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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

OMNI MEDSCI, INC., *Plaintiff and Counter Defendant*, v. APPLE INC, *Defendant and Counter Plaintiff*.	Case No.: 20-cv-00563-YGR **JOINT STATEMENT PURSUANT TO DKT. 52**

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Samsung v. Omni
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Plaintiff Omni MedSci, Inc. and Defendant Apple Inc. hereby file this joint status report regarding the stay of the above-captioned case pending *inter partes* review of U.S. Patent No. 10,517,484 (the "'484 patent"), the only patent asserted in the case.

Omni filed its Complaint against Apple on January 24, 2020, alleging infringement of the '484 patent. On January 22, 2021, Apple filed a request for *inter partes* review of all claims of the '484 patent, and the Patent Trial and Appeal Board ("PTAB") instituted review in IPR2021-00453 on August 6, 2021. On December 6, 2021, pursuant to a joint stipulation by the parties, the Court stayed the lawsuit until "final resolution of the *inter partes* review proceeding IPR2021-00453." Dkt. 52.

Thereafter, on August 3, 2022, the PTAB issued a final written decision finding claims 1, 2, 7, and 15–23 of the '484 patent unpatentable, but found that Apple had not shown claims 3-6 and 8-14 unpatentable. Apple has appealed the PTAB's determination regarding claims 3-6 and 8-14. Case No. 2023-1032 (Fed. Cir.). Apple's opening brief is due on February 10, 2023. Omni has not appealed the PTAB's determination that claims 1, 2, 7, and 15-23 are unpatentable.

The parties agree that the case should remain stayed until final resolution of Apple's appeal, including any subsequent remands to the PTAB, and respectfully request that the court maintain the stay accordingly.

Dated: January 13, 2023

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CERTIFICATION PURSUANT TO CIVIL L.R. 5-1(h)(3)

Pursuant to Civil Local Rule 5-1(h)(3), I hereby certify that concurrence in the filing of this document has been obtained from the signatories for whom a signature is indicated by a conformed signature (/s/). I have on file records to support this concurrence for production for the Court if so ordered.

Dated: January 13, 2023

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