IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

FOURKITES, INC.,	)	
Plaintiff,	)	CASE NO. 1:16:-cv-02703-CAB
v.	)	JUDGE: CHRISTOPHER A. BOYKO
MACROPOINT, LLC,	)	**DEFENDANT MACROPOINT LLC'S MOTION TO DISMISS OR, IN THE ALTERNATIVE, TO STAY**
Defendant.	)	

Defendant MacroPoint, LLC ("MacroPoint"), respectfully moves this Court for an order dismissing all of the claims asserted in the Complaint pursuant to Federal Rules of Civil Procedure 12(b)(1) and (6). Plaintiff FourKites, Inc. ("FourKites") fails to state any claim against MacroPoint on which relief can be granted as to its affirmative claims. Further, the Court lacks subject matter jurisdiction over FourKites' declaratory judgment claims. Alternatively, MacroPoint moves for an order staying this action pending the outcome of earlier filed litigation involving MacroPoint's patents that is now proceeding in another jurisdiction.

A Memorandum of Law in support of this Motion is attached.

Respectfully submitted,

/s/ *Wayne M. Serra*
Timothy J. Coughlin (0019483)
Thomas F. Zych (0019942)
Arthur P. Licygiewicz (0068458)
Wayne M. Serra (0074780)
THOMPSON HINE LLP
3900 Key Center
127 Public Square
Cleveland, Ohio 44114
Telephone: (216) 566-5500
Facsimile: (216) 566-5800
Tim.Coughlin@ThompsonHine.com
Tom.Zych@ThompsonHine.com
Art.Licygiewicz@thompsonhine.com
Wayne.Serra@thompsonhine.com

Attorneys for Defendant MacroPoint, LLC

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