IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

BASCOM RESEARCH, LLC, Plaintiff v. FACEBOOK, INC., Defendant.	)	Civil Action No. 1:12-cv-01111 (LMB/JFA)

DEFENDANT'S FACEBOOK, INC.'S
MOTION TO DISMISS
PURSUANT TO FED. R. CIV. P. 12(B)(6)

COMES NOW the Defendant Facebook, Inc., by counsel and for the reasons set forth in the accompanying brief in support of the Defendant Facebook, Inc.'s Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(6), Facebook, Inc. respectfully moves this Honorable Court to dismiss Plaintiff Bascom Research, LLC's claims of indirect and willful infringement against it for failure to state a claim pursuant to Federal Rule of Civil Procedure 12(b)(6), and for such other and further relief as the Court deems just and proper.

Dated: November 8, 2012

Respectfully submitted,

/s/ Scott A. Cole

Stephen R. Smith (VSB No. 81628)
Scott A. Cole (VSB No. 74771)
scole@cooley.com
Cooley LLP
One Freedom Square
11951 Freedom Drive

Reston, VA 20190-5656
Telephone: (703) 456-8000
Facsimile: (703) 456-8100

Heidi Keefe (Admitted *pro hac vice*)
Mark Weinstein (Admitted *pro hac vice*)
Brian P. Wikner (*pro hac vice* pending)
Elizabeth Stameshkin (*pro hac vice* pending)
Cooley LLP
Five Palo Alto Square
3000 El Camino Real
Palo Alto, CA 94306-2155
Telephone: (650) 843-5000
Facsimile: (650) 857-0663

Attorneys for Defendant
FACEBOOK, INC.

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on November 8, 2012. Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ Scott A. Cole
Scott A. Cole (Va. Bar No. 74771)