

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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RED BEND LTD. and		)	
RED BEND SOFTWARE INC.,		)	
	Plaintiffs,	)	
		)	
	v.	)	CIVIL ACTION
		)	NO. 09-cv-11813
GOOGLE INC.,		)	
	Defendant.	)	
		)	
		)	
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**DEFENDANT GOOGLE INC.’S MOTION TO DISMISS PLAINTIFFS’  
INDIRECT INFRINGEMENT CLAIMS**

Defendant Google Inc., by its undersigned attorneys, hereby moves for dismissal of Plaintiffs Red Bend Ltd. and Red Bend Software, Inc.’s claims of contributory patent infringement and inducing patent infringement. This Motion is made pursuant to Fed. R. Civ. P. 12(b)(6) on the ground that the Amended Complaint fails to state claims for indirect infringement upon which relief can be granted. Accompanying this Motion is a Memorandum of points and authorities, which sets forth the facts and authorities in support of the Motion.

## MEET AND CONFER

Pursuant to Local Rule 7.1(a)(2), a teleconference was held on December 1, 2009, between counsel for the plaintiff and counsel for the defendant, in an attempt to resolve or narrow the issue. An agreement could not be reached.

## REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rule 7.1(d), Google requests oral argument on this Motion to Dismiss.

Dated: December 1, 2009

Respectfully Submitted,

Google Inc.,

By its attorneys,

/s/ Susan Baker Manning

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**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on December 1, 2009.

/s/ Susan Baker Manning  
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