

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

BAYERISCHE MOTOREN WERKE AG and)
ROBERT BOSCH GMBH,)
)
Plaintiffs,)
)
v.)
)
FORAS TECHNOLOGIES LTD.,)
)
Defendant.)

1:24-cv-363 (LMB/WEF)

ORDER

For the reasons stated in open court, plaintiffs’ Motions to Stay, [Dkt. Nos. 30 & 33], are GRANTED; and it is hereby

ORDERED that the Complaint seeking declarations that plaintiffs do not infringe defendant’s ’958 Patent (Count I) and that the ’958 Patent is invalid (Count II), as well as Count I of defendant’s Counterclaim alleging that plaintiffs’ infringe the ’958 Patent, be and are TRANSFERRED to the United States District Court for the Western District of Texas, Waco Division, where—approximately ten months before plaintiffs filed this civil action—defendant filed Foras Technologies Ltd. v. Bayerische Motoren Werke AG, et al., Civil Action No. 6:23-cv-386-RP, in which the same infringement claims involving the ’958 Patent were brought against plaintiffs. That civil action was stayed on April 22, 2024, pending the United States Patent and Trademark Office’s inter partes review (“IPR”) and ex parte reexamination (“EPR”) of the ’958 Patent.

The transfer of the entirety of plaintiffs’ Complaint and Count I of defendant’s Counterclaim leaves only Counts II and III of defendant’s Counterclaim remaining in this litigation; those claims allege that only plaintiff Bayerische Motoren Werke AG (“BMW”)

infringes defendant's '781 Patent (Count II) and '302 Patent (Count III). For that reason, plaintiff Robert Bosch GmbH's ("Bosch") Motion to Sever, [Dkt. No. 33], is DENIED AS MOOT; and it is hereby

ORDERED that the Clerk RECAPTION this patent infringement civil action as "Foras Technologies Ltd. v. Bayerische Motoren Werke AG, Civil Action No. 1:24-cv-363-LMB-WEF," and STAY this civil action because both the '781 Patent and '302 Patent are under review at the United States Patent and Trademark Office, which is conducting IPR and EPR proceedings; and it is further

ORDERED that the parties file a joint status report within 48 hours of the United States Patent and Trademark Office concluding those IPR and EPR proceedings.

The Clerk is directed to transfer the portions of this civil action explained in the Order to the United States District Court for the Western District of Texas, Waco Division; remove Robert Bosch GmbH as a party to this civil action; remove this civil action from the Court's active docket; remove the gavels from [Dkt. Nos. 23 & 27]; cancel the hearing scheduled for August 23, 2024; and forward copies of this Order to counsel of record.

Entered this 12th day of July, 2024.

Alexandria, Virginia



Leonie M. Brinkema
United States District Judge