

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CORETEK LICENSING LLC,

Plaintiff,

v.

ALASKA COMMUNICATIONS SYSTEMS
GROUP, INC.,

Defendant.

C.A. No: 21-1840-MN-CJB

JURY TRIAL DEMANDED

**DEFENDANT ALASKA COMMUNICATIONS SYSTEMS GROUP, INC.'S
OPENING BRIEF IN SUPPORT OF ITS RULE 12(b)(6)
MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM**

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Dated: January 20, 2022

TABLE OF CONTENTS

I. NATURE AND STAGE OF THE PROCEEDINGS1

II. SUMMARY OF THE ARGUMENT1

III. STATEMENT OF THE FACTS2

 A. The Routing Patents2

IV. LEGAL STANDARD.....3

 A. This case should be disposed of at the pleading stage through Rule 12(b)(6).....3

 B. The Law of 35 U.S.C. § 101.4

V. ARGUMENT4

 A. The Routing Patents are Invalid under 35 U.S.C. § 1015

 1. Claim 1 of the '512 Patent is representative of the Routing Patent claims.5

 2. *Alice* Step 1: Claim 1 of the '512 Patent is directed to the abstract idea of call routing6

 3. *Alice* Step 2: Claim 1 contains no inventive concept to transform the abstract idea into patent-eligible subject matter.10

 4. The remaining claims are ineligible for the same reasons.12

 B. There are no factual disputes preventing a ruling.....13

VI. CONCLUSION.....14

TABLE OF AUTHORITIES

Cases	Page(s)
<i>Alice Corp. Pty. Ltd. v. CLS Bank Int'l</i> , 134 S. Ct. 2347 (2014).....	<i>passim</i>
<i>Ashcroft v. Iqbal</i> , 556 U.S. 662 (2009).....	3
<i>Athena Diagnostics, Inc. v. Mayo Collaborative Servs., LLC</i> , 915 F.3d 743 (Fed. Cir. 2019), cert. denied, 140 S. Ct. 855 (2020)	11
<i>Baggage Airline Guest Servs., Inc. v. Roadie, Inc.</i> , 351 F. Supp. 3d 753 (D. Del. 2019) (Andrews, J.).....	5
<i>BASCOM Global Internet Services, Inc. v. AT&T Mobility LLC</i> , 827 F.3d 1341 (Fed. Cir. 2016).....	11
<i>Berkheimer v. HP Inc.</i> , 881 F.3d 1360 (Fed. Cir. 2018).....	13
<i>Bilski v. Kappos</i> , 561 U.S. 593 (2010).....	3, 4
<i>BSG Tech LLC v. Buyseasons, Inc.</i> , 899 F.3d 1281 (Fed. Cir. 2018).....	2
<i>buySAFE, Inc. v. Google, Inc.</i> , 765 F.3d 1350 (Fed. Cir. 2014).....	11
<i>Content Extraction and Transmission LLC v. Wells Fargo Bank, Nat'l Ass'n</i> , 776 F.3d 1343 (Fed. Cir. 2014).....	5
<i>Cuvillier v. Sullivan</i> , 503 F.3d 397 (5th Cir. 2007)	3
<i>Diamond v. Chakrabarty</i> , 447 U.S. 303 (1980).....	4
<i>Elec. Power Grp., LLC v. Alstom S.A.</i> , 830 F.3d 1350 (Fed. Cir. 2016).....	7, 11, 12
<i>Enfish, LLC v. Microsoft Corp.</i> , 822 F.3d 1327 (Fed. Cir. 2016).....	7
<i>Finjan, Inc. v. Blue Coat System, Inc.</i> , 879 F.3d 1299 (Fed. Cir. 2018).....	5

Gottschalk v. Benson,
409 U.S. 63 (1972).....4

Indep. Trust Corp. v. Stewart Info. Servs. Corp.,
665 F.3d 930 (7th Cir. 2012)3

Internet Patents Corp. v. Active Network, Inc.,
790 F.3d 1343 (Fed. Cir. 2015).....8, 9

IPA Techs., Inc. v. Amazon.com, Inc.,
352 F. Supp. 3d 335 (D. Del. 2019).....14

Loyalty Conversion Sys. Corp. v. Am. Airlines, Inc.,
66 F. Supp. 3d 829 (E.D. Tex. 2014).....9

PPS Data, LLC v. Jack Henry & Assocs., Inc.,
No. 2:18-cv-00007-JRG, 2019 WL 1317286 (E.D. Tex. Mar. 21, 2019).....5

Pragmatus Telecom, LLC v. Genesys Telecommunications Laboratories, Inc.,
114 F.Supp.3d 192 (D. Del., 2015).....7, 8

SAP Am., Inc. v. InvestPic, LLC,
898 F.3d 1161 (Fed. Cir. 2018).....5, 6

Secured Mail Sols. LLC v. Universal Wilde, Inc.,
873 F.3d 905 (Fed. Cir. 2017).....12

In re TLI Commc’ns LLC Patent Lit.,
823 F.3d 607 (Fed. Cir. 2016).....2, 7, 11

Two-Way Media Ltd. v. Comcast Cable Commc’ns, LLC,
874 F.3d 1329 (Fed. Cir. 2017).....1, 9

Ultramercial, Inc. v. Hulu, LLC,
772 F.3d 709 (Fed. Cir. 2014) (Mayer, J., concurring).....4, 10, 13

Voip-Pal.Com, Inc. v. Apple Inc.,
375 F. Supp. 3d 1110 (N.D. Cal. 2019)7, 8, 9

I. NATURE AND STAGE OF THE PROCEEDINGS

On December 29, 2021, Coretek Licensing LLC (“Coretek”) filed a Complaint for Infringement of Patent (“Complaint”). Coretek accuses the “ALASKA VOICE” communications software (the “Accused Product”) of infringing “at least one claim” of the asserted patents because the accused product purportedly routes a call without using a network operator’s home location register and determines a location of a wireless device by extracting data from a database. (D.I. 1 at ¶¶ 22, 37, 59.)

II. SUMMARY OF THE ARGUMENT

Defendant Alaska Communications Systems Group, Inc. (“ACS Group”) moves pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure to dismiss Coretek Complaint for Infringement of Patent (D.I. 1 (“Complaint”)) for failure to state a claim.¹

The claims of the asserted patents are invalid because they are directed to patent-ineligible subject matter under 35 U.S.C. § 101. The purported advance of Coretek’s claims is the *idea* of call routing, where the user can “set up call in accordance to a user’s own choice of routing” (’512 Patent, 6:47-49). The claims recite the mere notion of using generic computer components and processing for their generic purposes in order to achieve the abstract result of call routing. They use result-based functional language described only at a high-level of generality. The claims are abstract because the applicants failed to describe with any specificity how to achieve their intended goal in a non-abstract way. *See Two-Way Media Ltd. v. Comcast Cable Commc’ns, LLC*, 874 F.3d 1329, 1337-38 (Fed. Cir. 2017).

¹ Coretek Licensing LLC sued and served the incorrect entity. ACS Group is a holding company that does not commercialize the accused product, Alaska Voice. The correct party to this suit is Alaska Communications Internet, LLC (“ACS Internet”), an Alaska corporation. Despite Coretek’s improper service and incorrect party naming, ACS Group is responding to Coretek’s lawsuit.

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