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

PARKS, MILLICAN & MANN, LLC

Plaintiff

v. CASE NO. 2:17-cv-00092

FIGURES TOY COMPANY

and

RING OF HONOR WRESTLING ENTERTAINMENT LLC, Defendants

DEFENDANT RING OF HONOR'S RULE 12(b)(6) MOTION TO DISMISS

Defendant, Ring of Honor Wrestling Entertainment, LLC ("ROH"), by counsel, files this Rule 12(b)(6) Motion to Dismiss and relies upon the arguments and authorities set forth in the accompanying Memorandum in Support.

WHEREFORE, ROH respectfully requests that this Court grant its Rule 12(b)(6) Motion to Dismiss and dismiss the Second Amended Complaint as to the claims against ROH, award costs incurred, and award attorney's fees under 17 U.S.C. § 505 and 17 U.S.C. § 1203.

Dated: June 15, 2017 Respectfully submitted,

RING OF HONOR WRESTLING ENTERTAINMENT, LLC

By: /Kristan B. Burch/
Kristan B. Burch, Esq. (VSB #42640)
Lauren Tallent Rogers, Esq. (VSB #82711)
Kaufman & Canoles, P.C.
150 W. Main Street
Suite 2100
Norfolk, VA 23510
(757) 624-3343

Facsimile: (757) 624-3169
kbburch@kaufcan.com
ktrogers@kaufcan.com
Counsel for Ring of Honor Wrestling
Entertainment, LLC

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was electronically filed with the Clerk of Court using the CM/ECF system on this 15th day of June, 2017, which will then send a notification of such filing to the following:

Duncan M. Byers
Ann C. Lahren
Pender & Coward, P.C.
222 Central Park Avenue, Suite 400
Virginia Beach, VA 23462
dbyers@pendercoward.com
alahren@pendercoward.com
Counsel for plaintiff

Mary Declan Hallerman
John Jay Dabney
Katie Bukrinsky
McDermott Will & Emery LLP
500 North Capitol St NW
Washington, DC 20001
mhallerman@mwe.com
jdabney@mwe.com
kbukrinsky@mwe.com
Counsel for defendant, Figures Toy Company

/Kristan B. Burch/

Kristan B. Burch, Esq. (VSB #42640)
Lauren Tallent Rogers, Esq. (VSB #82711)
Kaufman & Canoles, P.C.
150 W. Main Street
Suite 2100
Norfolk, VA 23510
(757) 624-3343
Facsimile: (757) 624-3169
kbburch@kaufcan.com
ltrogers@kaufcan.com
Counsel for Ring of Honor Wrestling
Entertainment, LLC