

United States District Court
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

VALTRUS INNOVATIONS LTD. and
KEY PATENT INNOVATIONS
LIMITED

v.

GOOGLE LLC

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CIVIL ACTION NO. 3:24-CV-3249-S

ORDER

Before the Court is Defendant Google LLC's Motion to Stay Pending Inter Partes Review ("Motion") [ECF No. 45]. The Court has considered the Motion, Plaintiffs Valtrus Innovations Ltd. and Key Patent Innovations Limited's Response to the Motion ("Response") [ECF No. 50], Defendant's Reply in Support of the Motion [ECF No. 53], and the applicable law. For the following reasons, the Court **GRANTS** the Motion.

This is a patent infringement case in which Plaintiffs accuse Defendant of infringing U.S. Patent No. 7,939,967. Pls.' First Am. Compl. for Patent Infringement [ECF No. 29] ¶¶ 10, 28-65. On June 13, 2025, Defendant filed a petition for inter partes review ("IPR") "on the basis that all patent claims of the [relevant patent] are invalid as anticipated and/or obvious in light of prior patents." Mot. 2. The Patent Trial and Appeal Board has not yet decided whether to institute the IPR. *Id.* at 3. Defendant asks the Court to stay this case during the pendency of the IPR. *Id.* at 1.

"A district court has the inherent power to stay cases to control its docket and promote efficient use of judicial resources." *Alexander v. Convergent Outsourcing, Inc.*, No. H-16-3318, 2017 WL 1383627, at *1 (S.D. Tex. Apr. 18, 2017) (citing, among other sources, *Ambraco, Inc. v. Bossclip B.V.*, 570 F.3d 233, 243 (5th Cir. 2009)). When determining whether to grant a stay pending IPR, courts generally consider: (1) whether a stay would unduly prejudice or present a

clear tactical disadvantage to the nonmovant; (2) whether a stay will simplify the issues in the case and the trial; and (3) whether discovery is complete and whether a trial date has been set. *Uniloc 2017 LLC v. LG Elecs. U.S.A., Inc.* No. 3:18-CV-3071-N, 2020 WL 374545, at *1 (N.D. Tex. Jan. 23, 2020) (citing *Murata Mach. USA v. Daifuku Co.*, 830 F.3d 1357, 1361 (Fed. Cir. 2016)). The movant bears the burden of demonstrating that a stay is appropriate. *Blephex LLC v. Pain Point Med. Sys. Inc.*, No. 3:16-CV-0410-N, 2016 WL 7839343, at *1 (N.D. Tex. Nov. 3, 2016) (citation omitted).

As to the first factor, Plaintiffs argue that a delay in the determination of their patent rights would significantly prejudice them. Resp. 5-6. But “a delay caused by the IPR process, without more, does not justify denial of a stay because the length of the IPR alone does not establish prejudice.” *Valtrus Innovations LTD. v. Google LLC*, No. 3:22-CV-66-N, 2022 WL 22887964, at *1 (N.D. Tex. Nov. 2, 2022) (citation omitted). And the Court does not find that the potential impact on Plaintiffs’ business, *see* Resp. 6-8, rises to the level of undue prejudice sufficient to deny the Motion.

As to the second factor, a stay will simplify the issues in this case. Defendant’s IPR petition “covers all asserted claims,” so resolution of the petition has the potential to streamline or fully resolve the case. Mot. 7. Plaintiffs respond that the invalidity theories in this case “far exceed the limited scope of the pending IPR.” Resp. 11 (citation omitted). But the Court considers only whether a stay would *simplify* the issues in the case, not whether it would fully resolve them. And having done so, the Court concludes that this factor weighs in favor of a stay.

As to the third factor, discovery is not complete, and discovery does not close for approximately eight months. *See* Scheduling Order [ECF No. 34] 3. A trial date has been set, but

it is still well over a year away. *See id.* at 1. Further, the Court has not yet decided any dispositive motions or held a claim construction hearing.

Because all factors weigh in favor of a stay, this case is **ABATED** and **ADMINISTRATIVELY CLOSED** pending resolution of Defendant's IPR. The Court **ORDERS** that within two weeks after such resolution, the parties shall file a status report advising the Court of the decision.

SO ORDERED.

SIGNED September 5, 2025.



KAREN GREN SCHOLER
UNITED STATES DISTRICT JUDGE