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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION**

UNILOC 2017 LLC,
Plaintiff,
v.
INFOR, Inc.,
Defendant.

UBISOFT, INC.
Plaintiff,
v.
UNILOC 2017, LLC,
Defendant.

CASE NO. 8:19-cv-01150-DOC-KES
(CONSOLIDATED)

**UBISOFT, INC.'S NOTICE OF
MOTION AND MOTION FOR
JUDGMENT ON THE PLEADINGS
PURSUANT TO FED. R. CIV. P. 12(C)**

Judge: Hon. David O. Carter
Date Filed: November 23, 2020
Hearing Date: December 21, 2020
Time: 8:30 AM
Location: Ronald Reagan Federal
Building, Courtroom 9D

1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 **NOTICE IS HEREBY GIVEN** that, pursuant to Federal Rule of Civil Procedure
3 12(c), on December 21, 2020, or as soon thereafter as the matter may be heard, in
4 Courtroom 9D by the Honorable David O. Carter of the United States District Court for
5 the Central District of California, located at 411 West 4th Street, Santa Ana, California
6 92701, Counter Defendant Ubisoft, Inc. (“Ubisoft”) will, and hereby does, move for an
7 order granting judgment on the pleadings on Counter Plaintiff Uniloc 2017, LLC’s
8 (“Uniloc”) claims with prejudice.

9 This motion is brought pursuant to Federal Rule of Civil Procedure 12(c).
10 Uniloc’s counterclaims for infringement of U.S. Patent Nos. 6,324,578 and 7,069,293
11 (the “Asserted Patents”) are barred as a matter of law by the doctrine of claim preclusion
12 and the *Kessler* doctrine. More specifically, Uniloc’s allegations of infringement against
13 Ubisoft accuse a Content Delivery Network provided by Akamai Technologies, Inc. of
14 performing limitations of the asserted claims. Uniloc previously sued Akamai
15 Technologies, Inc. for infringement of the Asserted Patents, accusing Akamai’s Content
16 Delivery Network of infringement. That lawsuit was dismissed with prejudice, and
17 operates as an adjudication on the merits. Accordingly, Uniloc’s claims for infringement
18 in this case are barred as a matter of law by the doctrine claim preclusion and the *Kessler*
19 doctrine, and Ubisoft respectfully requests that its motion for judgment on the pleadings
20 be granted.

21 This motion is made following the conference of counsel pursuant to L.R. 7-3
22 which took place on November 16, 2020. Counsel for Uniloc, Jim Foster, stated that
23 Uniloc opposes the present motion.
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1 Dated: November 23, 2020

Respectfully submitted,

2
3 /s/Michelle L. Marriott

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