

2:24mc8, Iqe Kc, Llc V. Akoustis Technologies, Inc.

US District Court Docket
United States District Court, Texas Eastern
(Marshall)

This case was retrieved on 07/12/2024

Header

Case Number: 2:24mc8
Date Filed: 05/22/2024
Assigned To: Magistrate Judge Roy S. Payne
Nature of Suit: Patent (830)
Cause: Patent Infringement
Lead Docket: None
Other Docket: Massachusetts, 1:24-cv-91053
Jurisdiction: Federal Question

Class Code: Open
Statute: 15:1126
Jury Demand: None
Demand Amount: \$0
NOS Description: Patent

Participants

Litigants

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Plaintiff

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Litigants

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Proceedings

#	Date	Proceeding Text	Source
1	02/08/2024	MOTION to Quash by IQE KC, LLC.(Early, Jessica) [Transferred from Massachusetts on 5/22/2024.] (Entered: 02/08/2024)	
2	02/08/2024	MEMORANDUM IN SUPPORT OF 1 MOTION to Quash by IQE KC, LLC. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5)(Early, Jessica) Modified event type on 2/15/2024 (DaSilva, Carolina). [Transferred from Massachusetts on 5/22/2024.] (Entered: 02/08/2024)	
3	02/08/2024	NOTICE of Appearance by Jessica Ragosta Early on behalf of IQE KC, LLC (Early, Jessica) [Transferred from Massachusetts on 5/22/2024.] (Entered: 02/08/2024)	
4	02/08/2024	CORPORATE DISCLOSURE STATEMENT by IQE KC, LLC identifying Corporate Parent IQE USA, Inc., Corporate Parent IQE plc for IQE KC, LLC.. (Early, Jessica) [Transferred from Massachusetts on 5/22/2024.] (Entered: 02/08/2024)	

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#	Date	Proceeding Text	Source
5	02/08/2024	Assented to MOTION for Leave to Appear Pro Hac Vice for admission of Graham C. Phero, John Christopher (J.C.) Rozendaal, and Robert E. Niemeier Filing fee: \$ 375, receipt number AMADC-10261638 by IQE KC, LLC. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C)(Early, Jessica) [Transferred from Massachusetts on 5/22/2024.] (Entered: 02/08/2024)	
6	02/08/2024	ELECTRONIC NOTICE of Case Assignment. District Judge Angel Kelley assigned to case. If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Jennifer C. Boal. (Danieli, Chris) [Transferred from Massachusetts on 5/22/2024.] (Entered: 02/08/2024)	
7	02/09/2024	NOTICE of Appearance by Gordon P. Katz on behalf of IQE KC, LLC (Katz, Gordon) (Main Document 7 replaced on 2/9/2024) (Pacho, Arnold). [Transferred from Massachusetts on 5/22/2024.] (Entered: 02/09/2024)	
8	02/09/2024	District Judge Angel Kelley: ELECTRONIC ORDER entered GRANTING 5 Assented to Motion for Leave to Appear Pro Hac Vice. Added Graham C. Phero, John Christopher Rozendaal, and Robert E. Niemeier. Attorneys admitted Pro Hac Vice must have an individual PACER account, not a shared firm account, to electronically file in the District of Massachusetts. To register for a PACER account, go the Pacer website at https://pacer.uscourts.gov/register-account . You must put the docket number under ADDITIONAL FILER INFORMATION on your form when registering or it will be rejected.Pro Hac Vice Admission Request Instructions https://www.mad.uscourts.gov/caseinfo/nextgen-pro-hac-vice.htm .A Notice of Appearance must be entered on the docket by the newly admitted attorney. (Pacho, Arnold) [Transferred from Massachusetts on 5/22/2024.] (Entered: 02/09/2024)	
9	02/12/2024	NOTICE of Appearance by Rob Niemeier on behalf of IQE KC, LLC (Niemeier, Rob) [Transferred from Massachusetts on 5/22/2024.] (Entered: 02/12/2024)	
10	02/13/2024	NOTICE of Appearance by Graham C. Phero on behalf of IQE KC, LLC (Phero, Graham) [Transferred from Massachusetts on 5/22/2024.] (Entered: 02/13/2024)	
11	02/13/2024	NOTICE of Appearance by John Christopher Rozendaal on behalf of IQE KC, LLC (Rozendaal, John) [Transferred from Massachusetts on 5/22/2024.] (Entered: 02/13/2024)	
12	02/13/2024	DECLARATION of Service by IQE KC, LLC. (Niemeier, Rob) [Transferred from Massachusetts on 5/22/2024.] (Entered: 02/13/2024)	
13	02/20/2024	NOTICE of Appearance by Shawn Lu on behalf of Akoustis Technologies, Inc. (Lu, Shawn) [Transferred from Massachusetts on 5/22/2024.] (Entered: 02/20/2024)	
14	02/20/2024	NOTICE of Appearance by Steven M. Veenema on behalf of Akoustis Technologies, Inc. (Veenema, Steven) [Transferred from Massachusetts on 5/22/2024.] (Entered: 02/20/2024)	
15	02/20/2024	Assented to MOTION for Leave to Appear Pro Hac Vice for admission of JAMES E. QUIGLEY Filing fee: \$ 125, receipt number AMADC-10277210 by Akoustis Technologies, Inc.. (Attachments: # 1 Exhibit A)(Lu, Shawn) [Transferred from Massachusetts on 5/22/2024.] (Entered: 02/20/2024)	
16	02/20/2024	Assented to MOTION for Leave to Appear Pro Hac Vice for admission of JOHN B. CAMPBELL Filing fee: \$ 125, receipt number AMADC-10277270 by Akoustis Technologies, Inc.. (Attachments: # 1 Exhibit A)(Lu, Shawn) [Transferred from Massachusetts on 5/22/2024.] (Entered: 02/20/2024)	

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#	Date	Proceeding Text	Source
17	02/20/2024	Assented to MOTION for Leave to Appear Pro Hac Vice for admission of GEORGE T. FISHBACK, JR. Filing fee: \$ 125, receipt number AMADC-10277294 by Akoustis Technologies, Inc.. (Attachments: # 1 Exhibit A)(Lu, Shawn) [Transferred from Massachusetts on 5/22/2024.] (Entered: 02/20/2024)	
18	02/20/2024	CORPORATE DISCLOSURE STATEMENT by Akoustis Technologies, Inc.. (Lu, Shawn) [Transferred from Massachusetts on 5/22/2024.] (Entered: 02/20/2024)	
19	02/22/2024	RESPONSE to Motion re 1 MOTION to Quash AKOUSTIS, INC. AND AKOUSTIS TECHNOLOGIES, INC.S SUBPOENA FOR DOCUMENTS, INFORMATION OR OBJECTS filed by Akoustis Technologies, Inc.. (Attachments: # 1 Exhibit 6, # 2 Exhibit 7, # 3 Exhibit 8, # 4 Exhibit 9, # 5 Exhibit 10, # 6 Exhibit 11, # 7 Exhibit 12, # 8 Exhibit 13, # 9 Exhibit 14, # 10 Exhibit 15, # 11 Exhibit 16, # 12 Exhibit 17, # 13 Exhibit 18, # 14 Exhibit 19, # 15 Exhibit 20, # 16 Exhibit 21, # 17 Exhibit 22, # 18 Exhibit 23, # 19 Exhibit 24, # 20 Exhibit 25, # 21 Exhibit 26, # 22 Exhibit 27, # 23 Exhibit 28)(Lu, Shawn) [Transferred from Massachusetts on 5/22/2024.] (Entered: 02/22/2024)	
20	02/27/2024	District Judge Angel Kelley: ELECTRONIC ORDER entered GRANTING 15 Assented to Motion for Leave to Appear Pro Hac Vice for James E. Quigley. Attorneys admitted Pro Hac Vice must have an individual upgraded PACER account, not a shared firm account, to electronically file in the District of Massachusetts. Counsel may need to link their CM/ECF account to their upgraded individual pacer account. Instructions on how to link CM/ECF accounts to upgraded pacer account can be found at https://www.mad.uscourts.gov/caseinfo/nextgen-current-pacer-accounts.htm#link-account . (Pacho, Arnold) [Transferred from Massachusetts on 5/22/2024.] (Entered: 02/27/2024)	
21	02/27/2024	District Judge Angel Kelley: ELECTRONIC ORDER entered GRANTING 16 Assented to Motion for Leave to Appear Pro Hac Vice for John B. Campbell. Attorneys admitted Pro Hac Vice must have an individual upgraded PACER account, not a shared firm account, to electronically file in the District of Massachusetts. Counsel may need to link their CM/ECF account to their upgraded individual pacer account. Instructions on how to link CM/ECF accounts to upgraded pacer account can be found at https://www.mad.uscourts.gov/caseinfo/nextgen-current-pacer-accounts.htm#link-account . (Pacho, Arnold) [Transferred from Massachusetts on 5/22/2024.] (Entered: 02/27/2024)	
22	02/27/2024	District Judge Angel Kelley: ELECTRONIC ORDER entered GRANTING 17 Motion for Leave to Appear Pro Hac Vice for George T. Fishback, Jr.. Attorneys admitted Pro Hac Vice must have an individual PACER account, not a shared firm account, to electronically file in the District of Massachusetts. To register for a PACER account, go the Pacer website at https://pacer.uscourts.gov/register-account . You must put the docket number under ADDITIONAL FILER INFORMATION on your form when registering or it will be rejected.Pro Hac Vice Admission Request Instructions https://www.mad.uscourts.gov/caseinfo/nextgen-pro-hac-vice.htm .A Notice of Appearance must be entered on the docket by the newly admitted attorney. (Pacho, Arnold) [Transferred from Massachusetts on 5/22/2024.] (Entered: 02/27/2024)	
23	02/28/2024	Assented to MOTION for Leave to File Reply in Support of IQE KC's Motion to Quash Subpoena for Documents, Information or Objects by IQE KC, LLC. (Attachments: # 1 Exhibit Exhibit 1)(Early, Jessica) [Transferred from Massachusetts on 5/22/2024.] (Entered: 02/28/2024)	

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#	Date	Proceeding Text	Source
24	03/05/2024	MOTION for Leave to File A REQUEST FOR JUDICIAL NOTICE OF PLAINTIFFS OWNERS FILING OF A REQUEST FOR INTER PARTES REVIEW OF U.S. PATENT NO. 7,250,360 by Akoustis Technologies, Inc.. (Attachments: # 1 Exhibit 1)(Lu, Shawn) [Transferred from Massachusetts on 5/22/2024.] (Entered: 03/05/2024)	
25	03/14/2024	District Judge Angel Kelley: ELECTRONIC ORDER entered GRANTING 23 Assented to Motion for Leave to File Reply in Support of IQE KC's Motion to Quash Subpoena for Documents, Information or Objects. Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include - Leave to file granted on (date of order) - in the caption of the document. (Pacho, Arnold) [Transferred from Massachusetts on 5/22/2024.] (Entered: 03/14/2024)	
26	03/14/2024	District Judge Angel Kelley: ELECTRONIC ORDER entered GRANTING 24 Motion for Leave to Submit a Request for Judicial Notice. Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include - Leave to file granted on (date of order) - in the caption of the document. (Pacho, Arnold) [Transferred from Massachusetts on 5/22/2024.] (Entered: 03/14/2024)	
27	03/14/2024	Request for Judicial Notice OF PLAINTIFFS OWNERS FILING OF A REQUEST FOR INTER PARTES REVIEW OF U.S. PATENT NO. 7,250,360 by Akoustis Technologies, Inc.. (Attachments: # 1 Exhibit A)(Lu, Shawn) [Transferred from Massachusetts on 5/22/2024.] (Entered: 03/14/2024)	
28	03/14/2024	REPLY to Response to 1 MOTION to Quash Akoustis Subpoena for Documents, Information or Objects filed by IQE KC, LLC. (Early, Jessica) [Transferred from Massachusetts on 5/22/2024.] (Entered: 03/14/2024)	
29	03/18/2024	NOTICE OF ATTORNEY PAYMENT OF FEES by Plaintiff IQE KC, LLC. Filing fee \$ 52, receipt number AMADC-10321693. Payment Type : MBD INITIATING DOCUMENT. (Early, Jessica) [Transferred from Massachusetts on 5/22/2024.] (Entered: 03/18/2024)	
30	03/20/2024	District Judge Angel Kelley: ELECTRONIC ORDER entered. REFERRING CASE to Magistrate Judge Jennifer C. Boal Motions referred: 1 MOTION to Quash . (Lara, Miguel) Motions referred to Jennifer C. Boal. [Transferred from Massachusetts on 5/22/2024.] (Entered: 03/20/2024)	
31	03/20/2024	ELECTRONIC NOTICE Setting Hearing on Motion re 1 MOTION to Quash : Motion Hearing set for April 24, 2024 at 2:00 PM in Courtroom 14 (In person only) before Magistrate Judge Jennifer C. Boal. (Warnock, Douglas) [Transferred from Massachusetts on 5/22/2024.] (Entered: 03/20/2024)	
32	04/24/2024	Electronic Clerk's Notes for proceedings held before Magistrate Judge Jennifer C. Boal: Motion Hearing held on 4/24/2024 re 1 MOTION to Quash filed by IQE KC, LLC. The Court heard arguments from the parties and took the matter under advisement. (Attorneys present: Niemeier & Katz for the plaintiff. Quigley & Campbell for the defendant.) (Court Reporter: Digital Recording.) To order a copy of this Digital Recording, please go to https://forms.mad.uscourts.gov/Audio.html . For a transcript of this proceeding, contact mad_transcripts@mad.uscourts.gov . (Warnock, Douglas) [Transferred from Massachusetts on 5/22/2024.] (Entered: 04/24/2024)	

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#	Date	Proceeding Text	Source
33	04/30/2024	Transcript of Motion Hearing held on April 24, 2024, before Magistrate Judge Jennifer C. Boal. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Valerie OHara at vaohara@gmail.com. Redaction Request due 5/21/2024. Redacted Transcript Deadline set for 5/31/2024. Release of Transcript Restriction set for 7/29/2024. (Cook, Savannah) [Transferred from Massachusetts on 5/22/2024.] (Entered: 04/30/2024)	
34	04/30/2024	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above-captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, available on the court website at https://www.mad.uscourts.gov/caseinfo/transcripts.htm (Cook, Savannah) [Transferred from Massachusetts on 5/22/2024.] (Entered: 04/30/2024)	
35	05/22/2024	Magistrate Judge Jennifer C. Boal: ORDER entered re 1 MOTION to Quash filed by IQE KC, LLC. (Hutchins, Aaron) [Transferred from Massachusetts on 5/22/2024.] (Entered: 05/22/2024)	
36	05/22/2024	Electronic notice to counsel: Contested Miscellaneous Business Docket (MBD) Number 1:24-mc-91053-AK has been transferred to the civil docket of this Court as civil action number 1:24-cv-91053 and assigned to Judge Angel Kelley. All further filings should be made in the new civil action. (Danieli, Chris) [Transferred from Massachusetts on 5/22/2024.] (Entered: 05/22/2024)	
37	05/22/2024	Case transferred to to District of Eastern District of Texas in accordance with order 35 ;. Original file with documents numbered 1-37, copy of transfer order and docket sheet sent to Clerk in that district. This case is transferred with the pending motion 1 to Quash by IQE KC, LLC. to the United States District Court for the Eastern District of Texas, where the underlying action, Akoustis Technologies, Inc. and Akoustis Inc. v. Qorvo, Inc., Case No. 2:23-cv-00180-JRG-RSP, is pending. (adminn,) [Transferred from Massachusetts on 5/22/2024.] (Entered: 05/22/2024)	
38	05/22/2024	Case transferred in from District of Massachusetts; Case Number 1:24-cv-91053. Original file certified copy of transfer order and docket sheet received. (Entered: 05/22/2024)	
	05/28/2024	NOTICE of Hearing on Motion 1 MOTION to Quash : Motion Hearing set for 6/13/2024 at 01:30 PM before Magistrate Judge Roy S. Payne. (bga) (Entered: 05/28/2024)	
39	05/30/2024	NOTICE of Attorney Appearance by Jacqueline Altman on behalf of IQE KC, LLC (Altman, Jacqueline) (Entered: 05/30/2024)	
	05/31/2024	NOTICE of Hearing on Motion 1 MOTION to Quash : Motion Hearing RESET for 6/13/2024 at 10:30 AM before Magistrate Judge Roy S. Payne. *Note that only the TIME has changed*(bga) (Entered: 05/31/2024)	
	06/04/2024	NOTICE of Hearing on Motion 1 MOTION to Quash : Motion Hearing RESET for 6/24/2024 at 10:30 AM before Magistrate Judge Roy S. Payne. (bga) (Entered: 06/04/2024)	
40	06/11/2024	NOTICE of Attorney Appearance - Pro Hac Vice by Robert Niemeier on behalf of IQE KC, LLC. Filing fee \$ 100, receipt number ATXEDC-10184528. (Niemeier, Robert) (Entered: 06/11/2024)	
41	06/18/2024	NOTICE of Attorney Appearance - Pro Hac Vice by Graham Phero on behalf of IQE KC, LLC. Filing fee \$ 100, receipt number ATXEDC-10194909. (Phero, Graham) (Entered: 06/18/2024)	
	06/24/2024	NOTICE of Hearing: Telephone Conference set for 6/26/2024 at 11:30 AM before Magistrate Judge Roy S. Payne. (bga) (Entered: 06/24/2024)	

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#	Date	Proceeding Text	Source
		06/24/2024)	
44	06/24/2024	Minute Entry for proceedings held before Magistrate Judge Roy S. Payne: Motion Hearing held on 6/24/2024 re 1 MOTION to Quash filed by IQE KC, LLC from 10:33 am - 11:28 am. Attorney Appearances: Plaintiff - Robert Niemeier and Jacqueline Altman; Defense - James Quigley, John Campbell and Jennifer Truelove. (No exhibits)(Court Reporter Shelly Holmes.) (bga) (Entered: 06/26/2024)	
42	06/25/2024	NOTICE of Attorney Appearance - Pro Hac Vice by John Christopher Rozendaal on behalf of IQE KC, LLC. Filing fee \$ 100, receipt number BTXEDC-10207471. (Rozendaal, John) (Entered: 06/25/2024)	
43	06/26/2024	NOTICE of Attorney Appearance by Robert M Masters on behalf of Qorvo, Inc. (Masters, Robert) (Entered: 06/26/2024)	
45	06/26/2024	ORDER re 1 MOTION to Quash filed by IQE KC, LLC, Motion Hearing set for 7/12/2024 at 01:30 PM before Magistrate Judge Roy S. Payne.. Signed by Magistrate Judge Roy S. Payne on 6/26/2024. (NKL) (Entered: 06/26/2024)	
46	07/01/2024	PAPER TRANSCRIPT REQUEST by Akoustis Technologies, Inc. for proceedings held on 6/13/24 and 6/24/24 (Motion to Quash) before Judge Judge Roy S. Payne. (Campbell, John) Forwarded to official court reporter, Shelly Holmes, on 7/1/2024. (bas). (Entered: 07/01/2024)	
47	07/01/2024	PAPER TRANSCRIPT REQUEST by Qorvo, Inc. for proceedings held on 6/24/2024 - Motion to Quash Hearing - before Judge Roy S. Payne. (Masters, Robert) (Main Document 47 replaced with flattened image on 7/1/2024) (bas). Forwarded to official court reporter, Shelly Holmes, on 7/1/2024. (bas). (Entered: 07/01/2024)	
48	07/01/2024	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 6/24/24 (Motion Hearing) before Judge Roy S. Payne. Court Reporter/Transcriber: Shelly Holmes, CSR, TCRR, Telephone number: (903) 794-1018 (Shelly_Holmes@txed.uscourts.gov). NOTICE RE REDACTION OF TRANSCRIPTS: The parties have seven (7) days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript will be made remotely electronically available to the public without redaction after 90 calendar days. The policy is located on our website at www.txed.uscourts.gov Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.. Motion to Redact due 7/22/2024. Release of Transcript Restriction set for 9/30/2024. (Holmes, Shelly) (Entered: 07/01/2024)	
49	07/03/2024	NOTICE of Attorney Appearance - Pro Hac Vice by Brian Gregory Burke on behalf of IQE KC, LLC. Filing fee \$ 100, receipt number ATXEDC-10221072. (Burke, Brian) (Entered: 07/03/2024)	
50	07/03/2024	PAPER TRANSCRIPT REQUEST by IQE KC, LLC for proceedings held on 6/24/24 (Motion to Quash) before Judge Roy S. Payne. (Rozendaal, John) Forwarded to official court reporter, Shelly Holmes, on 7/3/2024. (bas). (Entered: 07/03/2024)	
51	07/11/2024	JOINT NOTICE Regarding July 12, 2024 Motion to Quash Hearing by Akoustis Technologies, Inc. re 45 Order, Order Setting Hearing on Motion (Quigley, James) (Entered: 07/11/2024)	
52	07/15/2024	PAPER TRANSCRIPT REQUEST by Akoustis Technologies, Inc. for proceedings held on July 12, 2024 before Judge Roy Payne. (Quigley, James) Forwarded to official court reporter, Shelly Holmes, on 7/15/2024. (bas). (Entered: 07/15/2024)	Events since last full update
53	07/15/2024	PAPER TRANSCRIPT REQUEST by Qorvo, Inc. for proceedings	Events since last full

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#	Date	Proceeding Text	Source
		held on July 12, 2024 - Motion Hearing - before Judge Roy S. Payne. (Masters, Robert) Forwarded to official court reporter, Shelly Holmes, on 7/15/2024. (bas). (Entered: 07/15/2024)	update
54	07/15/2024	PAPER TRANSCRIPT REQUEST by IQE KC, LLC for proceedings held on 7/12/2024 before Judge Roy S. Payne. (Rozendaal, John) Forwarded to official court reporter, Shelly Holmes, on 7/15/2024. (bas). (Entered: 07/15/2024)	Events since last full update
55	07/12/2024	Minute Entry for proceedings held before Magistrate Judge Roy S. Payne: Motion Hearing held on 7/12/2024 re 1 MOTION to Quash filed by IQE KC, LLC from 1:35 pm - 3:42 pm. Attorney Appearances: Plaintiff - Robert Niemeier and Jacqueline Altman; Defense - James Quigley and Sam Baxter. (No exhibits)(Court Reporter Shelly Holmes.) (bga) (Entered: 07/15/2024)	Events since last full update

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