

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

UNILOC 2017 LLC,

Plaintiff,

V.

**VERIZON COMMUNICATIONS INC.,
CELLCO PARTNERSHIP INC.,
VERIZON BUSINESS NETWORK
SERVICES, INC., VERIZON DIGITAL
MEDIA SERVICES, INC.,**

Defendants.

ORDER

Before the Court is Plaintiff Uniloc 2017 LLC's ("Uniloc") and Defendants Verizon Communications, Inc., Cellco Partnership Inc. d/b/a Verizon Wireless, Verizon Business Network Services, Inc. and Verizon Digital Media Services, Inc.'s (collectively, "Verizon") (together, the "Parties") Stipulation. (Dkt. No. 45). The Parties hereby agree to stay all claims pertaining to U.S. Patent No. 6,519,005 (the "'005 patent") pending the conclusion of any appeal of the United States District Court for the Central District of California's decision finding that the patent is not directed to patentable subject matter in *Uniloc 2017 LLC v. Netflix, Inc.*, 8:18-cv-2055-GWDRM (C.D. Cal.) (the "Netflix Case"). In the event the decision is affirmed on appeal, Plaintiff agrees to dismiss the '005 Patent from this case with prejudice.

Having considered the Stipulation, the Court is of the opinion that it 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 the Netflix Case. 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. *See Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936) (“[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.”).

The Parties are **ORDERED** to file a Joint Status Report in the ‘005 Case informing the Court of the results of the appeal from the Netflix Case within fourteen (14) days of the issuance of an opinion from the pending appeal to be resolved. A courtesy copy of such Joint Status Report shall also be delivered to chambers. Within fourteen (14) days from the filing of such Status Report, either party may move for an order to have the stay lifted. The Court will not lift the stay until either party files a motion regarding the same or upon further order from the Court *sua sponte*.

The Clerk of Court is **ORDERED** 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