

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

DAEDALUS PRIME LLC,	§	
	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	CIVIL ACTION NO. 2:22-CV-00352-JRG
	§	(LEAD CASE)
SAMSUNG ELECTRONICS CO., LTD.,	§	
SAMSUNG ELECTRONICS AMERICA,	§	
INC., TAIWAN SEMICONDUCTOR	§	
MANUFACTURING COMPANY	§	
LIMITED,	§	
	§	
<i>Defendants.</i>	§	

	§	
v.	§	CIVIL ACTION NO. 2:22-CV-00353-JRG
	§	(MEMBER CASE)
SAMSUNG ELECTRONICS CO., LTD.,	§	
SAMSUNG ELECTRONICS AMERICA,	§	
INC., SAMSUNG SEMICONDUCTOR,	§	
INC., SAMSUNG AUSTIN	§	
SEMICONDUCTOR, LLC,	§	
	§	
<i>Defendants.</i>	§	

	§	
v.	§	CIVIL ACTION NO. 2:22-CV-00354-JRG
	§	(MEMBER CASE)
SAMSUNG ELECTRONICS CO., LTD.,	§	
SAMSUNG ELECTRONICS AMERICA,	§	
INC., SAMSUNG SEMICONDUCTOR,	§	
INC., SAMSUNG AUSTIN	§	
SEMICONDUCTOR, LLC,	§	
	§	
<i>Defendants.</i>	§	

ORDER

Before the Court is the Unopposed Motion to Stay Case No. 2:22-CV-00352-JRG Pursuant to 28 U.S.C. § 1659 and Severing Member Cases Not Subject to Stay (the “Motion to Stay”) filed

by Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively, “Samsung”). (Dkt. No. 24.) In the Motion to Stay, Samsung requests that the Court sever member Case Nos. 2:22-CV-00353 and 2:22-CV-00354 from lead Case No. 2:22-CV-00352. Samsung also requests that the Court stay Case No. 2:22-CV-00352 pursuant to 28 U.S.C. § 1659. Samsung represents that Defendant Taiwan Semiconductor Manufacturing Company Limited’s (“TSMC”) counsel, which represents TSMC before the U.S. International Trade Commission (“ITC”), advised that TSMC does not oppose the Motion to Stay. (*Id.* at 1.) Plaintiff Daedalus Prime LLC (“Daedalus”) does not oppose the Motion to Stay. (*Id.*)

Under 28 U.S.C. § 1659, a district court “shall stay” parallel litigation “until the determination of the Commission becomes final” if certain conditions are met. 28 U.S.C. § 1659(a). First, the civil action before the district court must “involv[e] parties that are also parties to a proceeding before the [ITC].” *Id.* Second, the claims for which the stay is requested must “involve[] the same issues” as those before the ITC. *Id.* Third, the stay must be requested by a respondent before the ITC within thirty (30) days of being named as a respondent before the ITC, or within thirty (30) days of the district court action being filed, whichever is later. *Id.*

The Court finds that all three requirements for a statutory stay have been met. First, ITC Investigation Nos. 337-TA-1335 and 337-TA-1336 (the “ITC Actions”) and the above-captioned matter involve the same parties because Daedalus is the complainant in the ITC Actions and Samsung is named as a respondent.¹ Second, all patents-in-suit in this matter, U.S. Patent Nos. 8,775,833 (the “’833 Patent”), 8,898,494 (the “’494 Patent”), 10,049,080 (the “’080 Patent”), 10,705,588 (the “’588 Patent”), 9,831,306 (the “’306 Patent”), 10,319,812 (the “’812 Patent”), and

¹ ITC Investigation No. 337-TA-1335 names as respondents Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Qualcomm Inc. (Dkt. No. 24-4 at 3.) ITC Investigation No. 337-TA-1336 names as respondents Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., Taiwan Semiconductor Manufacturing Company Limited, and TSMC North America. (Dkt. No. 24-5 at 3.)

10,700,178 (the “’178 Patent”) are the subject of Daedalus’s infringement allegations in the ITC Actions.² Third, Samsung is a respondent in the ITC Actions and has filed the Motion to Stay within thirty (30) days of the ITC’s institution of an investigation. Given that the statutory requirements for a stay have been met, the Court finds that Samsung’s Motion to Stay should be and hereby is **GRANTED**.

Accordingly, pursuant to 28 U.S.C. § 1659, it is **ORDERED** that all causes of action in Case No. 2:22-CV-00352 are **STAYED** pending ITC Investigation Nos. 337-TA-1335 and 337-TA-1336 until further Order of this Court. It is further **ORDERED** that the parties shall file a joint notice in this case with attached supporting copies of any dispositive or partially dispositive action by the ITC within seven (7) days of such action.

It is further **ORDERED** that to facilitate the above, the Clerk of Court shall **DECONSOLIDATE** Case No. 2:22-CV-00352 from Case Nos. 2:22-CV-00353 and 2:22-CV-00354. Case Nos. 2:22-CV-00353 and 2:22-CV-00354 shall remain consolidated for all pretrial issues. Among them, Case No. 2:22-CV-00353 shall be designated as the LEAD CASE. All parties are instructed to file any future filings for those consolidated cases in the LEAD CASE.

So Ordered this

Nov 1, 2022



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE

² ITC Investigation No. 337-TA-1335 involves the ’833, ’494, ’080, and ’588 Patents. (Dkt. No. 24-4 at 1.) ITC Investigation No. 337-TA-1336 involves the ’306, ’812, ’178 Patents, and U.S. Patent No. 11,251,281 (the “’281 Patent”). (Dkt. No. 24-5 at 1.) The ’281 Patent is not asserted in the above-captioned matter.