STAY

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

BESTWAY (USA), INC. and BESTWAY INFLATABLES & MATERIAL CORP.,

Plaintiffs,

v.

INTEX RECREATION CORP.; et al.

Defendants.

Case No. 2:22-cv-00406-AB-AGR

Hon. André Birotte Jr.
Courtroom 7B

~~[PROPOSED]~~ ORDER RE STAY PENDING *INTER PARTES* REVIEW

The Court APPROVES the Parties' Stipulation to Stay Pending *Inter Partes* Review and ORDERS:

1. As of January 12, 2023, all proceedings in this action are stayed, and all deadlines and/or hearing dates are vacated;
2. The parties will file a joint status report every 90 days from this Order; and
3. Either party may move the Court to re-open all or part of this case if and/or when any claims from the Asserted Patent remain live and/or unchallenged due to: (1) Intex's failure to file IPR petitions on all asserted claims of the Asserted Patent as set forth in Bestway's preliminary infringement contentions, (2) the PTAB's denial of institution on Intex's IPR petitions, (3) the PTAB's final written decision upholding validity of any asserted claim of the Asserted Patent, and/or (4) the dismissal of Intex's IPR petitions for any reason. Notwithstanding the foregoing, the Court is not required to grant a

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motion to re-open based on the occurrence of any of the abovementioned events, and a non-moving party may oppose such a motion and assert that good cause to lift the stay has not been shown.

IT IS SO ORDERED.

DATED: January 18, 2023

Honorable André Birotte Jr.
United States District Judge