

JRG2,JURY,PATENT/TRADEMARK,PROTECTIVE-ORDER,STAYED
U.S. District Court
Eastern District of TEXAS [LIVE] (Marshall)
CIVIL DOCKET FOR CASE #: 2:23-cv-00363-JRG-RSP

EyesMatch Ltd. v. Samsung Electronics America, Inc. et al
Assigned to: District Judge Rodney Gilstrap
Referred to: Magistrate Judge Roy S. Payne
Cause: 35:271 Patent Infringement

Date Filed: 08/08/2023
Jury Demand: Both
Nature of Suit: 830 Patent
Jurisdiction: Federal Question

Technical Advisor

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Plaintiff

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Defendant

Samsung Research America, Inc.
TERMINATED: 11/04/2024

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Date Filed	#	Docket Text
08/08/2023	<u>1</u>	COMPLAINT against Samsung Electronics America, Inc., Samsung Electronics Co. Ltd., Samsung Research America, Inc. (Filing fee \$ 402 receipt number ATXEDC-9641686.), filed by EyesMatch Ltd.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Civil Cover Sheet)(Powers, Matthew) (Entered: 08/08/2023)
08/08/2023	<u>2</u>	Notice of Filing of Patent/Trademark Form (AO 120). AO 120 mailed to the Director of the U.S. Patent and Trademark Office. (Powers, Matthew) (Entered: 08/08/2023)
08/08/2023	<u>3</u>	Fed. R. Civ. P. 7.1(a)(1) Disclosure Statement filed by EyesMatch Ltd. (Powers, Matthew) (Entered: 08/08/2023)
08/09/2023		Case assigned to District Judge Rodney Gilstrap and Magistrate Judge Roy S. Payne. (ch,) (Entered: 08/09/2023)
08/09/2023		In accordance with the provisions of 28 USC Section 636(c), you are hereby notified that a U.S. Magistrate Judge of this district court is available to conduct any or all proceedings in this case including a jury or non-jury trial and to order the entry of a final judgment. The form <u>Consent to Proceed Before Magistrate Judge</u> is available on our website. All signed consent forms, excluding pro se parties, should be filed electronically using the event <i>Notice Regarding Consent to Proceed Before Magistrate Judge</i> . (ch,) (Entered: 08/09/2023)
08/09/2023	<u>4</u>	SUMMONS Issued as to Samsung Electronics America, Inc., Samsung Electronics Co. Ltd., Samsung Research America, Inc.. (Attachments: # <u>1</u> Additional Attachment(s), # <u>2</u> Additional Attachment(s))(ch,) (Entered: 08/09/2023)
08/09/2023	<u>5</u>	NOTICE of Attorney Appearance by Josh Blackshear Maness on behalf of EyesMatch Ltd. (Maness, Josh) (Entered: 08/09/2023)
08/10/2023	<u>6</u>	NOTICE of Attorney Appearance by William P Nelson on behalf of EyesMatch Ltd. (Nelson, William) (Entered: 08/10/2023)
08/10/2023	<u>7</u>	NOTICE of Attorney Appearance by Natasha Marusja Saputo on behalf of EyesMatch Ltd. (Saputo, Natasha) (Entered: 08/10/2023)
08/10/2023	<u>8</u>	NOTICE of Attorney Appearance by Justin Kurt Truelove on behalf of EyesMatch Ltd. (Truelove, Justin) (Entered: 08/10/2023)
08/29/2023	<u>9</u>	Unopposed MOTION for Extension of Time to File Answer , <i>MOVE, OR OTHERWISE RESPOND TO PLAINTIFFS COMPLAINT AND WAIVER OF FOREIGN SERVICE REQUIREMENT</i> by Samsung Electronics America, Inc., Samsung Electronics Co. Ltd., Samsung Research America, Inc.. (Attachments: # <u>1</u> Proposed Order)(Smith, Melissa) (Entered: 08/29/2023)

08/31/2023	<u>10</u>	ORDER granting <u>9</u> Motion for Extension of Time to Answer re <u>9</u> Unopposed MOTION for Extension of Time to File Answer , <i>MOVE, OR OTHERWISE RESPOND TO PLAINTIFFS COMPLAINT AND WAIVER OF FOREIGN SERVICE REQUIREMENT</i> . Signed by Magistrate Judge Roy S. Payne on 8/31/2023. (ch,) (Entered: 08/31/2023)
08/31/2023		Answer Due Deadline Updated for Samsung Electronics America, Inc. to 11/27/2023; Samsung Electronics Co. Ltd. to 11/27/2023; Samsung Research America, Inc. to 11/27/2023. (ch,) (Entered: 08/31/2023)
10/31/2023	<u>11</u>	SCHEDULING ORDER: Scheduling/Case Management Conference set for 12/4/2023 at 10:00 AM before District Judge Rodney Gilstrap.. Signed by Magistrate Judge Roy S. Payne on 10/31/2023. (ch,) (Entered: 10/31/2023)
11/16/2023	<u>12</u>	JOINT MOTION FOR EXTENSION OF TIME TO MOVE, ANSWER, OR OTHERWISE RESPOND TO COMPLAINT AND TO SERVE INFRINGEMENT AND INVALIDITY CONTENTIONS by Samsung Electronics America, Inc., Samsung Electronics Co. Ltd., Samsung Research America, Inc.. (Attachments: # <u>1</u> Proposed Order)(Smith, Melissa) (Entered: 11/16/2023)
11/27/2023	<u>13</u>	ORDER granting <u>12</u> Motion to Extend Several Deadlines. Signed by Magistrate Judge Roy S. Payne on 11/26/2023. (nkl,) (Entered: 11/27/2023)
12/04/2023		Minute Entry for proceedings held before District Judge Rodney Gilstrap: Scheduling Conference/Case Management Conference held on 12/4/2023. Counsel for the parties appeared. Court asked whether they consented to trial before the U.S. Magistrate Judge. Court then gave counsel Claim Construction and Jury Selection/Trial dates. (Court Reporter Shawn McRoberts) (aeb) (Entered: 12/04/2023)
12/06/2023	<u>14</u>	NOTICE of Attorney Appearance by Neil Phillip Sirota on behalf of Samsung Electronics America, Inc., Samsung Electronics Co. Ltd., Samsung Research America, Inc. (Sirota, Neil) (Entered: 12/06/2023)
12/06/2023	<u>15</u>	NOTICE of Attorney Appearance by Jose Carlos Villarreal on behalf of Samsung Electronics America, Inc., Samsung Electronics Co. Ltd., Samsung Research America, Inc. (Villarreal, Jose) (Entered: 12/06/2023)
12/06/2023	<u>16</u>	NOTICE of Attorney Appearance by Margaret McInerney Welsh on behalf of Samsung Electronics America, Inc., Samsung Electronics Co. Ltd., Samsung Research America, Inc. (Welsh, Margaret) (Entered: 12/06/2023)
12/06/2023	<u>17</u>	NOTICE OF COMPLIANCE by EyesMatch Ltd. (Nelson, William) (Entered: 12/06/2023)
12/11/2023	<u>18</u>	ANSWER to <u>1</u> Complaint, by Samsung Electronics America, Inc., Samsung Electronics Co. Ltd., Samsung Research America, Inc..(Sirota, Neil) (Entered: 12/11/2023)
12/11/2023	<u>19</u>	Fed. R. Civ. P. 7.1(a)(1) Disclosure Statement filed by Samsung Electronics America, Inc., Samsung Electronics Co. Ltd., Samsung Research America, Inc. (Sirota, Neil) (Entered: 12/11/2023)
12/12/2023		In accordance with the provisions of 28 USC Section 636(c), you are hereby notified that a U.S. Magistrate Judge of this district court is available to conduct any or all proceedings in this case including a jury or non-jury trial and to order the entry of a final judgment. The form <u>Consent to Proceed Before Magistrate Judge</u> is available on our website. All signed consent forms, excluding pro se parties, should be filed electronically using the event <i>Notice Regarding Consent to Proceed Before Magistrate Judge</i> . (nkl,) (Entered: 12/12/2023)
12/12/2023	<u>20</u>	NOTICE of Attorney Appearance by Chun Xu on behalf of Samsung Electronics America, Inc., Samsung Electronics Co. Ltd., Samsung Research America, Inc. (Xu, Chun) (Entered: 12/12/2023)
12/14/2023	<u>21</u>	NOTICE of Attorney Appearance by Joshua M. Friedman on behalf of Samsung Electronics America, Inc., Samsung Electronics Co. Ltd., Samsung Research America, Inc. (Friedman, Joshua) (Entered: 12/14/2023)

12/18/2023	<u>22</u>	JOINT MOTION for Entry of Docket Control Order by EyesMatch Ltd.. (Attachments: # <u>1</u> Proposed Order)(Nelson, William) (Entered: 12/18/2023)
12/18/2023	<u>23</u>	JOINT MOTION for Entry of Discovery Order by EyesMatch Ltd.. (Attachments: # <u>1</u> Proposed Order)(Nelson, William) (Entered: 12/18/2023)
12/26/2023	<u>24</u>	JOINT MOTION for Entry of Stipulated Protective Order by EyesMatch Ltd.. (Attachments: # <u>1</u> Proposed Order)(Nelson, William) (Entered: 12/26/2023)
12/26/2023	<u>25</u>	NOTICE OF COMPLIANCE by EyesMatch Ltd. (Nelson, William) (Entered: 12/26/2023)
12/27/2023	<u>26</u>	NOTICE OF COMPLIANCE by Samsung Electronics America, Inc., Samsung Electronics Co. Ltd., Samsung Research America, Inc. (Villarreal, Jose) (Entered: 12/27/2023)
12/27/2023	<u>27</u>	DOCKET CONTROL ORDER – Markman Hearing set for 12/6/2024 at 09:00 AM before Magistrate Judge Roy S. Payne., Jury Selection set for 6/2/2025 at 09:00AM before District Judge Rodney Gilstrap., Pretrial Conference set for 4/29/2025 at 09:00 AM before Magistrate Judge Roy S. Payne.. Signed by Magistrate Judge Roy S. Payne on 12/27/2023. (klc,) (Entered: 12/27/2023)
12/27/2023	<u>28</u>	STIPULATED PROTECTIVE ORDER. Signed by Magistrate Judge Roy S. Payne on 12/27/2023. (nkl,) (Entered: 12/27/2023)
12/27/2023	<u>29</u>	DISCOVERY ORDER. Signed by Magistrate Judge Roy S. Payne on 12/27/2023. (klc,) (Entered: 12/27/2023)
01/16/2024	<u>30</u>	JOINT MOTION for Extension of Time to File <i>E–Discovery Order</i> by EyesMatch Ltd.. (Attachments: # <u>1</u> Proposed Order)(Nelson, William) (Entered: 01/16/2024)
01/19/2024	<u>31</u>	JOINT MOTION for Entry of Model E–Discovery Order by EyesMatch Ltd.. (Attachments: # <u>1</u> Proposed Order)(Nelson, William) (Entered: 01/19/2024)
01/19/2024	<u>32</u>	STIPULATION [<i>Proposed</i>] <i>Federal Rules of Evidence 502(d) Clawback Order</i> by EyesMatch Ltd.. (Nelson, William) (Entered: 01/19/2024)
01/19/2024	<u>33</u>	ORDER granting <u>30</u> JOINT MOTION for Extension of Time to File E–Discovery Order. Signed by Magistrate Judge Roy S. Payne on 1/19/2024. (ch,) (Entered: 01/19/2024)
01/23/2024	<u>34</u>	NOTICE of Attorney Appearance by Pallavi Mathur on behalf of Samsung Electronics America, Inc., Samsung Electronics Co. Ltd., Samsung Research America, Inc. (Mathur, Pallavi) (Entered: 01/23/2024)
01/23/2024	<u>35</u>	ORDER REGARDING E–DISCOVERY granting <u>31</u> JOINT MOTION for Entry of Model E–Discovery Order. Signed by Magistrate Judge Roy S. Payne on 1/23/2024. (ch,) (Entered: 01/23/2024)
02/05/2024	<u>36</u>	NOTICE OF COMPLIANCE by Samsung Electronics America, Inc., Samsung Electronics Co. Ltd., Samsung Research America, Inc. <i>regarding P.R. 3–3 & 3–4 and Subject–Matter Eligibility Contentions</i> (Smith, Melissa) (Entered: 02/05/2024)
03/28/2024	<u>37</u>	NOTICE of Service of Responses and Objections to Defendants' First Set of Interrogatories (Nos. 1–24) by EyesMatch Ltd. (Nelson, William) (Entered: 03/28/2024)
05/22/2024	<u>38</u>	NOTICE of Attorney Appearance by George Philip Cowden on behalf of All Defendants (Cowden, George) (Entered: 05/22/2024)
06/20/2024	<u>39</u>	UNOPPOSED MOTION for Leave to File <i>to Supplement Invalidity Contentions to Add Three Related Prior Art References</i> by Samsung Electronics America, Inc., Samsung Electronics Co. Ltd., Samsung Research America, Inc.. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7)(Villarreal, Jose) (Entered: 06/20/2024)
07/19/2024	<u>40</u>	ORDER granting <u>39</u> Motion for Leave to File to Supplement Invalidity Contentions to Add Three Related Prior Art References. Signed by Magistrate Judge Roy S. Payne on 7/19/2024. (NKL) (Entered: 07/19/2024)

09/13/2024	<u>41</u>	Joint Claim Construction and Prehearing Statement by EyesMatch Ltd.. (Attachments: # <u>1</u> Exhibit A)(Nelson, William) (Entered: 09/13/2024)
10/25/2024	<u>42</u>	CLAIM CONSTRUCTION BRIEF filed by EyesMatch Ltd.. (Attachments: # <u>1</u> Affidavit/Declaration of William P. Nelson, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6)(Nelson, William) (Entered: 10/25/2024)
10/25/2024	<u>43</u>	NOTICE OF COMPLIANCE by EyesMatch Ltd. <i>Regarding Technology Tutorial</i> (Nelson, William) (Entered: 10/25/2024)
10/25/2024	<u>44</u>	NOTICE OF COMPLIANCE by Samsung Electronics America, Inc., Samsung Electronics Co. Ltd., Samsung Research America, Inc. <i>regarding technical tutorials</i> (Smith, Melissa) (Entered: 10/25/2024)
11/01/2024	<u>45</u>	STIPULATION of Dismissal <i>Without Prejudice as to Samsung Research America, Inc.</i> by EyesMatch Ltd.. (Attachments: # <u>1</u> Proposed Order)(Nelson, William) (Entered: 11/01/2024)
11/04/2024	<u>46</u>	ORDER Dismissing Samsung Research American, Inc.. Signed by Magistrate Judge Roy S. Payne on 11/04/2024. (KLC) (Entered: 11/04/2024)
11/08/2024	<u>47</u>	RESPONSIVE CLAIM CONSTRUCTION BRIEF filed by Samsung Electronics America, Inc., Samsung Electronics Co. Ltd.. (Attachments: # <u>1</u> Affidavit/Declaration of M. Welsh, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6)(Villarreal, Jose) (Entered: 11/08/2024)
11/12/2024	<u>48</u>	ORDER APPOINTING Technical Advisor. The Court issues this Order sua sponte. It is ORDERED that David Keyzer be appointed as the Courts technical advisor in the above-captioned case. Signed by Magistrate Judge Roy S. Payne on 11/8/2024. (NKL) (Entered: 11/12/2024)
11/15/2024	<u>49</u>	REPLY CLAIM CONSTRUCTION BRIEF filed by EyesMatch Ltd.. (Nelson, William) (Entered: 11/15/2024)
11/19/2024	<u>50</u>	JOINT MOTION for Protective Order <i>Addendum</i> by EyesMatch Ltd.. (Attachments: # <u>1</u> Proposed Stipulated Addendum to Protective Order)(Nelson, William) (Entered: 11/19/2024)
11/20/2024	<u>51</u>	STIPULATED ADDENDUM TO PROTECTIVE ORDER re <u>50</u> Motion for Protective Order Addendum. Signed by District Judge Rodney Gilstrap on 11/20/2024. (NKL) (Entered: 11/20/2024)
11/22/2024	<u>52</u>	Amended Joint Claim Construction and Prehearing Statement by EyesMatch Ltd.. (Attachments: # <u>1</u> Exhibit A)(Nelson, William) (Entered: 11/22/2024)
11/22/2024	<u>53</u>	Joint Claim Construction Chart by EyesMatch Ltd.. (Attachments: # <u>1</u> Exhibit A)(Nelson, William) (Entered: 11/22/2024)
12/06/2024	<u>54</u>	Minute Entry for proceedings held before Magistrate Judge Roy S. Payne: Markman Hearing held on 12/6/2024 from 09:01 – 11:10. Attorney Appearances: Plaintiff – William Nelson, Natasha Saputo and Josh Maness; Defense – Jose Villarreal, Margaret Welsh and Gil Gillam. No exhibits. (Court Reporter – Shawn McRoberts) (bga) (Entered: 12/06/2024)
12/06/2024	<u>55</u>	PAPER TRANSCRIPT REQUEST by Samsung Electronics America, Inc., Samsung Electronics Co. Ltd. for proceedings held on December 6, 2024 Markman Hearing before Judge Roy S. Payne. (Smith, Melissa) (Forwarded to Court Reporter, Shawn McRoberts, on 12/6/2024) (slo) (Entered: 12/06/2024)
12/11/2024	<u>56</u>	CLAIM CONSTRUCTION ORDER. Signed by Magistrate Judge Roy S. Payne on 12/11/2024. (NKL) (Entered: 12/11/2024)
12/11/2024	<u>57</u>	ORDER TO PAY TECHNICAL ADVISOR. Signed by Magistrate Judge Roy S. Payne on 12/11/2024. (KLC) (Entered: 12/11/2024)
12/12/2024	<u>58</u>	JOINT MOTION to Stay <i>Pending IPR</i> by Samsung Electronics America, Inc., Samsung Electronics Co. Ltd.. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F)(Villarreal, Jose) (Entered: 12/12/2024)

12/17/2024	<u>59</u>	JOINT MOTION to Amend/Correct <i>Docket Control Order</i> by Samsung Electronics America, Inc., Samsung Electronics Co. Ltd.. (Attachments: # <u>1</u> Proposed Order)(Villarreal, Jose) (Entered: 12/17/2024)
12/19/2024	<u>60</u>	ORDER granting <u>58</u> Motion to Stay Pending IPR. Signed by Magistrate Judge Roy S. Payne on 12/18/2024. (NKL) (Entered: 12/19/2024)
01/06/2025	<u>61</u>	PAPER TRANSCRIPT REQUEST by EyesMatch Ltd. for proceedings held on December 6, 2024, Markman Hearing before Judge Roy S. Payne. (Saputo, Natasha) (Forwarded to Court Reporter, Shawn McRoberts, on 1/6/2025) (slo). (Entered: 01/06/2025)
04/11/2025		The following have been CANCELLED per Dkt. No. 60: Pretrial Conference set for 4/29/2025 at 09:00 AM before Magistrate Judge Roy S. Payne and Jury Selection set for 6/2/2025 at 09:00 AM before District Judge Rodney Gilstrap. (aeb) (Entered: 04/11/2025)