

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ROBOCAST, INC.,

Plaintiff,

v.

YOUTUBE, LLC and GOOGLE, LLC,

Defendant.

Civil Action No. 22-304-RGA

ORDER

For the reasons stated in the accompanying Memorandum, the motion to dismiss (D.I. 11) is GRANTED IN PART and DENIED IN PART.

1. Defendants' motion is GRANTED with respect to Plaintiff's claims for indirect and willful infringement of the '819 and '932 patents. These claims are DISMISSED without prejudice.
2. Defendants' motion to dismiss claims involving the '451 patent because that patent is invalid for obviousness-type double patenting is DISMISSED with leave to refile with updated briefing once the Federal Circuit decides *In re: Collect*.
3. Defendants' motion is otherwise DENIED.
4. Plaintiff is GRANTED leave to amend its claims within three weeks of the date of this Order.

IT IS HEREBY ORDERED.

Entered this 14th day of November, 2022.


United States District Judge