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

APEX BEAM TECHNOLOGIES LLC, *Plaintiff,* v. ZTE CORPORATION, *Defendant.*	§ § § § § § § § § § §	Case No. 2:22-CV-00031-JRG-RSP (Lead)

ORDER

Before the Court, defendants Samsung Electronics Co., Ltd., and Samsung Electronics America, Inc., (collectively "Samsung") move to stay the case pending *inter partes* review. Dkt. No. 54. As the motion indicates, Samsung petitioned for *inter partes* review, and institution decisions are due by October 10 and 24, 2023, and November 16 and 22, 2023. *Id*. at ECF p 8. "In this district, courts usually deny motions for stay when the PTAB has not acted on a petition for *inter partes* review." *Perdiemco LLC v. Telular Corp.*, 2017 WL 2444736, at *2 (E.D. Tex. June 6, 2017) (citing *Trover Group, Inc. v. Dedicated Micros USA*, 2015 WL 1069179, at *6 (E.D. Tex. Mar. 11 2015) ("In this district, that is not just the majority rule; it is the universal practice.")).

Accordingly, the motion is **DENIED WITHOUT PREJUDICE**.

SIGNED this 14th day of June, 2023.

ROY S. PAYNE
UNITED STATES MAGISTRATE JUDGE

Apex Beam's Exhibit No. 2002, IPR2023-00571
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