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8
 9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 SAN JOSE DIVISION
 12

13 KONDA TECHNOLOGIES, INC., a
 California corporation,

14 Plaintiff,

15 vs.

16 FLEX LOGIX TECHNOLOGIES, INC., a
 17 Delaware Corporation; DEJAN MARKOVIC,
 PH.D., an individual; and CHENG C. WANG,
 18 PH.D., an individual,

19 Defendants.
 20
 21

Case No. 5:18-cv-07581-LHK

**FLEX LOGIX TECHNOLOGIES, INC.'S
 NOTICE OF MOTION AND MOTION TO
 DISMISS FIRST AMENDED
 COMPLAINT PURSUANT TO FED. R.
 CIV. P. 12(b)(6) AND MEMORANDUM
 OF POINTS AND AUTHORITIES IN
 SUPPORT THEREOF**

Date: July 11, 2019
 Time: 1:30 pm
 Judge: Lucy H. Koh
 Ctrm.: 8, 4th Floor

NOTICE OF MOTION AND MOTION TO DISMISS

To Plaintiff Konda Technologies, Inc., and its counsel of record:

PLEASE TAKE NOTICE that on July 11, 2019, at 1:30 p.m., or as soon thereafter as the matter may be heard, in Courtroom No. 8 of the above-captioned Court, located at 4th Floor, 280 South 1st Street, San Jose, CA 95113, Defendant Flex Logix Technologies, Inc. (“Flex Logix”) will, pursuant to Federal Rule of Civil Procedure 12(b)(6), move the Court for an Order dismissing with prejudice all Counts of Konda Technologies, Inc.’s (“Konda Tech”) First Amended Complaint in this action that are asserted against Flex Logix.

Specifically, Flex Logix moves for an Order dismissing with prejudice:

[1] Konda Tech’s Third, Fourth, and Sixth Causes of Action because those Causes of Action fail to state a claim for patent infringement due to the invalidity of each of the patents under 35 U.S.C. § 102;

[2] Portions of Konda Tech’s Second, Third, Fourth, Fifth, and Sixth Causes of Action because those Causes of Action do not plead facts sufficient to state a plausible claim for indirect or willful patent infringement;

[3] Konda Tech’s First Cause of Action for Unfair Business Practices pursuant to California Business & Professions Code Section 17200 et seq. as preempted and as barred by the statute of limitations; and

[4] Konda Tech’s Ninth Cause of Action for Misappropriation of Trade Secrets as barred by the statute of limitations and for failure to plead the use of reasonable efforts to maintain the secrecy of the alleged trade secrets.

This motion is based upon this Notice of Motion and Motion; the attached Memorandum of Points and Authorities; all other materials supporting this Motion or the Reply brief filed in support thereof; all pleadings on file in this matter; and any other materials or arguments the Court may receive at or before the hearing on this Motion.¹

¹ Defined terms in this Motion are also used in the accompanying Memorandum of Points and Authorities.

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DATED: March 18, 2019

MUNGER, TOLLES & OLSON LLP

By: /s/ Gregory P. Stone
 GREGORY P. STONE

Attorneys for Defendant FLEX LOGIX
TECHNOLOGIES, INC.

TABLE OF CONTENTS

		<u>Page</u>
1		
2		
3	NOTICE OF MOTION AND MOTION TO DISMISS AND TO STRIKE	1
4	MEMORANDUM OF POINTS AND AUTHORITIES	1
5	I. INTRODUCTION AND SUMMARY OF ARGUMENT.....	1
6	A. The Court Should Dismiss Konda Tech’s Patent Claims Against Flex Logix	1
7	B. The Court Should Dismiss Konda Tech’s Non-Patent Claims Against Flex	
8	Logix	2
9	II. FACTUAL BACKGROUND	3
10	A. Konda Tech’s Patent Infringement Allegations	3
11	B. The ’611 Patent, the ’958 Patent, and the ’904 Patent and Their	
12	Relationship to Each Other	3
13	C. Konda Tech’s Allegations of Misappropriation of Trade Secrets.....	4
14	LEGAL STANDARDS.....	6
15	ARGUMENT	7
16	I. THIS COURT SHOULD DISMISS KONDA TECH’S INFRINGEMENT	
17	CLAIMS BASED ON THE ’611 PATENT, ’958 PATENT, AND ’904 PATENT	
18	BECAUSE THESE PATENTS ARE INDISPUTABLY INVALID.....	7
19	A. The ’611, ’958, and ’904 Patents Contain the Same Disclosures	7
20	B. The Publication of the Konda PCT	7
21	C. The Konda PCT Anticipates Each of the ’611, ’958, and ’904 Patents	9
22	D. This Court May Properly Invalidate the ’611 Patent, ’958 Patent, and ’904	
23	Patent at this Time.....	11
24	E. The ’611 Patent, ’958 Patent, and ’904 Patent Are Unquestionably Invalid	12
25	II. KONDA TECH’S INDIRECT INFRINGEMENT ALLEGATIONS ARE	
26	INADEQUATELY PLED AND SHOULD BE DISMISSED	14
27	III. THIS COURT SHOULD DISMISS KONDA TECH’S MISAPPROPRIATION OF	
28	TRADE SECRETS CLAIM.....	15
	A. Konda Tech’s Claim of Misappropriation of Trade Secrets Is Barred by the	
	Statute of Limitations	16
	B. Konda Tech Fails to Allege Reasonable Efforts to Maintain the Secrecy of	
	Its Alleged Trade Secrets	19

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2
3
4
5
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8
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10
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12
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14
15
16
17
18
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20
21
22
23
24
25
26
27
28

TABLE OF CONTENTS
(continued)

	Page
IV. THIS COURT SHOULD DISMISS KONDA TECH’S UNFAIR BUSINESS PRACTICES CLAIM	20
A. Konda Tech’s UCL Claim Is Preempted by Federal Patent Law.....	20
B. Konda Tech’s UCL Claim Is Preempted by CUTSA	21
C. Konda Tech’s Unfair Business Practices Claim Is Also Barred by the Statute of Limitations	21
CONCLUSION	22

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