

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

UNILOC 2017 LLC,	§	
	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION NO. 2:18-CV-00514-JRG
	§	
AT&T SERVICES, INC., AT&T MOBILITY LLC,	§	
	§	
	§	
Defendants,	§	
	§	
ERICSSON, INC.,	§	
	§	
Intervenor-Defendant.	§	

ORDER STAYING AND *SUA SPONTE* SEVERING THE '005 PATENT CLAIMS

Before the Court is the Parties' Joint Stipulation and Motion for Stay of the '005 Patent (the "Motion"). (Dkt. No. 50.) The Motion seeks a stay only as to claims and counterclaims related to U.S. Patent No. 6,519,005 (the "'005 Patent") pending resolution of an action before the Central District of California involving the '005 Patent. Having considered the Motion and noting the Parties' agreement, the Court is of the opinion that the Motion should be and hereby is **GRANTED**.

It is therefore **ORDERED** that all claims and counterclaims in the above-captioned case pertaining to the '005 Patent (the "'005 Claims") are hereby **STAYED** until the conclusion of any appeal from *Uniloc 2017 LLC v. Hulu LLC*, Case No. 18-cv-2058-GW-DFMx, Dkt. No. 59 (C.D. Cal. May 14, 2019) (the "*Hulu* 101 Order"). Additionally, the Court *sua sponte* **ORDERS** that the '005 Claims are hereby **SEVERED** into a separate case (the "'005 Case"), where the aforementioned stay shall take immediate effect.

It is further **ORDERED** that:

- 1) If the *Hulu* 101 Order is affirmed on appeal or not appealed, Uniloc shall dismiss its claims in the '005 Case with prejudice within 30 days of the Federal Circuit's decision or within 30 days of Uniloc's deadline to file a notice of appeal, as applicable.
- 2) If the *Hulu* 101 Order is vacated or reversed on appeal, the parties shall submit a joint status report within 30 days of the Federal Circuit's decision including a proposed case schedule for the '005 Case on a different track and timeframe than the other two patents asserted in the above-captioned case and the three patents asserted in EDTX Case No. 2:19-cv-00102. The schedule for the '005 Case in such a circumstance shall be based on the Sample Docket Control Order for Patent Cases used by this Court and shall not be expedited.
- 3) The Parties shall keep the Court apprised of the status of any appeals of the *Hulu* 101 Order.

The Clerk is directed to take such steps as are necessary to effectuate this Order and to additionally docket this Order in the '005 Case.

So Ordered this

Aug 10, 2019



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE