

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

ROBERT BOSCH, LLC,

Plaintiff,

v.

WESTPORT FUEL SYSTEMS

CANADA INC.,

Defendant.

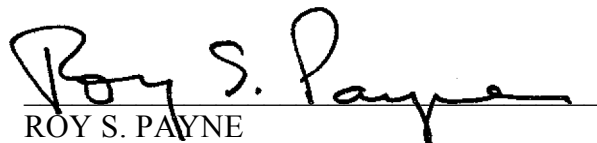
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Case No. 2:23-cv-00038-JRG-RSP

ORDER

Before the Court is Plaintiff Robert Bosch, LLC’s Motion to Stay Pending *Inter Partes* Review. **Dkt. No. 54**. On December 14, 2022, Bosch filed petitions for *Inter Partes* Review (“IPR”) of U.S. Patent Nos. 6,298,829 and 6,575,138 (collectively, the “Patents-in-Suit”).¹ That same day, Mercedes filed two additional IPR petitions challenging the Patents-in-Suit on different grounds.² Bosch notes that these four IPR petitions challenge every patent claim that Westport asserted against the car manufacturers. Nevertheless, Bosch concedes that the Patent Trial and Appeal Board will not even issue an institution decision until June 23, 2023. Even if the PTAB instituted the IPRs, the PTAB would likely not issue its final written decisions until late June of 2024. After due consideration, the Court **DENIES** the motion. It is far too early to determine that a stay *will*—rather than *may*—simplify the issues in the case.

SIGNED this 11th day of February, 2023.


ROY S. PAYNE
UNITED STATES MAGISTRATE JUDGE

¹ *Robert Bosch LLC et al. v. Westport Fuel Sys. Can., Inc.*, IPR2023-00292 and IPR2023-00293.

² *Mercedes-Benz USA, LLC v. Westport Fuel Sys. Can., Inc.*, IPR2023-00351 and IPR2023-00352. Bosch is a real-party-in-interest in the Mercedes IPR petitions and, as such, would be bound by any estoppel that might apply.