attorneys for Defendant Sony Electronics Inc.

February 22, 2018

CERTIFICATE OF SERVICE

I hereby certify that on February 22, 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 February 22, 2018, upon the following in the manner indicated:

Stephen B. Braerman, Esquire
Sara E. Bussiere, Esquire
BAYARD, P.A.
600 North King Street, Suite 400
Wilmington, DE 19801
Attorneys for Plaintiff

VIA ELECTRONIC MAIL

Marc A. Fenster, Esquire
Reza Mirzaie, Esquire
Brian D. Ledahl, Esquire
C. Jay Chung, Esquire
Philip X. Wang, Esquire
Timothy T. Hsieh, Esquire
RUSS, AUGUST & KABAT
12424 Wilshire Boulevard, 12th Floor
Los Angeles, CA 90025-1031

VIA ELECTRONIC MAIL

/s/ Rodger D. Smith II

Rodger D. Smith II (#3778)