

03/12/2025	207	PAPERLESS ORDER denying 199 Motion to Strike Reply Brief. As is often the case, claim construction often comes down to a dispute as to indefiniteness of certain claim language, and this case seems to fall in line. But a showing of indefiniteness must be established by clear and convincing evidence, so to that extent Defendants have the greater burden. <i>See, e.g., ePlus, Inc. v. Lawson Software, Inc.</i>, 700 F.3d 509, 517 (Fed. Cir. 2012); <i>Sonix Tech. Co. v. Publ'ns Int'l, Ltd.</i>, 844 F.3d 1370, 1377 (Fed. Cir. 2017). A reply in support of their position, therefore, is not unwarranted nor would it prejudice Plaintiffs who are now better apprised of Defendants' theories to make better rebuttal arguments at a Markman hearing, if/when it is held. Signed by Ch. Magistrate Judge Edwin G. Torres on 3/12/2025. (EGT) (Entered: 03/12/2025)
03/12/2025		PAPERLESS SUA SPONTE ORDER Cancelling scheduled Markman hearing previously set for 3/20/2025. The hearing shall be re-set if necessary by separate Order. Signed by Ch. Magistrate Judge Edwin G. Torres on 3/12/2025. (EGT) (Entered: 03/12/2025)

EXHIBIT

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