

JS-6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

INTELLECTUAL PIXELS LIMITED,
Plaintiff,
SONY INTERACTIVE
ENTERTAINMENT LLC,
Defendant.

Case No. 8:19-cv-01432-JVS-KES

**ORDER STAYING PROCEEDING
PENDING *INTER PARTES* REVIEW**

Having considered the parties' Joint Stipulation To Stay Proceedings Pending *Inter Partes* Review and having found good cause to stay these proceedings as set forth therein:

IT IS HEREBY ORDERED that:

1. Except as set forth in paragraph 2 below, all proceedings in this action are STAYED pending final resolution of Sony Interactive Entertainment LLC's ("SIE's") Petition For *Inter Partes* Review, IPR2020-1248, including any appeals therefrom.

2. To preserve evidence in the possession of a third-party witness, the Parties shall be permitted to complete the deposition of David Perry at a mutually convenient date and time while this action is otherwise STAYED. The Parties agree

1 that David Perry will be deposed once for both the 8:19-cv-01432-JVS-KES and
2 8:20-cv-01422-JVS-KES cases.

3 3. Upon final resolution of the IPR, including any appeals therefrom,
4 either party may move the Court to lift the STAY.

5 4. If SIE does not prevail in establishing the unpatentability of each of
6 claims 1-4 of the '093 patent in the IPR, including any amendments thereto, and the
7 STAY is lifted, SIE shall not oppose a motion by IPL to amend its infringement
8 contentions to include PlayStation Now and Remote Play for the PlayStation 5, but
9 SIE may oppose the motion on grounds not related to the addition of contentions
10 relating to PlayStation Now and Remote Play for the PlayStation 5. Further, at such
11 time, the Parties shall resume all currently pending and noticed discovery. The
12 Parties shall further meet and confer in good faith as appropriate regarding a
13 schedule for additional discovery based on the inclusion of PlayStation Now and
14 Remote Play for PlayStation 5 (*e.g.*, technical documentation, source code, and
15 damages information), and seek any leave from the Court necessary to conduct such
16 additional discovery.

17 5. The Parties shall file a joint status update every ninety (90) days
18 following the date of this order apprising the Court of the status of the IPR, and shall
19 file a joint status update upon final resolution of the IPR, including any appeals,
20 apprising the Court of the IPR's outcome.

21
22 **IT IS SO ORDERED.**

23
24 Dated: September 10, 2020

25 By: 
26 James V. Selna
27 United States District Judge
28