

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

TELCOM VENTURES LLC,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD.
and SAMSUNG ELECTRONICS
AMERICA, INC.,

Defendants.

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CIVIL ACTION NO. 2:24-CV-691-JRG

ORDER

Before the Court is the Motion to Stay Proceedings Pending *Inter Partes* Review (Dkt. No. 47) filed by Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. In the Motion, Defendants ask the Court to stay the above-captioned case pending *inter partes* review (“IPR”) of the patents at issue in that case. (*Id.* at 1). Those IPRs, however, “are still pending institution.” (*Id.*). In fact, although this case was filed on August 21, 2024, Samsung did not seek IPR until May 2025. (*Id.* at 1–2). This means that the Patent and Trial Appeal Board (“PTAB”)’s institution decisions are not expected until December 2025, and Final Written Decisions would not be expected until December 2026. (*Id.* at 2). This case is scheduled for jury selection on June 1, 2026. (Dkt. No. 44, at 1).

Where a motion to stay is filed before the PTAB institutes a proceeding, courts often withhold a ruling pending action on the petition by the PTAB or deny the motion without prejudice to refiling in the event that the PTAB institutes a proceeding. *VirtualAgility Inc. v. Salesforce.com, Inc.*, 759 F.3d 1307, 1315–16 (Fed. Cir. 2014); *see also NFC Tech. LLC v. HTC Am., Inc.*, No. 2:13-cv-1058-WCB, 2015 WL 1069111, at *6 (E.D. Tex. Mar. 11, 2015) (Bryson, J.). Indeed, it is “well established that this Court will not, barring exceptional circumstances, grant a stay of

proceedings for the mere filing of an IPR.” *Tessera Advanced Techs., Inc. v. Samsung Elecs. Co., Ltd.*, No. 2:17-cv-671-JRG, 2018 WL 3472700, at *4 (E.D. Tex. July 19, 2018); *see also id.* (identifying this as the Court’s “universal practice”). To put it simply: “when the PTAB has not yet acted on a petition for inter partes review, [this Court] uniformly denie[s] motions for a stay.” *Id.*

Considering these circumstances, the Court concludes that the Motion is premature, and a stay of these proceedings in advance of the PTAB’s institution decision should be denied. Accordingly, the Motion is **DENIED WITHOUT PREJUDICE** to refiling of the same, which shall be permitted within fourteen (14) days following the PTAB’s institution decision.

So Ordered this

Aug 26, 2025



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE