

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

PHILIPS NORTH AMERICA LLC,

Plaintiff,

v.

FITBIT, INC.,

Defendant.

Civil Action No. 1:19-cv-11586-IT

**[PROPOSED] ORDER GRANTING DEFENDANT FITBIT, INC.'S MOTION TO  
DISMISS PLAINTIFF PHILIPS NORTH AMERICA LLC'S COMPLAINT UNDER  
RULE 12(b)(6)**

Having reviewed Defendant Fitbit, Inc.'s motion to dismiss plaintiff Philips North America LLC's complaint under Rule 12(b)(6) of the Federal Rules of Civil Procedure, the Court **GRANTS** the motion.

The Court **ORDERS** the complaint to be **DISMISSED WITH PREJUDICE**.

BY THE COURT:

Date: \_\_\_\_\_

\_\_\_\_\_  
Indira Talwani, J.