

Document: 1:23cv492, Sram, Llc V. Fox Factory, Inc.

1:23cv492, Sram, Llc V. Fox Factory, Inc.

US District Court Docket

United States District Court, Georgia Northern

(Atlanta)

This case was retrieved on **06/11/2024**

▼Header

Case Number: 1:23cv492

Class Code: Open

Date Filed: 02/01/2023

Statute: 28:1338

Assigned To: Judge Steve C. Jones

Jury Demand: Both

Nature of Suit: Patent (830)

Demand Amount: \$0

Cause: Patent Infringement

NOS Description: Patent

Lead Docket: None

Other Docket: None

Jurisdiction: Federal Question

▼Participants

Litigants

Sram, LLC

Plaintiff

Attorneys

Holmes J. Hawkins , III

LEAD ATTORNEY;ATTORNEY TO BE
NOTICED

King & Spalding, LLP - ATL

1180 Peachtree St. Ne

Atlanta, GA 30309-2521

USA

Litigants

Fox Factory, Inc.
Defendant

Attorneys

404-572-4600 Email:Hhawkins@kslaw.Com

Michael J. Hickey
LEAD ATTORNEY;PRO HAC
VICE;ATTORNEY TO BE NOTICED
Lewis Rice LLC
600 Washington Avenue Suite 2500
St. Louis, MO 63101
USA
314-444-7630 Email:Mhickey@lewisrice.Com

Richard B. Walsh , Jr.
LEAD ATTORNEY;PRO HAC
VICE;ATTORNEY TO BE NOTICED
Lewis Rice LLC
600 Washington Avenue Suite 2500
St. Louis, MO 63101
USA
314-444-7722 Email:Rwalsh@lewisrice.Com

Sarah Milunski
LEAD ATTORNEY;ATTORNEY TO BE
NOTICED
Lewis Rice LLC - MO
600 Washington Avenue Suite 2500
St. Louis, MO 63101
USA
314-444-7822
Email:Smilunski@lewisrice.Com

Arpita Bhattacharyya
LEAD ATTORNEY;PRO HAC
VICE;ATTORNEY TO BE NOTICED
Finnegan, Henderson, Farabow, Garrett &
Dunner, LLP-CA
3300 Hillview Avenue
Palo Alto, CA 94304-1203
USA
650-849-6600

Litigants

Attorneys

Email:Arpita.Bhattacharyya@finnegan.Com

Robert F. McCauley
 LEAD ATTORNEY;PRO HAC
 VICE;ATTORNEY TO BE NOTICED
 Finnegan, Henderson, Farabow, Garrett &
 Dunner, LLP-CA
 3300 Hillview Avenue
 Palo Alto, CA 94304-1203
 USA
 650-849-6600 Fax: 650-849-6666
 Email:Robert.Mccauley@finnegan.Com

Virginia L. Carron
 ATTORNEY TO BE NOTICED
 Finnegan Henderson Farabow Garrett &
 Dunner, LLP - Atl
 Suite 1400 271 17th Street, N.W.
 Atlanta, GA 30363-6209
 USA
 404-653-6452 Fax: 404-653-6444
 Email:Virginia.Carron@finnegan.Com

▼Proceedings

Retrieve Document(s)

☐	Availability	#	Date	Proceeding Text	Source
☐	Free	1	02/01/2023	COMPLAINT with Jury Demand filed by SRAM, LLC. (Filing fee \$402, receipt number AGANDC-12360631) (Attachments: # 1 Exhibit A - US Patent No 7147207 , # 2 Exhibit B - US Patent No 10328993 , # 3 Civil Cover Sheet)(tas) Please visit our website at http://www.gand.uscourts.gov/commonly-used-forms to obtain Pretrial Instructions and Pretrial Associated Forms which includes	

	Availability	#	Date	Proceeding Text	Source
				the Consent To Proceed Before U.S. Magistrate form. (Entered: 02/02/2023)	
☐	Runner		02/02/2023	Notice of deficiency re AO Form 121. Plaintiff must complete and file AO Form 121. See LR 3.4. Docket the form using the event AO 121, located in the Other Filings/Other Documents menu. (tas) (Entered: 02/02/2023)	
☐	Online	2	02/02/2023	PROPOSED SUMMONS filed by SRAM, LLC (Hawkins, Holmes) (Entered: 02/02/2023)	
☐	Online	3	02/02/2023	PROPOSED AO 120 . (Hawkins, Holmes) (Entered: 02/02/2023)	
☐	Online	4	02/02/2023	Certificate of Interested Persons and Corporate Disclosure Statement by SRAM, LLC. (Hawkins, Holmes) (Entered: 02/02/2023)	
☐	Online	5	02/03/2023	AO Form 120 forwarded to Commissioner. (ddm) (Entered: 02/03/2023)	
☐	Online	6	02/03/2023	Electronic Summons Issued as to FOX Factory, Inc.. (ddm) (Entered: 02/03/2023)	
☐	Online	7	02/07/2023	Return of Service Executed by SRAM, LLC. FOX Factory, Inc. served on 2/3/2023, answer due 2/24/2023. (Hawkins, Holmes) (Entered: 02/07/2023)	
☐	Online	8	02/15/2023	Letter from Clerk re: LR 83.1 Attorney Admission requirements sent to Richard B. Walsh, Jr.. Clerk to follow-up by 2/27/2023. (kkh) (Entered: 02/15/2023)	
☐	Online	9	02/15/2023	Letter from Clerk re: LR 83.1 Pro Hac Vice requirements sent to Michael J. Hickey. Clerk to follow-up by 2/27/2023. (cdg) (Entered: 02/15/2023)	
☐	Online	10	02/20/2023	APPLICATION for Admission of Richard B. Walsh, Jr. Pro Hac Vice (Application fee \$ 150, receipt number AGANDC-12403451).by SRAM, LLC. (Attachments: # 1 Applicant's	

	Availability	#	Date	Proceeding Text	Source
				Information, # 2 Consent of Local Counsel, # 3 Text of Proposed Order (Hawkins, Holmes) Documents for this entry are not available for viewing outside the courthouse. (Entered: 02/20/2023)	
☐	Online	11	02/20/2023	APPLICATION for Admission of Michael J. Hickey Pro Hac Vice (Application fee \$ 150, receipt number AGANDC-12403452).by SRAM, LLC. (Attachments: # 1 Applicant's Information, # 2 Consent of Local Counsel, # 3 Text of Proposed Order)(Hawkins, Holmes) Documents for this entry are not available for viewing outside the courthouse. (Entered: 02/20/2023)	
☐	Online	12	02/20/2023	APPLICATION for Admission of Sarah A. Milunski Pro Hac Vice (Application fee \$ 150, receipt number AGANDC-12403453).by SRAM, LLC. (Attachments: # 1 Applicant's Information, # 2 Consent of Local Counsel, # 3 Text of Proposed Order)(Hawkins, Holmes) Documents for this entry are not available for viewing outside the courthouse. (Entered: 02/20/2023)	
☐	Online	13	02/23/2023	Consent MOTION for Extension of Time to File Answer by FOX Factory, Inc.. (Attachments: # 1 Text of Proposed Order (Carron, Virginia) (Entered: 02/23/2023)	
☐	Online	14	02/23/2023	Certificate of Interested Persons and Corporate Disclosure Statement by FOX Factory, Inc.. (Carron, Virginia) (Entered: 02/23/2023)	
☐	Online	15	02/24/2023	ORDER granting the 13 Consent Motion for Extension of Time, through and including March 16, 2023, for Defendant Fox Factory, Inc. to respond to 1 Plaintiff's Complaint. Signed by Judge Steve C. Jones on 02/24/2023. (ddm) (Entered: 02/24/2023)	

	Availability	#	Date	Proceeding Text	Source
☐	Runner		02/28/2023	APPROVAL by Clerks Office re: 10 APPLICATION for Admission of Richard B. Walsh, Jr. Pro Hac Vice (Application fee \$ 150, receipt number AGANDC-12403451). Attorney Richard B. Walsh, Jr. added appearing on behalf of SRAM, LLC. (rvb) (Entered: 02/28/2023)	
☐	Runner		02/28/2023	APPROVAL by Clerks Office re: 11 APPLICATION for Admission of Michael J. Hickey Pro Hac Vice (Application fee \$ 150, receipt number AGANDC-12403452). Attorney Michael J. Hickey added appearing on behalf of SRAM, LLC. (rvb) (Entered: 02/28/2023)	
☐	Runner		02/28/2023	APPROVAL by Clerks Office re: 12 APPLICATION for Admission of Sarah A. Milunski Pro Hac Vice (Application fee \$ 150, receipt number AGANDC-12403453). Attorney Sarah Milunski added appearing on behalf of SRAM, LLC. (rvb) (Entered: 02/28/2023)	
☐	Runner		02/28/2023	DOCKET ORDER granting 10 Application for Admission Pro Hac Vice of Richard B. Walsh, Jr. Entered by Judge Steve C. Jones on 2/28/2023. If the applicant does not have CM/ECF access in the Northern District of Georgia already, they must request access at http://pacer.gov . If they have electronically filed in this district in a previous case, please omit this step.(pdw) (Entered: 02/28/2023)	
☐	Runner		02/28/2023	DOCKET ORDER granting 11 Application for Admission Pro Hac Vice of Michael J. Hickey. Entered by Judge Steve C. Jones on 2/28/2023. If the applicant does not have CM/ECF access in the Northern District of Georgia already, they must request access at http://pacer.gov . If they have electronically	

	Availability	#	Date	Proceeding Text	Source
				filed in this district in a previous case, please omit this step.(pdw) (Entered: 02/28/2023)	
☐	Runner		02/28/2023	DOCKET ORDER granting 12 Application for Admission Pro Hac Vice of Sarah A. Milunski. Entered by Judge Steve C. Jones on 2/28/2023. If the applicant does not have CM/ECF access in the Northern District of Georgia already, they must request access at http://pacer.gov. If they have electronically filed in this district in a previous case, please omit this step.(pdw) (Entered: 02/28/2023)	
☐	Online	16	03/03/2023	COURT'S NOTICE Of Filing INSTRUCTIONS FOR CASES ASSIGNED TO THE HONORABLE STEVE C. JONES.(pdw) (Entered: 03/03/2023)	
☐	Online	17	03/03/2023	APPLICATION for Admission of Arpita Bhattacharyya Pro Hac Vice (Application fee \$ 150, receipt number AGANDC-12435504).by FOX Factory, Inc.. (Carron, Virginia) Documents for this entry are not available for viewing outside the courthouse. (Entered: 03/03/2023)	
☐	Online	18	03/03/2023	APPLICATION for Admission of Robert F. McCauley Pro Hac Vice (Application fee \$ 150, receipt number AGANDC-12435512).by FOX Factory, Inc.. (Carron, Virginia) Documents for this entry are not available for viewing outside the courthouse. (Entered: 03/03/2023)	
☐	Runner		03/13/2023	APPROVAL by Clerks Office re: 17 APPLICATION for Admission of Arpita Bhattacharyya Pro Hac Vice (Application fee \$ 150, receipt number AGANDC-12435504).. Attorney Arpita Bhattacharyya added appearing on behalf of FOX Factory, Inc. (kkh) (Entered: 03/13/2023)	

	Availability	#	Date	Proceeding Text	Source
☐	Runner		03/13/2023	APPROVAL by Clerks Office re: 18 APPLICATION for Admission of Robert F. McCauley Pro Hac Vice (Application fee \$ 150, receipt number AGANDC-12435512).. Attorney Robert F. McCauley added appearing on behalf of FOX Factory, Inc. (kkh) (Entered: 03/13/2023)	
☐	Online	19	03/13/2023	ORDER granting 17 Application for Admission Pro Hac Vice filed by Arpita Bhattacharyya. Signed by Judge Steve C. Jones on 03/13/2023. If the applicant does not have CM/ECF access in the Northern District of Georgia already, they must request access at http://pacer.gov . If they have electronically filed in this district in a previous case, please omit this step.(ddm) (Entered: 03/14/2023)	
☐	Online	20	03/13/2023	ORDER granting 18 Application for Admission Pro Hac Vice filed by Robert F. McCauley. Signed by Judge Steve C. Jones on 03/13/2023. If the applicant does not have CM/ECF access in the Northern District of Georgia already, they must request access at http://pacer.gov . If they have electronically filed in this district in a previous case, please omit this step.(ddm) (Entered: 03/14/2023)	
☐	Runner		03/14/2023	Clerk's Certificate of Mailing to Arpita Bhattacharyya re 19 Order. (ddm) (Entered: 03/14/2023)	
☐	Runner		03/14/2023	Clerk's Certificate of Mailing to Robert F. McCauley re 20 Order. (ddm) (Entered: 03/14/2023)	
☐	Free	21	03/16/2023	ANSWER to 1 COMPLAINT with Jury Demand by FOX Factory, Inc.. Discovery ends on 8/14/2023.(Carron, Virginia) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. (Entered: 03/16/2023)	

	Availability	#	Date	Proceeding Text	Source
☐	Free	22	04/03/2023	MOTION to Transfer Case to Northern District of California with Brief In Support by FOX Factory, Inc.. (Attachments: # 1 Memorandum in Support , # 2 Declaration of W. Allinger , # 3 Exhibit 1 - Locations_SRAM , # 4 Exhibit 2 - Products_RockShox , # 5 Exhibit 3 - 2022-10-14 SRAM Declaration of S. Rigney , # 6 Exhibit 4 - Excerpt of S. Rigney Deposition Transcript , # 7 Exhibit 5 - 2022-10-14 SRAM Memo ISO Motion to Transfer , # 8 Exhibit 6 - Colorado Springs to San Francisco_Google Flights , # 9 Exhibit 7 - Colorado Springs to Atlanta_Google Flights , # 10 Exhibit 8 - San Jose to Atlanta_Google Flights , # 11 Exhibit 9 - 2023-02-01 ORDER granting SRAM's 16 Motion to Transfer , # 12 Exhibit 10 - California Northern District - time to trial , # 13 Exhibit 11 - Georgia Northern District - time to trial) (Bhattacharyya, Arpita) (Entered: 04/03/2023)	
☐	Online	23	04/17/2023	RESPONSE in Opposition re 22 MOTION to Transfer Case to Northern District of California filed by SRAM, LLC. (Attachments: # 1 Decl. of Michael J. Hickey , # 2 Exhibit A - Georgia , # 3 Exhibit B - NC , # 4 Exhibit C - Colorado , # 5 Exhibit D - Online Sales T&C , # 6 Exhibit E - Website T&Cs , # 7 Exhibit F - LinkedIn Profile , # 8 Exhibit G - Fox Locations , # 9 Exhibit H - 8k , # 10 Exhibit I - FOX's Mem. in Opp. to SRAM's Mot. to Transfer Venue , # 11 Exhibit J - Fox relocating headquarters to Gainesville article , # 12 Exhibit K - Fox Factory in Gainesville article , # 13 Exhibit L , # 14 Exhibit M , # 15 Exhibit N , # 16 Exhibit O - List of Dealers in GA , # 17 Exhibit P - ID , # 18 Exhibit Q - Allinger Dep.	

	Availability	#	Date	Proceeding Text	Source
				excerpts , # 19 Exhibit R , # 20 Exhibit S , # 21 Exhibit T , # 22 Exhibit U , # 23 Exhibit V , # 24 Exhibit W , # 25 Exhibit X , # 26 Exhibit Y - www.ridefox.com_2023-04-14-18-43-21 , # 27 Exhibit Z - US10578184B2)(Hawkins, Holmes) (Entered: 04/17/2023)	
☐	Free	24	04/17/2023	JOINT PRELIMINARY REPORT AND DISCOVERY PLAN filed by SRAM, LLC. (Attachments: # 1 Exhibit A - ESI Protocol , # 2 Stipulated Protective Order)(Hawkins, Holmes) (Entered: 04/17/2023)	
☐	Online	25	04/17/2023	CERTIFICATE OF SERVICE of Plaintiff's Initial Disclosures by SRAM, LLC.(Hawkins, Holmes) (Entered: 04/17/2023)	
☐	Free	26	05/01/2023	REPLY to Response to Motion re 22 MOTION to Transfer Case to Northern District of California filed by FOX Factory, Inc.. (Attachments: # 1 Reply Declaration of Wesley Allinger)(Bhattacharyya, Arpita) (Entered: 05/01/2023)	
☐	Runner		05/15/2023	Submission of 22 MOTION to Transfer Case to Northern District of California, to District Judge Steve C. Jones. (pdw) (Entered: 05/15/2023)	
☐	Free	27	05/31/2023	SCHEDULING ORDER. This matter is assigned to a four (4) month discovery track. Discovery and all related deadlines will proceed in accordance the Local Rules of this Court as well as the Federal Rules of Federal Procedure following the Court's ruling on Defendant's outstanding Motion to Transfer to the Northern District of California [Doc. 22]. Signed by Judge Steve C. Jones on 05/31/2023. (ddm) (Entered: 05/31/2023)	
☐	Online	28	05/31/2023	STIPULATED PROTECTIVE ORDER. Signed by Judge Steve C. Jones on 05/31/2023.	

	Availability	#	Date	Proceeding Text	Source
				(ddm) (Entered: 05/31/2023)	
☐	Online	29	11/22/2023	COURT'S NOTICE Of Filing REVISED Instructions for Cases Assigned to the Honorable Steve C. Jones.(pdw) (Entered: 11/22/2023)	
☐	Free	30	03/06/2024	ORDER DENYING 22 Defendant's Motion to Transfer to the Northern District of California. Defendant is ORDERED to SHOW CAUSE WITHIN 14 DAYS of the entry of this Order why sanctions are not appropriate. Plaintiff shall file its rebuttal within 14 DAYS of Defendant's response to the Show Cause Order and Defendant may file a reply 7 DAYS thereafter. Signed by Judge Steve C. Jones on 03/06/2024. (ddm) (Entered: 03/06/2024)	
☐	Online	31	03/20/2024	RESPONSE TO ORDER TO SHOW CAUSE re: 30 Order on Motion to Transfer Case, filed by FOX Factory, Inc.. (Attachments: # 1 Declaration of Robert F. McCauley , # 2 Declaration of Toby Merchant , # 3 Declaration of Arpita Bhattacharyya , # 4 Exhibit A from the Declaration of Arpita Bhattacharyya - Statement of Information - March 29, 2023 , # 5 Exhibit B from the Declaration of Arpita Bhattacharyya - Statement of Information - March 3, 2022 , # 6 Exhibit C from the Declaration of Arpita Bhattacharyya - DE 0 031 2022-12-12 FOX's Opp to SRAM's 16 Motion to Transfer , # 7 Exhibit D from the Declaration of Arpita Bhattacharyya - FOX 2nd Amended Complaint with Exs A-B)(Carron, Virginia) (Entered: 03/20/2024)	
☐	Free	32	04/03/2024	RESPONSE TO ORDER TO SHOW CAUSE re: 30 Order on Motion to Transfer Case, filed by SRAM, LLC. (Attachments: # 1 Exhibit 1 , # 2	

	Availability	#	Date	Proceeding Text	Source
				Exhibit 2 (Hawkins, Holmes) (Entered: 04/03/2024)	
☐	Free	33	04/10/2024	NOTICE by FOX Factory, Inc. re 32 Response to Order to Show Cause FOX Inc.s Reply to SRAMs Response to the Courts Order to Show Cause (Attachments: # 1 Reply Declaration of Robert McCauley in Support of Reply to SRAMs Response , # 2 Reply Declaration of Arpita Bhattacharyya in Support of Reply to SRAMs Response , # 3 Exhibit E from the Reply Declaration of Arpita Bhattacharyya - EDGE Agreement , # 4 Exhibit F from the Reply Declaration of Arpita Bhattacharyya FOX Inc. 2024 CA Statement of Information)(Carron, Virginia) (Entered: 04/10/2024)	
☐	Runner		05/01/2024	Submission of 30 Defendant is ORDERED to SHOW CAUSE WITHIN 14 DAYS of the entry of this Order why sanctions are not appropriate, to District Judge Steve C. Jones. (pdw) (Entered: 05/01/2024)	

Retrieve Document(s)

Copyright © LexisNexis CourtLink, Inc. All Rights Reserved.

*** THIS DATA IS FOR INFORMATIONAL PURPOSES ONLY ***

Content Type: Dockets

Terms: number(1:23-cv-00492)

Narrow By: Search Within Results: sram Case Status: Open or Unknown or Closed

Date and Time: Jun 11, 2024 09:59:35 a.m. EDT



Print

[Cookie Policy](#)

[Terms & Conditions](#)