

[Your Name/Law Firm]
[Your Address]
[City, State, Zip Code]
[Email Address]
[Phone Number]

[Date]

Via Email

[Opposing Counsel Name]
[Opposing Law Firm]
[Address]
[City, State, Zip Code]

Re: Meet and Confer Regarding Proposed Motion to Dismiss; [Case Name], Case No. [Case Number]

Dear [Opposing Counsel Name],

Pursuant to [Local Rule Number, e.g., Local Rule 7-3], I am writing to meet and confer regarding [Defendant Name]'s intended Motion to Dismiss the Complaint filed by [Plaintiff Name] in the above-referenced matter.

Defendant intends to move for dismissal under Federal Rule of Civil Procedure 12(b)(6) on the following grounds:

- **Patent Ineligibility under 35 U.S.C. § 101:** The asserted claims of U.S. Patent No. [Patent Number] are directed to an abstract idea and lack an inventive concept.
- **Failure to State a Claim for Direct Infringement:** The Complaint fails to allege facts sufficient to show how the accused product practices every limitation of at least one independent claim.
- **Failure to Allege Intent for Indirect/Willful Infringement:** The Complaint lacks factual allegations establishing that Defendant had pre-suit knowledge of the patent or specific intent to induce infringement.
- **[Optional: Lack of Standing/Jurisdiction/Venue]:** [Briefly describe any additional grounds].

We believe these deficiencies cannot be cured by amendment. However, in the interest of narrowing the issues for the Court, please let us know by [Date/Time] whether Plaintiff is willing to voluntarily dismiss the Complaint or seek leave to file an amended complaint that addresses these legal insufficiencies.

I am available to discuss this further via telephone on [Date] at [Time]. Please let me know if that time works for you, or propose an alternative time for us to speak.

Sincerely,

[Your Signature]
[Your Printed Name]
Counsel for [Defendant Name]