

ORAL ORDER: Having reviewed the parties' briefing regarding Defendant ResMed Inc.'s Motion to Stay Pending Inter Partes Review (D.I. 291 , 292 , 294 , 297), and having considered the relevant stay factors, IT IS HEREBY ORDERED that this case is STAYED. The instituted IPR proceedings have the potential to substantially simplify the issues to be tried; a stay will also serve judicial economy because a majority of the pending pre-trial motions involve the patent at issue in the IPR. I have given serious consideration and weight to both the fact that the district judge previously assigned to this case scheduled a trial to begin on August 26, 2024 (approximately two months from now) and the fact that the parties and Court have already spent significant time on this case, but those facts must be balanced against other factors, including that the most resource-intensive phases of the case still lie ahead, and the PTAB's decision could reduce the current burden on the Court and greatly simplify the issues for trial. Although the case involves other patents not subject to the IPR, the record reflects that those patents account for less than 10% of the total damages claim, and neither side seriously contends that the Court should proceed with a trial on only the non-instituted patents. Under the totality of the circumstances, the Court finds that a limited stay is warranted pending the PTAB's final written decision, which is expected by May 6, 2025. The parties shall file a joint status letter within seven days of (1) a final written decision from the PTAB or (2) any decision on Plaintiff's request for Director's review. The letter shall set forth the parties' positions on whether the stay shall be lifted. All current case deadlines are HEREBY VACATED. Ordered by Judge Jennifer L. Hall on 6/21/2024. (ceg) (Entered: 06/21/2024)

As of June 24, 2024, PACER did not contain a publicly available document associated with this docket entry. The text of the docket entry is shown above.

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1-22-cv-00794 (DDE), 6/21/2024, docket entry 300