

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

VIDEOLABS, INC. and	)	
VL COLLECTIVE IP LLC,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	C.A. No. 22-229 (CFC)
	)	
NETFLIX INC.,	)	
	)	
Defendant.	)	

DEFENDANT NETFLIX, INC.'S PARTIAL MOTION TO DISMISS

Pursuant to Federal Rule of Civil Procedure 12(b)(6) and 35 U.S.C. § 101, Defendant Netflix, Inc. (“Netflix”) moves to dismiss Counts II-IV of Plaintiffs VideoLabs, Inc. and VL Collective IP LLC (collectively, “Plaintiffs”)’s amended complaint (D.I. 11) with prejudice on the grounds that U.S. Patent Nos. 7,233,790, 7,440,559, and 8,605,794 fail to recite patentable subject matter under 35 U.S.C. § 101. Additionally, Netflix moves under Fed. R. Civ. P. 12(b)(6) to dismiss Plaintiffs’ claims for indirect and willful infringement (D.I. 11, Counts I-IV) for lack of any pre-suit knowledge of the patents or its alleged infringement.

The grounds for this motion are set forth more fully in the accompanying Opening Brief and the materials and information cited therein.

Netflix v. VideoLabs
IPR2023-00630
Netflix. Ex. 1019

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June 10, 2022

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	)	
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[PROPOSED] ORDER

Whereas, Netflix having moved to dismiss with prejudice Counts II-IV of the amended complaint (D.I. 11), and the indirect and willful infringement claims of Counts I-IV of the amended complaint (the “Motion”),

It is hereby ordered this ____ day of _____, that the Motion is GRANTED.

Chief, United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on June 10, 2022, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on June 10, 2022, upon the following in the manner indicated:

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