IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

MAXELL, LTD., Plaintiff, v. SAMSUNG ELECTRONICS CO., LTD., and SAMSUNG ELECTRONICS AMERICA, INC., Defendants.	Civil Action No. 5:25-cv-00052-RWS

SAMSUNG'S MOTION TO STAY PENDING *INTER PARTES* REVIEW

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Exhibit	Description
1	IPR2025-01308 Petition (Excerpt)
2	IPR2025-01316 Petition (Excerpt)
3	IPR2025-01307 Petition (Excerpt)
4	IPR2025-01309 Petition (Excerpt)
5	IPR2025-01313 Petition (Excerpt)
6	IPR2025-01312 Petition (Excerpt)
7	IPR2025-01314 Petition (Excerpt)
8	IPR2025-01315 Petition (Excerpt)
9	IPR2025-01311 Petition (Excerpt)
10	IPR2025-01310 Petition (Excerpt)
11	Plaintiff Maxell, Ltd.'s Patent Rule 3-1 and 3-2 Disclosure of Asserted Claims and Infringement Contentions Against Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (served Aug. 12, 2025)
12	IPR2025-01308, *Sotera* plus stipulation

Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. ("Samsung") respectfully request that the Court stay this case pending final resolution of the *inter partes* review ("IPR") proceedings at the United States Patent & Trademark Office against all ten patents asserted by Plaintiff Maxell, Ltd. ("Maxell").

I. INTRODUCTION

Samsung has challenged all 63 asserted claims of all ten Maxell asserted patents in IPR proceedings at the Patent Office. Those proceedings are likely to simplify the issues for trial and significantly reduce or eliminate Maxell's infringement claims. Under these facts, each of the factors courts consider in determining whether to stay litigation strongly favor a stay.

First, a stay will not unduly prejudice or cause tactical disadvantage to Maxell. The time inherent in the IPR process is not unduly prejudicial to entities like Maxell that do not make competing products and for which monetary damages are sufficient. And the requested stay will be relatively short because the Patent Office must decide whether to institute the IPRs within six months after their accorded filing dates notices—all of which have issued—and, if instituted, must render a final decision on the IPRs within one year after institution. Furthermore, Samsung did not delay in seeking a stay, but rather filed this motion less than two weeks after it filed its final IPR petition at the Patent Office.

Second, this case has not reached an advanced stage. On the contrary, nearly all of the work—including the *Markman* hearing, the remaining fact discovery, all fact depositions, all expert discovery, summary judgment motions, pre-trial briefing, and trial—is yet to come.

Third, a stay will simplify the disputed issues in this complex patent case. Maxell is asserting 63 claims of ten asserted patents against at least six groups of accused Samsung products. Samsung has challenged the validity of all 63 asserted claims at the Patent Office. If Samsung's challenges are successful, Maxell's infringement claims will be eliminated. Even if

some of the challenged claims survive, the issues in this case still will be narrowed based on the decisions by the Patent Office and the positions Maxell takes on claim scope and the prior art.

Because all factors favor a stay, Samsung respectfully requests that the Court grant Samsung's motion to stay the case until the Patent Office decides whether to institute the IPRs. If the Patent Office institutes IPR proceedings against the Maxell patents, Samsung requests that the case be stayed until the IPR proceedings are complete, including any appeals.

II. BACKGROUND

A. Maxell's Litigation Campaign Against Samsung.

This case is the third lawsuit Maxell has filed against Samsung in the United States in the past two years. Maxell filed the first case in this Court (*Maxell, Ltd. v. Samsung Elec. Co., Ltd.*, No. 5:23-cv-00092-RWS, "the -092 Case"), and the second in the International Trade Commission (*Certain Mobile Electronic Devices*, Inv. No. 337-TA-1432, the "ITC Action"). In these three lawsuits, Maxell has collectively asserted 22 patents against Samsung—seven in the -092 Case, six in the ITC Action (including one patent from the -092 Case), and ten in the present case—to try to force Samsung to take a license to Maxell's patent portfolio. Docket No. 1 at ¶¶ 8-9, 210; No. 5:23-cv-00092-RWS, Docket No. 1 at ¶¶166; Inv. No. 337-TA-1432, EDIS Doc. ID 839326 at ¶ 3.

Maxell's litigation campaign has been unsuccessful to date. In the -092 Case, the Court entered judgment as a matter of law against Maxell and in favor of Samsung on the three asserted patents that were tried to a jury. *See* No. 5:23-cv-00092-RWS, Docket No. 442 at 39-40. Samsung also filed IPRs on six of the patents asserted in the -092 Case and all were instituted, with Final Written Decisions due between November 7 and December 11, 2025. The ITC Action was scheduled for trial in October 2025, but that trial was postponed because of the government

shutdown and has not been rescheduled. Samsung also filed *ex parte* reexamination petitions on two of the five patents asserted in the ITC Action.

In the present case, the Court scheduled the *Markman* hearing for May 6, 2026 and the pretrial conference for August 10, 2027, but has not scheduled a trial date. *See* Docket No. 44.

B. Samsung's Ten IPR Petitions Covering All Asserted Claims.

As of October 13, 2025, Samsung has filed IPR petitions against all ten asserted patents. The institution decision deadlines for each petition are shown below:

Patent	IPR No.	Petition Filed	Institution Deadline
11,277,650	IPR2025-01308	July 17, 2025	January 30, 2026
10,812,646	IPR2025-01316	July 17, 2025	January 30, 2026
11,026,088	IPR2025-01307	July 25, 2025	February 9, 2026
7,577,417	IPR2025-01309	Aug. 28, 2025	March 5, 2026
10,783,228	IPR2025-01313	Aug. 28, 2025	March 5, 2026
7,952,645	IPR2025-01312	Aug. 29, 2025	March 5, 2026
8,180,198	IPR2025-01314	Aug. 29, 2025	March 5, 2026
8,471,950	IPR2025-01315	Aug. 29, 2025	March 5, 2026
11,812,091	IPR2025-01311	Sept. 5, 2025	March 16, 2026
12,160,681	IPR2025-01310	Oct. 13, 2025	April 16, 2026

Samsung filed its first three IPR petitions (on the '650, '646, and '088 patents) before Maxell even served infringement contentions on August 12, 2025. *See* Exs. 1-3. Samsung filed the next five IPR petitions (on the '417, '228, '645, '198, and '950 patents) less than one month after Maxell served its infringement contentions. *See* Exs. 4-8. Samsung filed the final two IPR petitions (on the '091 and '681 patents) roughly one and two months after Maxell served its infringement contentions, respectively. *See* Exs. 9-10. The ten petitions cover all 63 asserted claims, and the institution decisions are all due before the *Markman* hearing scheduled for May 6, 2026. Docket No. 44.

III. LEGAL STANDARD

"The district court has the inherent power to control its own docket, including the power to stay proceedings." *Fall Line Patents, LLC v. Zoe's Kitchen, Inc.*, No. 6:18-cv-00407-RWS, 2019 WL 11025871, at *1 (E.D. Tex. Aug. 9, 2019) (citing *Ethicon, Inc. v. Quigg*, 849 F.2d 1422, 1426-27 (Fed. Cir. 1988)). Whether to stay proceedings "calls for the exercise of judgment, which must weigh competing interests and maintain an even balance." *NFC Tech. LLC v. HTC Am., Inc.*, No. 2:13-cv-1058-WCB, 2015 WL 1069111, at *4 (E.D. Tex. Mar. 11, 2015) (citing *Landis v. N. Am. Co.*, 299 U.S. 248, 254-55 (1936)). Courts in this District have found that "[a] stay is particularly justified when the outcome of a PTO proceeding is likely to assist the court in determining patent validity or eliminate the need to try infringement issues." *Id.* (internal citations omitted); *see also Fall Line Patents*, 2019 WL 11025871, at *1 (granting stay where there was "a significant likelihood that the outcome of the IPR proceedings will streamline the scope of this case to an appreciable extent"). "[A]n auxiliary function of the proceeding is to free the court from any need to consider prior art without the benefit of the PTO's initial consideration." *Norman IP Holdings, LLC v. TP-Link Techs., Co.*, No. 6:13-cv-384-JDL, 2014 WL 5035718, at *6 (E.D. Tex. Oct. 8, 2014) (citing *In re Etter*, 756 F.2d 852, 857 (Fed. Cir. 1985)) (internal brackets and quotation marks omitted).

Courts in this District typically consider three factors when determining whether to grant a stay pending IPRs on the asserted patents: "(1) whether the stay will unduly prejudice the nonmoving party, (2) whether the proceedings before the court have reached an advanced stage, including whether discovery is complete and a trial date has been set, and (3) whether the stay will likely result in simplifying the case before the court." *Fall Line Patents*, 2019 WL 11025871, at *1 (internal citation omitted). "[C]ourts considering stay applications in the inter partes review setting have been attentive to" "whether a stay will reduce the burden of litigation

on the parties and on the court." *NFC Tech.*, 2015 WL 1069111, at *2. This factor "indicates that special attention should be given to minimizing the burdens of litigation." *Id.* Based on these factors, courts "determine whether the benefits of a stay outweigh the inherent costs of postponing resolution of the litigation." *Fall Line Patents*, 2019 WL 11025871, at *1 (internal citation omitted).

IV. ARGUMENT

All relevant factors strongly favor a stay here. First, a stay will not unduly prejudice Maxell because it does not compete with Samsung, did not pursue a preliminary injunction, and will not be able to obtain a permanent injunction against Samsung. Second, the proceedings have not reached an advanced stage—the close of fact discovery is approximately one year away, neither fact nor expert discovery is complete, and the Court has not set a trial date. Third, a stay will likely result in simplifying the case before the Court. Samsung's IPR petitions challenge all asserted claims of all ten asserted patents, so there is a high likelihood the Patent Office will find many or all of the asserted claims invalid, eliminating some or all of Maxell's infringement claims. Even if some claims survive, the disputes will be narrowed by Samsung's "*Sotera* plus" stipulations that have or will be filed in each IPR, prior art estoppel from the Final Written Decisions, and by the positions taken by Maxell in the IPRs. A stay is therefore warranted and well within the Court's discretion.

A. Factor No. 1: A Stay Will Not Unduly Prejudice Maxell.

Under the first *Fall Line* factor, a stay will not unduly prejudice Maxell. Despite allegedly seeking lost profits, Maxell identifies no Maxell products that practice any of the asserted patents. Docket No. 1 at ¶ 211. In the -092 Case, Maxell sought only a reasonable royalty, not lost profits. No. 5:23-cv-00092-RWS, Docket No. 350 at 5. In the ITC Action, Maxell did not even try to establish that any Maxell product practices any of the patents asserted

there. Inv. No. 337-TA-1432, EDIS Doc. ID 839326, ¶ 133 (relying on licensee Motorola Mobility for domestic industry). Maxell also did not seek a preliminary injunction in this case.

Maxell does not compete with Samsung, so Maxell cannot and will not lose market share or revenue for any alleged injury to its patent rights. Monetary relief therefore is sufficient to compensate Maxell if it is successful in proving a right to relief. *NFC Tech.*, 2015 WL 1069111, at *3. A "stay will not diminish the monetary damages to which [Maxell] be entitled if it succeeds." *VirtualAgility Inc. v. Salesforce.com, Inc.*, 759 F.3d 1307, 1318 (Fed. Cir. 2014). And "mere delay in collecting those damages does not constitute undue prejudice." *Cellular Commc'ns Equip., LLC v. Samsung Elecs. Co.*, No. 6:14-cv-759, 2015 WL 11143485, at *2 (E.D. Tex. Dec. 16, 2015) (internal citations omitted).

Similarly, the fact that a stay will cause some delay in adjudication of Maxell's claims is not sufficient to establish undue prejudice. *See NFC Tech.*, 2015 WL 1069111, at *2 (delay "is present in every case in which a patentee resists a stay, and it is therefore not sufficient, standing alone, to defeat a stay motion"); *see also Papst Licensing GmbH & Co., KG v. Apple, Inc.*, No. 6:15-cv-01095-RWS, 2017 U.S. Dist. LEXIS 223280, at *11-12 (E.D. Tex. Jun. 16, 2017) ("concerns such as timely enforcement of patent rights are generally too generic, standing alone, to defeat a stay motion") (internal citations omitted).

Further, Maxell will not be unduly prejudiced because Maxell has other litigations against Samsung that will be unaffected by a stay. As Maxell acknowledges, it has sued Samsung in the -092 Case, the ITC Action, "three separate Unified Patent Court Infringement Actions in Germany," and "four separate patent infringement actions in Tokyo District Courts." Docket No. 1 at ¶ 9. None of those cases would be impacted by a stay of this case. And Maxell's patents have been shown to be uniquely susceptible to invalidity findings. In the -092 Case, the

Court found two of Maxell's asserted patents invalid during post-trial proceedings. *See* No. 5:23-cv-00092-RWS, Docket No. 442 at 26-31, 32-37, 40. Samsung's IPR petitions on six of the patents asserted in the -092 Case were all instituted, with Final Written Decisions expected between November 7 and December 11, 2025.

Finally, if a stay has the potential to simplify the issues in the case, it will benefit both parties and the Court. Narrowing the scope of the litigation through elimination of patent claims or through statutory estoppel allows both parties the opportunity to "avoid[] potentially moot discovery" and generally "conserve [] time and resources." *Norman IP Holdings*, 2014 WL 5035718, at *3 (considering benefits of potential simplification to both parties in determining that first factor favored a stay). Therefore, this factor strongly favors a stay.

B. Factor No. 2: The Proceedings Before The Court Have Not Reached An Advanced Stage.

The second *Fall Line* factor—whether the proceedings before the Court have reached an advanced stage—also strongly favors a stay. The second factor includes two sub-factors: "(1) whether discovery is complete and whether a trial date has been set; and (2) whether the movant has unreasonably delayed filing its IPR petition and motion to stay." *Stragent, LLC v. BMW of N. Am., LLC*, No. 6:16-cv-446-RWS-KNM, 2017 WL 2839260, at *2 (E.D. Tex. Apr. 20, 2017). Both sub-factors favor a stay here. "As for the proper time to measure the stage of litigation, district courts have adopted the date of the filing of the motion to stay." *VirtualAgility*, 759 F.3d at 1316.

On the first sub-factor, this case is in the early stages. As of the date Samsung filed this motion, the parties have exchanged initial disclosures, initial discovery responses, initial document productions, and Maxell has served infringement contentions. *See* Docket No. 44. The *Markman* hearing is still more than six months away, and the parties have not yet identified any

terms for construction or filed claim construction briefs, have not scheduled or taken any depositions, have not filed dispositive motions, and the Court has not set a trial date. Indeed, fact discovery is scheduled to close on October 23, 2026—nearly one year from now and months after the latest expected IPR institution. *Id.* Expert discovery is scheduled to close on February 2, 2027, and dispositive motions are not due until February 16, 2027—more than 15 months from now. *Id.* Stays are favored where, as here, the "most burdensome stages of the case—completing discovery, preparing expert reports, filing and responding to pretrial motions, preparing for trial, going through the trial process, and engaging in post-trial motions practice—all lie in the future." *Bio-Rad Labs. Inc. v. 10X Genomics, Inc*., No. 18-1679-RGA, 2020 WL 2849989, at *1 (D. Del. June 2, 2020) (citation omitted).

As to the second sub-factor, Samsung promptly filed ten IPR petitions, one for each of the asserted patents. Exs. 1-10. Samsung filed the first three IPR petitions (on the '650, '646, and '088 patents) in July 2025, within about three months of the filing of the complaint. Exs. 1-3. Samsung filed five additional IPR petitions (against the '417, '228, '645, '198, and '950 patents) by the end of August 2025. Exs. 4-8. Samsung filed the final two petitions in early September and mid-October 2025, less than six months after the filing of the complaint. Exs. 9-10. Samsung's expeditious filing of ten IPR petitions over a six-month period while defending itself in the -092 Case and the ITC Action is the opposite of an unreasonable delay in filing IPR petitions. *See Stragent*, 2017 WL 2839260, at *2 ("Although there is no rule specifying how much time constitutes an unreasonable delay, a delay of up to seven and a half months can be reasonable."). And Samsung filed this motion less than two weeks after it filed the tenth IPR petition. *Id.* (finding no unreasonable delay where defendant filed their motion to stay two

months after IPR petition was filed). Taken together, the early stage of this case combined with Samsung's expeditious filing of ten IPR petitions strongly favors a stay.

C. Factor No. 3: A Stay Will Likely Result In Simplifying The Case Before The Court.

The third *Fall Line* factor—whether the stay will likely result in simplifying the case before the court—strongly favors a stay too. Samsung is challenging all 63 asserted claims of all ten asserted patents at the Patent Office. Win or lose, the parties' IPR submissions and the Patent Office's decisions will simplify this case for the Court. And if successful, the IPRs "could dispose of the entire litigation: the ultimate simplification of issues." *VirtualAgility*, 759 F.3d at 1314; *see also NFC Tech.*, 2015 WL 1069111, at *5. Short of that, there are several reasons a stay will simplify the case for the Court.

First, a stay will simplify the case before the Court due to the sheer number of asserted patents and asserted claims. *Cywee Grp. Ltd. v. Samsung Elecs. Co.*, No. 2:17-cv-00140-WCB, 2019 WL 11023976, at *9 (E.D. Tex. Feb. 14, 2019) (describing simplification of a two-patent case to one patent: "the task of dealing with the remaining five related claims from the other patent—for the parties, the jury, and the Court—will become much easier than it would have been with the original eleven claims from two different patents."). Here, Maxell once again filed an unnecessarily complex case by asserting ten unrelated patents directed to different features of at least six groups of Samsung products, including smartphones, tablets, laptops, watches, rings, and appliances. *See* Docket No. 1, Complaint; Ex. 11 (Infringement Contentions); *see also Cywee Grp.*, 2019 WL 11023976, *9 ("In a case involving technology as complex as the technology in this case, which is sure to challenge the ability of the jury to absorb and rationally decide issues of infringement and invalidity, there is a particularly high premium on

simplification."). After IPR proceedings are complete, it is highly likely the Court will no longer need to contend with ten patents or 63 asserted claims, if any.

Second, even if some of the asserted claims survive IPR, the IPRs will simplify the case through arguments limiting claim scope or limitation of issues through estoppel, all of which will narrow or provide guidance on key claim construction, infringement, and invalidity disputes. *Cywee Grp.*, 2019 WL 11023976, at *9; *Norman IP Holdings*, 2014 WL 5035718, at *3. For example, Samsung has entered or will enter a "*Sotera* plus" stipulation in each of its IPRs, whereby Samsung agrees to be estopped from asserting any prior art in this case that could have been raised in the IPRs, including prior art systems described in a printed publication. *See* Ex. 12 (exemplary Samsung *Sotera* plus stipulation).

Third, if the IPRs proceed in parallel with this case, the Court will likely engage in "unavoidable duplication of effort and a possibility of inconsistent results between the administrative agency and the court," and the parties may need to seek to reopen claim construction or redo other proceedings to account for (a) the Patent Office's decisions, (b) Maxell's arguments in response to the IPRs, or (c) any new evidence presented in the IPRs that informs the meaning or scope of the claims. *Cywee Grp.*, 2019 WL 11023976, at *9.

Fourth, a stay will prevent this Court from expending resources adjudicating Maxell's historically weak patents. In the -092 Case, the Patent Office instituted IPRs on six of Maxell's asserted patents and the Court found two of those patents invalid in post-trial proceedings after expending significant resources preparing for and conducting a jury trial. No. 5:23-cv-00092-RWS, Docket No. 442 at 1-2; *id.* at Docket No. 300, Ex. A at 2. Rather than expending even more resources preparing this ten-patent case for trial, the Court should permit the Patent Office to consider and decide Samsung's IPR petitions, which will simplify the case before the Court.

See Fall Line Patents, 2019 WL 11025871, at *1 (granting pre-institution stay in view of a Final Written Decision invalidating related claims to those asserted by the plaintiff).

For all of these reasons, a stay will likely result in simplifying the case before the Court, which strongly favors a stay.

V. CONCLUSION

For the foregoing reasons, Samsung respectfully requests that the Court grant Samsung's motion to stay pending the conclusion of all Patent Office proceedings on the asserted patents.

Dated: October 24, 2025

Respectfully submitted,

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CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that the conference required by Local Rule CV-7(h) occurred via teleconference on October 24, 2025 between Erik Fuehrer and Claire Schuster, counsel for Defendants, and Saqib Siddiqui, counsel for Plaintiff. The parties disagree about the substance of the motion, so discussions conclusively ended in an impasse, leaving an open issue for the Court to resolve.

/s/ Melissa R. Smith
Melissa R. Smith

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a)(3). As such, this document was served on all counsel who have consented to electronic service, on this 24th day of October 2025.

/s/ Melissa R. Smith
Melissa R. Smith