IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

UNILOC USA, INC. and UNILOC LUXEMBOURG, S.A.,	§	Civil Action No. 2:16-cv-741 (JRG)
	§	LEAD CASE
Plaintiffs,	§	
v.	§	
ADP, LLC,	§	
	§	JURY TRIAL DEMANDED
Defendant.	§	

PLAINTIFFS' OPPOSITION TO DEFENDANT'S MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM

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Plaintiffs, Uniloc USA, Inc. and Uniloc Luxembourg, S.A. (together "Uniloc" or "Plaintiffs"), respectfully submit this opposition to the motion of defendant, ADP, LLC ("Defendant" or "ADP"), to dismiss for failure to state a claim ("Motion" or "Mot."). For the reasons set forth herein, the Motion should be denied.

I. STATEMENT OF ISSUES TO BE DECIDED

A. The claims of Asserted Patents are not directed abstract ideas and, therefore, are patent eligible under 35 U.S.C. §101.

B. The claims of the Asserted Patents include inventive concepts and, therefore, are patent eligible under 35 U.S.C. §101.

C. The Original Complaint for Patent Infringement properly states a claim for relief of the 7,069,293 Patent.

II. COMPUTER PROBLEMS ADDRESSED BY THE ASSERTED PATENTS

As explained in detail below, the Asserted Patents solve particular problems in the computer field, thus rendering them patent eligible. *See Enfish LLC v. Microsoft Corp.*, 2016 U.S. App. LEXIS 8699, at *21 (Fed. Cir. May 12, 2016) ("claims [that] are directed to a specific implementation of a solution to a problem in the software arts" are not invalid under Section 101). Moreover, the claims of the Asserted Patents are "necessarily rooted in computer technology in order to overcome a problem specifically arising in the realm of computer networks" because they "amount to an inventive concept for resolving this particular Internet-centric problem." *DDR Holdings, LLC v. Hotels.com, L.P.*, 773 F.3d 1245, 1257 (Fed. Cir. 2014) Thus, contrary to ADP's argument, the claims are patent eligible. *Id.* at 1259.

The Asserted Patents, originally issued to IBM, relate to network and application management on a computer network. *See* '466 Patent at 1:21-23; '766 Patent at 1:21-23. Further, the Asserted Patents are all part of a family of patents drawn toward addressing the inefficiencies in application management in a client-server environment. Accordingly, they

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