

1 Randall E. Kay (State Bar No. 149369)
rekay@jonesday.com
2 Matthew A. Ferry (State Bar No. 279236)
mferry@jonesday.com
3 JONES DAY
12265 El Camino Real
4 Suite 200
San Diego, CA 92130.4096
5 Telephone: +1.858.314.1200
Facsimile: +1.858.314.1150
6

7 Frank P. Coté (State Bar No. 204529)
fcote@jonesday.com
8 JONES DAY
3161 Michelson Blvd., Suite 800
9 Irvine, CA 92612
Telephone: +1.949.851.3939
10 Facsimile: +1.949.553.3939

11 Attorneys for Defendant
MICRON CONSUMER PRODUCTS GROUP,
12 INC., DBA LEXAR

13 UNITED STATES DISTRICT COURT
14 SOUTHERN DISTRICT OF CALIFORNIA
15

16 e.Digital Corporation,
17 Plaintiff,
18 v.
19 Micron Consumer Products Group,
Inc., dba Lexar
20 Defendant.
21

Case No. 3:13-CV-02907-H-BGS

**DEFENDANT MICRON
CONSUMER PRODUCTS
GROUP, INC.'S NOTICE OF
MOTION AND MOTION TO
DISMISS**

Date: June 2, 2014
Time: 10:30 a.m.
Courtroom: 15A

Judge: Hon. Marilyn L. Huff

1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 PLEASE TAKE NOTICE that on June 2, 2014, at 10:30 a.m., in the
 3 Courtroom of the Honorable Marilyn L. Huff of the Southern District of California,
 4 located at Courtroom 15A, Suite 1510, 333 West Broadway, San Diego, California
 5 92101, Defendant Micron Consumer Products Group, Inc., dba Lexar ("MCPG")
 6 will and hereby does move for an order to dismiss the direct infringement and
 7 indirect infringement claims asserted against MCPG by Plaintiff e.Digital
 8 Corporation ("e.Digital") in the above-titled case.

9 This Motion is made pursuant to Federal Rule of Civil Procedure 12(b)(6) on
 10 the grounds that e.Digital's First Amended Complaint fails to allege facts that state
 11 a plausible claim for relief based upon MCPG's alleged direct infringement,
 12 induced infringement, and contributory infringement of the asserted patent.
 13 Accordingly, e.Digital's direct infringement, induced infringement, and
 14 contributory infringement claims against MCPG should be dismissed in their
 15 entirety.

16 This Motion is based on this Notice of Motion and Motion and the
 17 accompanying Memorandum of Points and Authorities, all of which are served and
 18 filed herewith, the complete records and files of this action, and any argument or
 19 additional evidence that is permitted by this Court.

20 Dated: April 28, 2014

Respectfully submitted,

21 Jones Day

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 23 By: s/ Randall E. Kay

24 Randall E. Kay

25 Counsel for Defendant
 26 MICRON CONSUMER PRODUCTS
 27 GROUP, INC.
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