UNITED STATES DISTRICT COURT

DISTRICT OF DELAWARE

SPRINT COMMUNICATIONS COMPANY L.P.,

Plaintiff,

v.

COMCAST IP HOLDINGS, LLC and COMCAST IP PHONE, LLC,

Defendants.

Case No. 12-1013-RGA

DEMAND FOR JURY TRIAL

[redacted]

PUBLIC VERSION

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AS TO U.S. PATENT NO. 5,793,853

COMES NOW DEFENDANTS COMCAST IP HOLDING, LLC and COMCAST IP PHONE, LLC ("Comcast"), by and through counsel, and hereby moves this Court to grant Comcast summary judgment.

As discussed in the Memorandum attached hereto, Comcast files this motion seeking summary judgment that (1) the accused Comcast IMS network does not infringe United States Patent No. 5,793,853 asserted by Plaintiff, Sprint Communications Company, L.P., (hereinafter "Sprint") with respect to calls initiated on it; (2) the priority date for the '853 patent is the date on which the application for that patent was filed; and (3) the damages opinions of Sprint's experts must be stricken and Sprint must be determined to take $0.00 in damages.

WHEREFORE, Defendant requests the Court to enter summary judgment in favor of Defendant and against Plaintiff, and for all other proper relief.

Public Version Filed: October 14, 2014
Dated: October 6, 2014

Of Counsel:

Matthew B. Lehr (#2370)
Anthony Fenwick (*pro hac vice*)
David J. Lisson (*pro hac vice*)
Anna M. Ison (*pro hac vice*)
Gareth E. DeWalt (*pro hac vice*)
Micah G. Block (*pro hac vice*)
Shiwoong Kim (*pro hac vice*)
Alyse L. Katz (*pro hac vice*)
Alex H. Hu (*pro hac vice*)
Brooke A. Pyo (*pro hac vice*)
DAVIS POLK & WARD WELL LLP
1600 El Camino Real
Menlo Park, CA 94025
Tel: (650) 752-2000

Pejman F. Sharifi (*pro hac vice*)
Krishnan Padmanabhan (*pro hac vice*)
WINSTON & STRAWN LLP
200 Park Avenue
New York, NY 10166-4193
Tel: (212) 294-6700

Michael L. Brody (*pro hac vice*)
Brian J. Nisbet (*pro hac vice*)
James Winn (*pro hac vice*)
WINSTON & STRAWN LLP
35 W. Wacker Drive
Chicago, IL 60601-9703
Tel: (312) 558-5600

Jude Andre (*pro hac vice*)
WINSTON & STRAWN LLP
1111 Louisiana Street, 25th Floor
Houston, TX 77002-5242
Tel: (713) 651-2600

CONNOLLY GALLAGHER LLP

By: */s/ Ryan P. Newell*

Arthur G. Connolly III (#2667)
Ryan P. Newell (#4744)
1000 West St., Suite 1400
Wilmington, DE 19801
Tel: (302) 757-7300
Fax:(302)757-7299
aconnolly@connollygallagher.com
rnewell@connollygallagher.com

Attorneys for Comcast Cable Communications, LLC and Comcast IP Phone, LLC