UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

RED HAT, INC.,	)	
Plaintiff,	)	
v.	)	Case No. 5:24-cv-505-D-BM
COMPETITIVE ACCESS SYSTEMS, INC.,	)	
Defendant.	)	

PLAINTIFF RED HAT, INC.'S PARTIAL MOTION TO DISMISS DEFENDANT COMPETITIVE ACCESS SYSTEMS, INC.'S CLAIMS UNDER 35 U.S.C. § 101

Plaintiff Red Hat, Inc. ("Red Hat") submits this Partial Motion to Dismiss Defendant Competitive Access Systems, Inc.'s ("CAS") Counterclaims under 35 U.S.C. § 101. In support of its Motion, Red Hat states the following:

1. On September 3, 2024, Red Hat filed its' declaratory judgment Complaint against CAS for Patent Infringement and violation of the North Carolina Abusive Patent Assertion Act (N.C. Gen. Stat. §§ 75-140 et. seq.).
2. On October 25, 2024, CAS filed a Motion to Dismiss Plaintiffs' Complaint.
3. On June 12, 2025, the Court denied CAS's Motion to Dismiss.
4. On July 8, 2025 CAS filed its' Answer to Red Hat's Complaint and counterclaimed for infringement of the same patents in Red hat's original declaratory judgment Complaint.
5. Red Hat hereby requests the court Dismiss CAS's Counterclaims Counts I and III-VII under 35 U.S.C. § 101. In support of this Motion, Red Hat has filed a Memorandum in Support.

Competitive Access Systems EX2007
Red Hat, Inc. v. Competitive Access Systems, Inc.
IPR2025-01370

For the reasons stated in its Memorandum, Red Hat respectfully requests the Court grants and enters Red Hat's Partial Motion to Dismiss.

Dated: August 12, 2025

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing **PLAINTIFF RED HAT, INC.'S MOTION TO DISMISS DEFENDANT'S COUNTERCLAIMS** with the Clerk of Court using the CM/ECF system, which will give notice of such filing to all attorneys currently on record in the above-captioned case including:

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