Docket Sheets Search

94 Results

Courts: Illinois (all districts) Types of Document: Motion to Stay Pending Inter Partes Review Results of Motion: Granted

D...	#	Description	Case
Aug. 24, 2012		TEXT ORDER entered by Judge Sara Darrow on August 24, 2012. The Board of Trustees of the University of Illinois and Micron Technology, Inc. request that the patent proceedings be stayed in this Court while Micron seeks inter partes review (IPR) at the United States Patent and Trademark Office (PTO). Micron has filed an Emergency Motion to Stay requesting that the entire case, both the patent proceedings and the breach of contract claim, be stayed while Micron's IPR request is pending at the PTO because the patent infringement and breach of contract claims are inextricably intertwined. The Emergency Motion to Stay 70 is GRANTED and this case is STAYED IN ITS ENTIRETY. Micron's Motion to Dismiss 44 , 45 is DENIED AS MOOT WITH LEAVE TO REFILE. Micron's Emergency Motion to Amend the Case Management Order 66 and the Joint Motion for Extension 71 are DENIED AS MOOT. All deadlines are VACATED. Parties are directed to file a joint status report by April 1, 2013. (HR, ilcd) (Entered: 08/24/2012)	The Board of Trustees of the University of Illinois v. Micron Technology, Inc. 2-11-cv-02288 (CDIL)
		Stipulated/Agreed - Motion to Stay Pending Inter Partes Review	Granted
Mar. 21, 2013	37	MINUTE entry before Honorable Matthew F. Kennelly:Motion to stay 30 is granted. Matter is stayed pending the PTAB proceedings. Claim construction hearing set for 10/4/2013 is vacated. ; Civil case terminated. (or,) (Entered: 03/21/2013)	Bergstrom, Inc. v. Idle Free Systems, Inc. 3-12-cv-50254 (NDIL)
		Motion to Stay Pending Inter Partes Review	Granted
Apr. 17, 2013	49	ORDER Signed by the Honorable Joan H. Lefkow on 4/17/2013:Mailed notice(mad,) (Entered: 04/17/2013)	Clearlamp, LLC v. LKQ Corporation 1-12-cv-02533 (NDIL)
		Stipulated/Agreed - Motion to Stay Pending Inter Partes Review	Granted
May. 08, 2013	44	MINUTE entry before Honorable Jeffrey T. Gilbert: Hearing held on Defendant's Motion to Stay Pending Inter Partes Review 38 . Defendant's Motion to Stay is granted for the reasons stated on the record. This matter is stayed pending the inter partes review of the patent-in-suit at the United States Patent & Trademark Office. All previously set dates and deadlines in this case are stricken. The parties jointly shall file a status report with this Court at the conclusion of the inter partes review process before the USPTO. Mailed notice (mr,) (Entered: 05/08/2013)	ComplementSoft, LLC v. SAS Institute Inc. 1-12-cv-07372 (NDIL)
		Motion to Stay Pending Inter Partes Review	Granted

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Oct. 01, 2013	29	ORDER ; Defendants' motion to stay litigation pending inter partes review of the patent in suit 24 is granted. Parties must inform the court within 14 days of the Patent Trial and Appeal Boards ruling on the petition for inter partes review. This case is placed on the courts suspense docket pending the conclusion of proceedings before the Board. Any party may ask the court to move the case back to its active docket as further developments warrant. For details, see below. Signed by the Honorable Joan B. Gottschall on 10/1/2013. Mailed notice. (ea,) (Entered: 10/02/2013)	Black & Decker, Inc. et al v. Positec USA, Inc. et al 1-13-cv-03075 (NDIL)	

Motion to Stay Pending Inter Partes Review — Granted

Stay of Proceedings
└ Factors Considered
└ **Simplification of Issues**

Stay of Proceedings
└ Factors Considered
└ **Stage of Litigation**

The court granted defendants' motion to stay pending *inter partes* review because the early stage of the case and potential simplification of issues weighed in favor of a stay. "[Plaintiff] argues that the court should not grant a stay because the PTO has not decided whether to review the patent, and waiting for that decision will unnecessarily place the case in limbo. . . . It offers no data, however, to support the argument that the PTO is less likely to grant review than reexamination (which was granted in the vast majority of cases). . . . [Plaintiff] further argues that [defendants] might bring an invalidity argument down the road, regardless of the outcome of *inter partes* review. This is a dubious argument, as § 314(e)(2) states that when review 'results in a final written decision,' a petitioner 'may not assert . . . in a civil action . . . that the claim is invalid on any ground that the petitioner raised or reasonably could have raised during that *inter partes* review.'"

Motion to Stay Pending Inter Partes Review — Granted

Stay of Proceedings
└ Factors Considered
└ **Prejudice From Stay/Tactical Advantage**

The court granted defendants' motion to stay pending *inter partes* review and rejected plaintiff's argument that it would be unduly prejudiced because the parties were direct competitors. "Courts have found that the risk of losing market share can constitute undue prejudice, especially when there are few competitors in a market. But [plaintiff] has not explained why the nature of competition in the market for grass trimmers poses a particular risk of loss of market share, and [defendant] presents evidence that there are multiple competitors in the grass trimmer market, limiting the danger of a loss of market share."

Oct. 01, 2013	38	MINUTE entry before Honorable Harry D. Leinenweber:Acco Brands Corp.'s Motion to Stay 35 is granted. Mailed notice (wp,) (Entered: 10/01/2013)	Fellowes, Inc. v. ACCO Brands Corp. 1-11-cv-08148 (NDIL)	

Motion to Stay Pending Inter Partes Review — Granted

Nov. 07, 2013	122	MINUTE entry before Honorable Harry D. Leinenweber:The Agreed Motion to stay the remainder of the consolidated case pending the USPTO Review Process 120 is granted.Mailed notice (wp,) (Entered: 11/07/2013)	Fellowes, Inc. v. Acco Brands Corporation 1-10-cv-07587 (NDIL)	

Stipulated/Agreed - Motion to Stay Pending Inter Partes Review — Granted

Jan. 16, 2014	33	MINUTE entry before the Honorable Edmond E. Chang: Status and motion hearing held on Defendant's agreed motion to stay litigation 28 . Plaintiff's counsel was unable to appear. For the reasons stated in open court, the motion 28 is granted. But the parties shall submit a Status Report regarding the PTAB proceedings at 90-day intervals. Also, after the PTAB decides to grant or deny review, the parties shall file a status report on the decision. If review is granted, then the status reports may be filed on 180-day intervals. Status hearing set for 12/03/2014 at 8:30 a.m. Mailed notice (slb,) (Entered: 01/17/2014)	eCharge Licensing, LLC v. Square, Inc. 1-13-cv-06445 (NDIL)	

Stipulated/Agreed - Motion to Stay Pending Inter Partes Review — Granted

Stipulated/Agreed - Motion to Stay Pending Inter Partes Review — Granted

Apr. 07, 2014	85	MINUTE entry before the Honorable Virginia M. Kendall: MOTION by Defendants ApaTech, Inc., ApaTech, Ltd., Baxter Healthcare Corp. to stay regarding MOTION by Defendants ApaTech, Inc., ApaTech, Ltd., Baxter Healthcare Corp. to stay Pending Inter Partes Review 59 Renewed Motion 82 is granted.Mailed notice (tsa,) (Entered: 04/07/2014)	Millenium Biologix, LLC v. Baxter Healthcare Corp. et al 1-13-cv-03084 (NDIL)	

Renewed Motion - Motion to Stay Pending Inter Partes Review — Granted

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May. 29, 2014 | 39 | MEMORANDUM Opinion and Order. the court grants PMI's "Motion to Stay Pending Inter Partes Review of U.S. Patent No. 7,997,442". (Dkt. No. 27.) Ignite will not suffer undue prejudice or tactical disadvantage due to the early stage of this proceeding, and Ignite's two year delay in filing this case supports this holding. In virtually every scenario, USPTO review of the IPR petition will simplify the case. The burden on the parties and court, caused by simultaneously litigating two validity actions for the '442 patent, supports granting the stay. The parties are ordered to inform the court of the USPTO's decision on whether to grant IPR within seven days of it occurring. The court will then set a further briefing schedule, unless an agreement is reached as to whether to extend or lift the stay, consistent with the above order. Signed by the Honorable James F. Holderman on 5/29/2014. Notice mailed by judge's staff (ntf,) (Entered: 05/29/2014)

Ignite USA, LLC v. Pacific Market International, LLC et al
1-14-cv-00856 (NDIL)

Motion to Stay Pending Inter Partes Review — Granted

Stay of Proceedings
└ Factors Considered
└ **Prejudice From Stay/Tactical Advantage**

Stay of Proceedings
└ Factors Considered
└ **Reduction of Litigation Burden**

Stay of Proceedings
└ Factors Considered
└ **Simplification of Issues**

Stay of Proceedings
└ Factors Considered
└ **Stage of Litigation**

The court granted defendant's motion to stay pending *inter partes* review because the lack of undue prejudice, potential simplification of issues, stage of the case, and reduction of the burden of litigation weighed in favor of a stay. "The fact that [defendant] is seeking a stay at the earliest stage of the litigation diminishes the potential effect of any tactical disadvantage [plaintiff] could face. . . . Additionally, [plaintiff's] own delay, waiting [2 years] to file the Complaint, further indicates that [plaintiff] will not suffer undue prejudice from a stay. . . . If competition for market share was a serious concern, [plaintiff] surely would have filed sooner, rather than spend two years in discussions with [defendant]. Additionally, [plaintiff] has not sought a preliminary injunction in this litigation, which further supports the absence of [plaintiff's] concern regarding a pressing threat to [its] market share."

Jun. 10, 2014 | 28 | MINUTE entry before the Honorable Matthew F. Kennelly: Status hearing held on 6/10/2014 with attorneys for both sides. Telephone status hearing, to be initiated by the parties, is set for 9/4/2014 at 9:00 a.m. Defendant's motion to stay 24 is granted. The Court hereby enters a stay of all proceedings in the present case until the PTO decides whether or not to institute inter partes review of the three patents in suit. The parties are to jointly and promptly inform the Court as to the decision by the PTO granting or denying inter partes review. Mailed notice. (pjg,) (Entered: 06/10/2014)

LMK Technologies, LLC v. BLD Services, LLC
1-14-cv-00956 (NDIL)

Scheduling/ Pretrial Order (FRCP 16, FRCP 26(f)) — N/A

Motion to Stay Pending Inter Partes Review — Granted

Jul. 15, 2014 | 31 | MINUTE entry before the Honorable Gary Feinerman:Status hearing held and continued to 1/20/2015 at 9:00 a.m. Defendant reported that it filed for inter partes review with the USPTO. By agreement of the parties, the case is stayed through 1/20/2015. The parties shall file a joint status report regarding the USPTO proceedings by 1/13/2015. If the USPTO acts before 12/12/2014, the parties shall contact the Courtroom Deputy and the status hearing will be re-set to an earlier date.Mailed notice. (jlj,) (Entered: 07/17/2014)

Advanced Audio Devices, LLC v. HTC America, Inc.
1-13-cv-07582 (NDIL)

Stipulated/Agreed - Motion to Stay Pending Inter Partes Review — Granted

Jul. 21, 2014 | 46 | MINUTE entry before the Honorable Thomas M. Durkin:Plaintiff's motion to stay pending review by U.S. Patent and Trademark office 43 is granted. Status hearing reset for 2/3/2015 at 09:00 AM. The 10/9/14 status date is vacated. No appearance required on 7/23/14. Mailed notice (srn,) (Entered: 07/21/2014)

Advanced Audio Devices, LLC v. Amazon.com, Inc.
1-13-cv-07585 (NDIL)

Scheduling/ Pretrial Order (FRCP 16, FRCP 26(f)) — N/A

Motion to Stay Pending Inter Partes Review — Granted

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Aug. 07, 2014	11 2	ORDER to stay this litigation Signed by the Honorable Harry D. Leinenweber on 8/7/2014:Mailed notice(wp,) (Entered: 08/08/2014)	OpinionLab, Inc. v. Qualtrics Labs, Inc. 1-13-cv-01574 (NDIL)	

Stipulated/Agreed - Motion to Stay Pending Inter Partes Review — Granted

Sep. 15, 2014	81	MINUTE entry before the Honorable Sara L. Ellis: In light of parties' joint stipulation [#79], Defendant Artsana USA Inc.'s motion to stay pending inter partes review 75 is granted. This action is stayed during the six month review period with the exception of the First Set of Interrogatories and Second Requests for Production of Documents served by Plaintiff. The depositions of Mr. Messner and Mr. Lerici are stayed pending the inter partes review period. The parties may reschedule the deposition of Mr. Messner, if necessary pending the outcome of the inter partes review. Defendant's objection to the deposition of Mr. Lerici is preserved and the parties will resolve this issue, if necessary, pending the outcome of the inter partes review. Parties are ordered to file a joint statement within fourteen days after the Patent Office has issued its decision that informs the Court of the Patent Office's decision and provides the parties' respective views on case management including whether a continue of the stay is appropriate. No appearance required, 9/16/2014. Mailed notice (rj,) (Entered: 09/15/2014)	Kolcraft Enterprises, Inc. v. Artsana USA, Inc. et al 1-13-cv-04863 (NDIL)	

Stipulated/Agreed - Motion to Stay Pending Inter Partes Review — Granted

Dec. 09, 2014	36	MINUTE entry before the Honorable Matthew F. Kennelly: Telephone status hearing held on 12/9/2014 with attorneys for both sides. The case is stayed pending the decision by the Patent Trial and Appeal Board regarding the claims at issue. A status report is to be filed within 14 days of a decision by the PTAB. The motion of Caroline Maxwell to appear pro hac vice is granted 32 . Counsel is directed to promptly contact the Clerk of Court to establish an e-filing account in this district. The motion of Cary A. McAnelly to withdraw as counsel is granted 33 . The motion hearing set for 12/11/2014 and the claim construction hearing date of 5/8/2015 are vacated. The case is administratively terminated. Mailed notice. (pjg,) (Entered: 12/09/2014)	LMK Technologies, LLC v. BLD Services, LLC 1-14-cv-00956 (NDIL)	

Motion to Withdraw as Counsel — Granted

Motion to Stay Pending Inter Partes Review — Granted

Jan. 20, 2015	47	MINUTE entry before the Honorable John Z. Lee: The Court grants Plaintiffs' unopposed motion to stay the case pending inter partes review 44 . The Court strikes without prejudice Plaintiffs' motion for permanent injunction 24 and motion to dismiss for lack of jurisdiction 31 , which may be refiled if the inter partes review does not resolve the disputes between the parties. This case is hereby placed on Judge Lee's suspended trial calendar. The parties shall notify the Court within 30 days after the finalization of the inter partes review. Mailed notice (ca,) (Entered: 01/20/2015)	Kia Motors America, Inc. et al v. Wingard 1-14-cv-03067 (NDIL)	

Stipulated/Agreed - Motion to Stay Pending Inter Partes Review — Granted

Jan. 28, 2015	34	MINUTE entry before the Honorable Gary Feinerman: At the parties' joint request 33 , this case is stayed until further order of court. The 1/29/2015 status hearing 32 is stricken and re-set for 7/16/2015 at 9:00 a.m. By 7/9/2015, the parties shall file a joint status report regarding the PTAB proceedings. If any party would like an earlier status hearing, that party should contact the Courtroom Deputy and the request will be granted. Mailed notice (lcw,) (Entered: 01/28/2015)	Advanced Audio Devices, LLC v. HTC America, Inc. 1-13-cv-07582 (NDIL)	

Scheduling/ Pretrial Order (FRCP 16, FRCP 26(f)) — N/A

Stipulated/Agreed - Motion to Stay Pending Inter Partes Review — Granted

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Feb. 10, 2015 | 57 | MINUTE entry before the Honorable Andrea R. Wood: Status hearing held. The parties reported that oral arguments in all four of the inter partes proceedings before the U.S. Patent and Trademark Office (USPTO) have concluded. This matter is stayed through and including 5/12/2015 pending the decisions in the inter partes proceedings. Status hearing set for 5/12/2015 at 9:00 AM. Mailed notice (ef,) (Entered: 02/11/2015)

Hagenbuch v. Toyota Motor Sales USA, Inc.
1-13-cv-06713 (NDIL)

Scheduling/ Pretrial Order (FRCP 16, FRCP 26(f)) N/A

Motion to Stay Pending Inter Partes Review Granted

Feb. 11, 2015 | 107 | ORDER Signed by the Honorable John Z. Lee on 2/11/15Mailed notice(ca,). (Entered: 02/11/2015)

Medline Industries, Inc. v. CR Bard, Inc.
1-14-cv-03618 (NDIL)

Motion to Stay Pending Inter Partes Review Granted

Stay of Proceedings
└ Factors Considered
└ **Prejudice From Stay/Tactical Advantage**
Stay of Proceedings
└ Factors Considered
└ **Reduction of Litigation Burden**
Stay of Proceedings
└ Factors Considered
└ **Stage of Litigation**

The court granted defendant's motion to stay pending its petitions for *inter partes* review because the lack of undue prejudice, early stage of the case, and the reduction of the litigation burden favored a stay. "[Plaintiff] has not sought a preliminary injunction in this litigation, which suggests that any prejudice to Medline that might result from delaying the ultimate resolution of this dispute is not as severe as it now contends. . . . [I]n a situation such as this, where [defendant] has filed four IPR petitions covering forty-seven individual claims, it is important to emphasize that the 'court evaluates whether [IPR] review would simplify the issues in question, not whether it could eliminate every issue in the case.'"

May. 05, 2015 | 38 | ORDER: Defendant filed a Motion to Stay the Proceedings 16 pending the outcome of an Inter Partes Review Petition ("Petition") filed with the United States Patent and Trademark Office (the "PTO") to determine the validity of U.S. Patent No. 5,975,019 (the "019 patent"). For the reasons discussed below, Defendant's motion to stay the proceedings is granted. Signed by the Honorable John W. Darrah on 5/5/2015. Mailed notice (cc,) (Entered: 05/06/2015)

Oil-Dri Corporation of America v. Nestle Purina Petcare Company
1-15-cv-01067 (NDIL)

Motion to Stay Pending Inter Partes Review Granted

Stay of Proceedings
└ Factors Considered
└ **Simplification of Issues**
Stay of Proceedings
└ Factors Considered
└ **Stage of Litigation**

The court granted defendant's motion to stay pending its petition for *inter partes* review because the lack of undue prejudice, potential simplification of issues, and stage of the case favored a stay. "[Plaintiff] argues that delay will cause undue prejudice because they and [defendant] are direct competitors. However, [plaintiff's] exhibit represents that there are at least four competitors in the marketplace. . . . Private labels and other sellers comprise a large portion of the market as well. This undermines Plaintiff's argument that it will lose market share simply due to Defendant's alleged infringement. Further, [plaintiff] has not sought preliminary injunctive relief against [defendant]."

Motion to Stay Pending Inter Partes Review Granted

Stay of Proceedings
└ Factors Considered
└ **Simplification of Issues**

The court granted defendant's motion to stay pending its petition for *inter partes* review of all plaintiff's asserted claims and rejected plaintiff's argument regarding the potential simplification of issues. "While [plaintiff] argues that only 24 percent of total challenged claims were ultimately found unpatentable, [defendant] would be estopped from asserting that a 'claim is invalid on any ground that the petitioner raised or reasonably could have raised during that inter partes review' if the review 'results in a final written decision.' Plaintiff argues it is unlikely that all of the patent claims will be denied by the review, but that is not the question. The question is whether the review would simplify issues by disposing of or narrowing claims, arguments, and defenses. It is likely that a review by the PTO would streamline and facilitate the court proceedings."

Jun. 02, 2015 | 30 | MINUTE entry before the Honorable James B. Zagel: Status hearing held. The Court determined that a stay in this matter is appropriate in light of the Inter Partes Review proceedings. Therefore, this matter is stayed. Further status hearing set for 12/10/15 at 9:15 a.m. Mailed notice (ep,) (Entered: 06/02/2015)

Kolcraft Enterprises, Inc. v. Artsana USA, Inc. d/b/a Chicco USA, Inc.
1-14-cv-06561 (NDIL)

Motion to Stay Pending Inter Partes Review Granted

Scheduling/ Pretrial Order (FRCP 16, FRCP 26(f)) N/A

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Aug. 03, 2015	46	MINUTE entry before the Honorable Jorge L. Alonso: Defendant's unopposed motion to stay this case pending inter partes review of the patents-in-suit 40 is granted. The parties are ordered to file reports on the status of the inter partes proceeding every ninety days and to move for a status hearing before the Court within fourteen days of the resolution of that proceeding. Notice mailed by judge's staff (ntf,) (Entered: 08/03/2015)	Cascades Computer Innovation, LLC. v. Samsung Electronics Co., Ltd. 1-14-cv-05691 (NDIL)	

Stipulated/Agreed - Motion to Stay Pending Inter Partes Review — Granted

Aug. 26, 2015	26	STIPULATED ORDER Staying this Action Pending the Filing of an Inter Partes Review Petition by Defendant Signed by the Honorable Amy J. St. Eve on 8/26/2015:Mailed notice(kef,) (Entered: 08/26/2015)	WAYSS Inc. v. ICON Health & Fitness, Inc. 1-15-cv-05023 (NDIL)	

Stipulated/Agreed - Motion to Stay Pending Inter Partes Review — Granted

Aug. 27, 2015	62	MINUTE entry before the Honorable John J. Tharp, Jr: In view of the PTAB's decision on 8/26/15 granting in full the inter partes review petition submitted by defendant CamelBak [61-1], the Court's order of 8/25/15 60 is modified to strike the requirement for the parties to meet and confer regarding outstanding discovery disputes and to present any necessary motions by 9/30/15. The purpose of that portion of the order was to ensure that this case could proceed expeditiously in the event that the request for inter partes review was denied in October; the petition having been granted in full, resolution of such disputes will be deferred pending a ruling by the PTAB on the review petition. The parties are directed to notify the Court within 7 days of the issuance of any ruling on the petition for review or other termination of the inter partes review. Otherwise, the case is stayed pending further order. Mailed notice (air,) (Entered: 08/27/2015)	Ignite USA, LLC v. CamelBak Products, LLC 1-14-cv-09210 (NDIL)	

Sua Sponte - Motion to Modify Scheduling/Pretrial Order — Granted

Motion to Stay Pending Inter Partes Review — Granted

Motion to Modify Order Re - Motion to Stay Pending Inter Partes Review — Granted

Aug. 31, 2015	52	MINUTE entry before the Honorable Jorge L. Alonso: Plaintiff's motion for clarification 47 is granted. The Court amends its August 3, 2015 order 46 to state that defendant's motion to stay this case pending inter partes review of the patents-in-suit 40 is granted. If the inter partes review results in a final written decision, defendant may not assert in this suit "that the claim [subject to inter partes review] is invalid on any ground that [defendant] raised or reasonably could have raised during that inter partes review." 35 U.S.C. 315(e)(2). The parties are ordered to file reports on the status of the inter partes proceeding every ninety days and to move for a status hearing before the Court within fourteen days of the resolution of that proceeding. Notice mailed by judge's staff (ntf,) (Entered: 08/31/2015)	Cascades Computer Innovation, LLC. v. Samsung Electronics Co., Ltd. 1-14-cv-05691 (NDIL)	

Motion to Clarify Order Re - Motion to Stay Pending Inter Partes Review — Granted

District Court Procedural Issues
└ Stay of Proceedings
└ **Conditions of Stay**

District Court Procedural Issues

The court granted plaintiff's motion to clarify the court's order staying its action pending *inter partes* review. "The Court amends its [prior] order to state that defendant's motion to stay this case pending *inter partes* review of the patents-in-suit is granted. If the *inter partes* review results in a final written decision, defendant may not assert in this suit 'that the claim [subject to *inter partes* review] is invalid on any ground that [defendant] raised or reasonably could have raised during that *inter partes* review.'"

Sep. 28, 2015	29	MINUTE entry before the Honorable Matthew F. Kennelly: Ruling on motion hearing held on 9/28/2015. Motion to stay 23 is granted. Joint written status report is due by 1/28/2016. Any other dates before this Court are vacated. Mailed notice. (pjg,) (Entered: 09/28/2015)	Allsteel Inc. v. DIRTT Environmental Solutions Ltd. 1-15-cv-04874 (NDIL)	

Motion to Stay Pending Inter Partes Review — Granted

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Dec. 18, 2015	50	MINUTE entry before the Honorable Rebecca R. Pallmeyer: Ruling hearing held. Defendants' Motion to Stay Litigation Pending Inter Parties Review 39 is granted and therefore, this matter is stayed. Further status hearing set for 5/11/16 at 9:00 a.m. If further developments arise, counsel shall notify the Court prior to the next status hearing. Mailed notice (ep,) (Entered: 12/18/2015)	1474971 Ontario Ltd. v. Allergan, Inc. et al 1-15-cv-03372 (NDIL)		
		Scheduling/ Pretrial Order (FRCP 16, FRCP 26(f))		N/A	
		Motion to Stay Pending Inter Partes Review		Granted	
Jan. 07, 2016	17	MINUTE entry before the Honorable James B. Zagel: Motion hearing held. By agreement, Defendant's Motion to Stay Litigation Pending Inter Partes Review of the Patent-in-Suit 14 is granted. Status hearing set for 7/14/16 at 9:15 a.m. Counsel shall contact the Court's courtroom deputy if a decision is made prior to the next status hearing. Mailed notice (ep,) (Entered: 01/07/2016)	Kolcraft Enterprises, Inc. v. Thorley Industries LLC d/b/a 4moms 1-15-cv-07954 (NDIL)		
		Scheduling/ Pretrial Order (FRCP 16, FRCP 26(f))		N/A	
		Stipulated/Agreed - Motion to Stay Pending Inter Partes Review		Granted	
Jan. 29, 2016	39	MINUTE entry before the Honorable Gary Feinerman:In light of the pending PTAB proceedings and at the parties' request 38 the stay 34 shall remain in effect pending the final written determination of all five IPRs and any appeal thereon. Status hearing set for 2/9/2016 36 is stricken and re-set for 5/18/2016 at 9:00 a.m. The parties shall file a joint status report regarding the PTAB proceedings/Federal Circuit appeal by 5/11/2016. Mailed notice. (jlj,) (Entered: 01/29/2016)	Advanced Audio Devices, LLC v. HTC America, Inc. 1-13-cv-07582 (NDIL)		
		Scheduling/ Pretrial Order (FRCP 16, FRCP 26(f))		N/A	
		Stipulated/Agreed - Motion to Stay Pending Inter Partes Review		Granted	
Apr. 01, 2016	28	MINUTE entry before the Honorable James B. Zagel: In light of the parties' Second Joint Status Report 27 , this matter will remain stayed pending resolution of the five inter partes review proceedings. Mailed notice (ep,) (Entered: 04/01/2016)	Advanced Audio Devices LLC v. Pantech Wireless, Inc. 1-14-cv-02211 (NDIL)		
		Stipulated/Agreed - Motion to Stay Pending Inter Partes Review		Granted	
Apr. 11, 2016	61	MINUTE entry before the Honorable Manish S. Shah: The motions to stay 56 59 are granted. Discovery is not yet complete, and an inter partes review is likely to simplify the issues in this case. The parties agree that a stay pending completion of the IPR proceedings is appropriate. All deadlines in this case are stayed. A joint status report shall be filed by 9/16/16 with a report on the status of the IPR. Notices mailed by Judicial Staff. (psm,) (Entered: 04/11/2016)	Seong et al v. Paps USA, LLC et al 1-15-cv-02234 (NDIL)		
		Stipulated/Agreed - Motion to Stay Pending Inter Partes Review		Granted	

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Jul. 20, 2016	2 3	ORDER Signed by the Honorable Joan H. Lefkow on 7/20/2016: Defendants' motion to stay (dkt. 148) is granted. Case nos. 15 C 799, 15 C 10603, 15 C 10605, 15 C 10608, and 15 C 10611 (the related cases) are stayed pending (1) final written decisions by the Patent Trial and Appeals Board (PTAB) on Apple and Samsung's inter partes review (IPR) petitions, (2) this court's ruling on Apple's motion for judgment on the pleadings (dkt. 125), and (3) this court's ruling on HTC's motions to dismiss for improper venue (no. 15 C 10603, dkts. 10, 51). HTC's motions to stay (no. 15 C 10603, dkts. 13, 51) are denied as moot. The parties are ordered to file a joint status report every ninety days, beginning August 19, 2016.Mailed notice(mad,) (Entered: 07/20/2016)	Rosetta-Wireless Corp. v. Motorola Mobility, LLC 1-15-cv-10611 (NDIL)	

Motion to Stay Pending Inter Partes Review — Granted

Infringement Defenses
└ PTAB Post-Decision Estoppel
└ **PTAB Petitioner Estoppel Following IPR (35 USC § 315(e))**

District Court Procedural Issues
└ Stay of Proceedings
└ **Conditions of Stay**

The court granted defendants' motion to stay pending *inter partes* review and rejected plaintiff's arguments regarding the extent of the application of estoppel to the non-petitioning defendants. "[Plaintiff] thinks that there are benefits to the stay if both the petitioning and non-petitioning defendants are subject to 35 U.S.C. § 315(e)(2) estoppel. . . . [T]he non-petitioning defendants have agreed to a more limited estoppel. Instead of being estopped from raising any ground that the petitioning defendants 'raised or reasonably could have raised during' IPR, the non-petitioning defendants have conditioned their motion on being estopped from asserting 'the invalidity grounds raised in [the petitioning defendants'] IPR petitions that are decided in final written decisions by the PTAB'. . . . [D]efendants have case law of their own demonstrating that courts have routinely granted stays conditioned upon non-petitioning defendants accepting the more limited estoppel proposed here by defendants (or no estoppel at all). . . . Here, the three factors, even with defendants' proposed limited estoppel, weigh in favor of granting the stay."

Motion to Stay Pending Inter Partes Review — Granted

Stay of Proceedings
└ Factors Considered
└ **Prejudice From Stay/Tactical Advantage**

Stay of Proceedings
└ Factors Considered
└ **Reduction of Litigation Burden**

Stay of Proceedings
└ Factors Considered
└ **Simplification of Issues**

The court granted defendants' motion to stay pending *inter partes* review because the lack of undue prejudice, potential simplification of issues, and reduced burden of litigation favored a stay. "[A] delay that results from a stay is not inherently unduly prejudicial, especially here, where [the parties] are not competitors and, therefore, a monetary award will be able to rectify any harm that comes to [plaintiff] as a result of a delay. . . . [Plaintiff] also argues that defendants are gaming the system by only having a few file IPR petitions, while all get to sit back and enjoy the benefits of a stay. This argument has been considered and rejected by other courts, for reasons this court finds persuasive, where, as here, the non-petitioning defendants have represented that they have no control over the IPR process. . . . While preventing non-petitioning defendants from raising all arguments that the petitioning defendants raised or reasonably could have raised would streamline the cases further, there are equity concerns to estopping the non-petitioning defendants from making invalidity arguments because the petitioning defendants chose not to raise parallel arguments during IPR."

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Jul. 20, 2016	2 3	ORDER Signed by the Honorable Joan H. Lefkow on 7/20/2016: Defendants' motion to stay (dkt. 148) is granted. Case nos. 15 C 799, 15 C 10603, 15 C 10605, 15 C 10608, and 15 C 10611 (the related cases) are stayed pending (1) final written decisions by the Patent Trial and Appeals Board (PTAB) on Apple and Samsung's inter partes review (IPR) petitions, (2) this court's ruling on Apple's motion for judgment on the pleadings (dkt. 125), and (3) this court's ruling on HTC's motions to dismiss for improper venue (no. 15 C 10603, dkts. 10, 51). HTC's motions to stay (no. 15 C 10603, dkts. 13, 51) are denied as moot. The parties are ordered to file a joint status report every ninety days, beginning August 19, 2016.Mailed notice(mad,) (Entered: 07/20/2016)	Rosetta-Wireless Corp. v. Samsung Electronics Co., Ltd. et al 1-15-cv-10605 (NDIL)	

Motion to Stay Pending Inter Partes Review — Granted

Infringement Defenses
└ PTAB Post-Decision Estoppel
└ **PTAB Petitioner Estoppel Following IPR (35 USC § 315(e))**
District Court Procedural Issues
└ Stay of Proceedings
└ **Conditions of Stay**

The court granted defendants' motion to stay pending *inter partes* review and rejected plaintiff's arguments regarding the extent of the application of estoppel to the non-petitioning defendants. "[Plaintiff] thinks that there are benefits to the stay if both the petitioning and non-petitioning defendants are subject to 35 U.S.C. § 315(e)(2) estoppel. . . . [T]he non-petitioning defendants have agreed to a more limited estoppel. Instead of being estopped from raising any ground that the petitioning defendants 'raised or reasonably could have raised during' IPR, the non-petitioning defendants have conditioned their motion on being estopped from asserting 'the invalidity grounds raised in [the petitioning defendants'] IPR petitions that are decided in final written decisions by the PTAB'. . . . [D]efendants have case law of their own demonstrating that courts have routinely granted stays conditioned upon non-petitioning defendants accepting the more limited estoppel proposed here by defendants (or no estoppel at all). . . . Here, the three factors, even with defendants' proposed limited estoppel, weigh in favor of granting the stay."

Motion to Stay Pending Inter Partes Review — Granted

Stay of Proceedings
└ Factors Considered
└ **Prejudice From Stay/Tactical Advantage**
Stay of Proceedings
└ Factors Considered
└ **Reduction of Litigation Burden**
Stay of Proceedings
└ Factors Considered
└ **Simplification of Issues**

The court granted defendants' motion to stay pending *inter partes* review because the lack of undue prejudice, potential simplification of issues, and reduced burden of litigation favored a stay. "[A] delay that results from a stay is not inherently unduly prejudicial, especially here, where [the parties] are not competitors and, therefore, a monetary award will be able to rectify any harm that comes to [plaintiff] as a result of a delay. . . . [Plaintiff] also argues that defendants are gaming the system by only having a few file IPR petitions, while all get to sit back and enjoy the benefits of a stay. This argument has been considered and rejected by other courts, for reasons this court finds persuasive, where, as here, the non-petitioning defendants have represented that they have no control over the IPR process. . . . While preventing non-petitioning defendants from raising all arguments that the petitioning defendants raised or reasonably could have raised would streamline the cases further, there are equity concerns to estopping the non-petitioning defendants from making invalidity arguments because the petitioning defendants chose not to raise parallel arguments during IPR."

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Jul. 20, 2016	41	ORDER Signed by the Honorable Joan H. Lefkow on 7/20/2016: Defendants' motion to stay (dkt. 148) is granted. Case nos. 15 C 799, 15 C 10603, 15 C 10605, 15 C 10608, and 15 C 10611 (the related cases) are stayed pending (1) final written decisions by the Patent Trial and Appeals Board (PTAB) on Apple and Samsung's inter partes review (IPR) petitions, (2) this court's ruling on Apple's motion for judgment on the pleadings (dkt. 125), and (3) this court's ruling on HTC's motions to dismiss for improper venue (no. 15 C 10603, dkts. 10, 51). HTC's motions to stay (no. 15 C 10603, dkts. 13, 51) are denied as moot. The parties are ordered to file a joint status report every ninety days, beginning August 19, 2016.Mailed notice(mad,) (Entered: 07/20/2016)	Rosetta-Wireless Corp. v. LG Electronics Co. et al 1-15-cv-10608 (NDIL)	

Motion to Stay Pending Inter Partes Review — Granted

Infringement Defenses
└ PTAB Post-Decision Estoppel
└ **PTAB Petitioner Estoppel Following IPR (35 USC § 315(e))**
District Court Procedural Issues
└ Stay of Proceedings
└ **Conditions of Stay**

The court granted defendants' motion to stay pending *inter partes* review and rejected plaintiff's arguments regarding the extent of the application of estoppel to the non-petitioning defendants. "[Plaintiff] thinks that there are benefits to the stay if both the petitioning and non-petitioning defendants are subject to 35 U.S.C. § 315(e)(2) estoppel. . . . [T]he non-petitioning defendants have agreed to a more limited estoppel. Instead of being estopped from raising any ground that the petitioning defendants 'raised or reasonably could have raised during' IPR, the non-petitioning defendants have conditioned their motion on being estopped from asserting 'the invalidity grounds raised in [the petitioning defendants'] IPR petitions that are decided in final written decisions by the PTAB'. . . . [D]efendants have case law of their own demonstrating that courts have routinely granted stays conditioned upon non-petitioning defendants accepting the more limited estoppel proposed here by defendants (or no estoppel at all). . . . Here, the three factors, even with defendants' proposed limited estoppel, weigh in favor of granting the stay."

Motion to Stay Pending Inter Partes Review — Granted

Stay of Proceedings
└ Factors Considered
└ **Prejudice From Stay/Tactical Advantage**
Stay of Proceedings
└ Factors Considered
└ **Reduction of Litigation Burden**
Stay of Proceedings
└ Factors Considered
└ **Simplification of Issues**

The court granted defendants' motion to stay pending *inter partes* review because the lack of undue prejudice, potential simplification of issues, and reduced burden of litigation favored a stay. "[A] delay that results from a stay is not inherently unduly prejudicial, especially here, where [the parties] are not competitors and, therefore, a monetary award will be able to rectify any harm that comes to [plaintiff] as a result of a delay. . . . [Plaintiff] also argues that defendants are gaming the system by only having a few file IPR petitions, while all get to sit back and enjoy the benefits of a stay. This argument has been considered and rejected by other courts, for reasons this court finds persuasive, where, as here, the non-petitioning defendants have represented that they have no control over the IPR process. . . . While preventing non-petitioning defendants from raising all arguments that the petitioning defendants raised or reasonably could have raised would streamline the cases further, there are equity concerns to estopping the non-petitioning defendants from making invalidity arguments because the petitioning defendants chose not to raise parallel arguments during IPR."

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Jul. 20, 2016	7 0	ORDER Signed by the Honorable Joan H. Lefkow on 7/20/2016: Defendants' motion to stay (dkt. 148) is granted. Case nos. 15 C 799, 15 C 10603, 15 C 10605, 15 C 10608, and 15 C 10611 (the related cases) are stayed pending (1) final written decisions by the Patent Trial and Appeals Board (PTAB) on Apple and Samsung's inter partes review (IPR) petitions, (2) this court's ruling on Apple's motion for judgment on the pleadings (dkt. 125), and (3) this court's ruling on HTC's motions to dismiss for improper venue (no. 15 C 10603, dkts. 10, 51). HTC's motions to stay (no. 15 C 10603, dkts. 13, 51) are denied as moot. The parties are ordered to file a joint status report every ninety days, beginning August 19, 2016.Mailed notice(mad,) (Entered: 07/20/2016)	Rosetta-Wireless Corp. v. High Tech Computer Corp. et al 1-15-cv-10603 (NDIL)	

Motion to Stay Pending Inter Partes Review — Granted

Infringement Defenses
└ PTAB Post-Decision Estoppel
└ **PTAB Petitioner Estoppel Following IPR (35 USC § 315(e))**
District Court Procedural Issues
└ Stay of Proceedings
└ **Conditions of Stay**

The court granted defendants' motion to stay pending *inter partes* review and rejected plaintiff's arguments regarding the extent of the application of estoppel to the non-petitioning defendants. "[Plaintiff] thinks that there are benefits to the stay if both the petitioning and non-petitioning defendants are subject to 35 U.S.C. § 315(e)(2) estoppel. . . . [T]he non-petitioning defendants have agreed to a more limited estoppel. Instead of being estopped from raising any ground that the petitioning defendants 'raised or reasonably could have raised during' IPR, the non-petitioning defendants have conditioned their motion on being estopped from asserting 'the invalidity grounds raised in [the petitioning defendants'] IPR petitions that are decided in final written decisions by the PTAB'. . . . [D]efendants have case law of their own demonstrating that courts have routinely granted stays conditioned upon non-petitioning defendants accepting the more limited estoppel proposed here by defendants (or no estoppel at all). . . . Here, the three factors, even with defendants' proposed limited estoppel, weigh in favor of granting the stay."

Motion to Stay Pending Inter Partes Review — Granted

Stay of Proceedings
└ Factors Considered
└ **Prejudice From Stay/Tactical Advantage**
Stay of Proceedings
└ Factors Considered
└ **Reduction of Litigation Burden**
Stay of Proceedings
└ Factors Considered
└ **Simplification of Issues**

The court granted defendants' motion to stay pending *inter partes* review because the lack of undue prejudice, potential simplification of issues, and reduced burden of litigation favored a stay. "[A] delay that results from a stay is not inherently unduly prejudicial, especially here, where [the parties] are not competitors and, therefore, a monetary award will be able to rectify any harm that comes to [plaintiff] as a result of a delay. . . . [Plaintiff] also argues that defendants are gaming the system by only having a few file IPR petitions, while all get to sit back and enjoy the benefits of a stay. This argument has been considered and rejected by other courts, for reasons this court finds persuasive, where, as here, the non-petitioning defendants have represented that they have no control over the IPR process. . . . While preventing non-petitioning defendants from raising all arguments that the petitioning defendants raised or reasonably could have raised would streamline the cases further, there are equity concerns to estopping the non-petitioning defendants from making invalidity arguments because the petitioning defendants chose not to raise parallel arguments during IPR."

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Jul. 20, 2016	1 7 7	ORDER Signed by the Honorable Joan H. Lefkow on 7/20/2016: Defendants' motion to stay (dkt. 148) is granted. Case nos. 15 C 799, 15 C 10603, 15 C 10605, 15 C 10608, and 15 C 10611 (the related cases) are stayed pending (1) final written decisions by the Patent Trial and Appeals Board (PTAB) on Apple and Samsung's inter partes review (IPR) petitions, (2) this court's ruling on Apple's motion for judgment on the pleadings (dkt. 125), and (3) this court's ruling on HTC's motions to dismiss for improper venue (no. 15 C 10603, dkts. 10, 51). HTC's motions to stay (no. 15 C 10603, dkts. 13, 51) are denied as moot. The parties are ordered to file a joint status report every ninety days, beginning August 19, 2016.Mailed notice(mad,) (Entered: 07/20/2016)	Rosetta-Wireless Corp. v. LG Electronics Co. et al 1-15-cv-00799 (NDIL)	

Motion to Stay Pending Inter Partes Review — Granted

Infringement Defenses
└ PTAB Post-Decision Estoppel
└ **PTAB Petitioner Estoppel Following IPR (35 USC § 315(e))**
District Court Procedural Issues
└ Stay of Proceedings
└ **Conditions of Stay**

The court granted defendants' motion to stay pending *inter partes* review and rejected plaintiff's arguments regarding the extent of the application of estoppel to the non-petitioning defendants. "[Plaintiff] thinks that there are benefits to the stay if both the petitioning and non-petitioning defendants are subject to 35 U.S.C. § 315(e)(2) estoppel. . . . [T]he non-petitioning defendants have agreed to a more limited estoppel. Instead of being estopped from raising any ground that the petitioning defendants 'raised or reasonably could have raised during' IPR, the non-petitioning defendants have conditioned their motion on being estopped from asserting 'the invalidity grounds raised in [the petitioning defendants'] IPR petitions that are decided in final written decisions by the PTAB'. . . . [D]efendants have case law of their own demonstrating that courts have routinely granted stays conditioned upon non-petitioning defendants accepting the more limited estoppel proposed here by defendants (or no estoppel at all). . . . Here, the three factors, even with defendants' proposed limited estoppel, weigh in favor of granting the stay."

Motion to Stay Pending Inter Partes Review — Granted

Stay of Proceedings
└ Factors Considered
└ **Prejudice From Stay/Tactical Advantage**
Stay of Proceedings
└ Factors Considered
└ **Reduction of Litigation Burden**
Stay of Proceedings
└ Factors Considered
└ **Simplification of Issues**

The court granted defendants' motion to stay pending *inter partes* review because the lack of undue prejudice, potential simplification of issues, and reduced burden of litigation favored a stay. "[A] delay that results from a stay is not inherently unduly prejudicial, especially here, where [the parties] are not competitors and, therefore, a monetary award will be able to rectify any harm that comes to [plaintiff] as a result of a delay. . . . [Plaintiff] also argues that defendants are gaming the system by only having a few file IPR petitions, while all get to sit back and enjoy the benefits of a stay. This argument has been considered and rejected by other courts, for reasons this court finds persuasive, where, as here, the non-petitioning defendants have represented that they have no control over the IPR process. . . . While preventing non-petitioning defendants from raising all arguments that the petitioning defendants raised or reasonably could have raised would streamline the cases further, there are equity concerns to estopping the non-petitioning defendants from making invalidity arguments because the petitioning defendants chose not to raise parallel arguments during IPR."

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Aug. 22, 2016	50	ORDER Signed by the Honorable Robert M. Dow, Jr. on 8/22/2016. In this patent infringement suit, Plaintiff Kolcraft Enterprises, Inc. ("Kolcraft") alleges that Defendant Graco Children's Products Inc. ("Graco") has infringed seven of its design and utility patents on children's play products. Currently before the Court is Graco's motion 27 to stay this suit pending inter parties review ("IPR") of five of Kolcraft's patents in the United States Patent and Trademark Office ("PTO") by the Patent Trial and Appeal Board ("PTAB"). Also before the Court are Graco's motion 44 for leave to file a supplemental reply brief in support of its motion to stay, Graco's motion 35 to amend/correct its invalidity contentions and to rely on more than twenty-five prior art references, and Graco's motion 38 for leave to present more than ten terms for claim construction. For the reasons explained below, Graco's motion to stay 27 is granted. This case shall be stayed in its entirety at least until the PTO rules upon whether to institute review proceedings on Graco's IPR petitions challenging the validity of Kolcraft's '621 Patent, '970 Patent, '231 Patent, and '114 Patent. The Court orders the parties to file a joint status report within seven days of the PTO's decision on whether to institute review proceedings on these four patents.1 At that time, the Court will consider whether the stay should be lifted or modified. All deadlines in this case are suspended and shall be re-set when the stay is lifted. Graco's motion for leave to file a supplemental reply brief 44 is denied as moot. Graco's remaining motions, 35 and 38 , are denied without prejudice to refiling once the stay is lifted.Mailed notice(cdh,) (Entered: 08/22/2016)	Kolcraft Enterprises, Inc. v. Graco Children's Products Inc. 1-15-cv-07950 (NDIL)	

Motion to Stay Pending Inter Partes Review — Granted

Stay of Proceedings
└ Factors Considered
└ **Prejudice From Stay/Tactical Advantage**

Stay of Proceedings
└ Factors Considered
└ **Simplification of Issues**

Stay of Proceedings
└ Factors Considered
└ **Stage of Litigation**

The court granted defendant's motion to stay pending its petitions for *inter partes* review of 5 of the 7 patents-in-suit because the lack of undue prejudice, potential simplification of issues, and the early stage of litigation weighed in favor of a stay. "Ultimately, the PTO proceeding could speed up the resolution of the parties' dispute, by streamlining and eliminating issues for this Court to decide. . . . If prejudicial delay does result, [plaintiff] can be compensated through the award of money damages. [The parties] are not currently market competitors because [plaintiff] does not currently sell any play yard products. . . . To the extent that [plaintiff] seeks to re-enter the play-yard market, or seeks a preliminary injunction, [plaintiff] could request that the Court lift the stay based on changed circumstances. . . . The fact that IPR is pending for only five of the seven patents at issue does not convince the Court that a stay is unwarranted, especially given the overlapping nature of the [two other patents] with the patents for which IPR has been sought."

Aug. 25, 2016	26	ORDER: Motion hearing held. Defendant's motion to stay 24 is granted. Case stayed until further order of the Court. Status hearing set for 11/10/2016 22 is stricken and reset for 2/15/2017 at 9:00 AM. Signed by the Honorable Andrea R. Wood on 8/25/2016. Mailed notice (nsf,) (Entered: 08/31/2016)	Ignite USA, LLC v. Pacific Market International, LLC 1-16-cv-01928 (NDIL)	

Scheduling/ Pretrial Order (FRCP 16, FRCP 26(f)) — N/A

Motion to Stay Pending Inter Partes Review — Granted

Sep. 06, 2016	62	MINUTE entry before the Honorable Andrea R. Wood: Defendants' motion to stay litigation pending inter partes review 44 is granted. Discovery is stayed until further order of the Court. The parties shall notify the Court immediately if there are any developments in the inter partes review proceedings prior to the next status hearing that may impact the propriety of continuing the stay. Status hearing set for 9/6/2016 is stricken and reset for 1/4/2017 at 9:00 AM. Detailed written order to follow. Mailed notice (meg,) (Entered: 09/06/2016)	Arch Development Corporation et al v. Genentech, Inc. et al 1-15-cv-06597 (NDIL)	

Scheduling/ Pretrial Order (FRCP 16, FRCP 26(f)) — N/A

Motion to Stay Pending Inter Partes Review — Granted

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Sep. 21, 2016	43	MINUTE entry before the Honorable Gary Feinerman:In light of the pending PTAB proceedings and at the parties' request 42 , the stay 34 shall remain in effect pending further order of court. Status hearing set for 9/28/2016 41 is stricken and re-set for 3/16/2017 at 9:00 a.m. The parties shall file a joint status report regarding the PTAB proceedings/Federal Circuit appeal by 3/9/2017. Mailed notice. (jlj,) (Entered: 09/21/2016)	Advanced Audio Devices, LLC v. HTC America, Inc. 1-13-cv-07582 (NDIL)	

Scheduling/ Pretrial Order (FRCP 16, FRCP 26(f)) — N/A

Stipulated/Agreed - Motion to Stay Pending Inter Partes Review — Granted

Dec. 01, 2016	84	ORDER Signed by the Honorable Joan B. Gottschall on 12/1/2016.Mailed notice(mjc,) (Entered: 12/01/2016)	Sioux Steel Company v. Prairie Land Millwright Services, Inc. 1-16-cv-02212 (NDIL)	

Motion to Stay Pending Inter Partes Review — Granted

Stay of Proceedings
└ Factors Considered
└ **Simplification of Issues**

Stay of Proceedings
└ Factors Considered
└ **Stage of Litigation**

The court granted defendant's motion to stay pending its petition for *inter partes* review because the relatively early stage of the case and potential simplification of issues favored a stay. "Defendant filed its petition for review within approximately six months of being served with the complaint, which is timely. Although the case has made some progress, it is hardly in an advanced stage: initial disclosures have been exchanged, as well as some fact discovery, but fact discovery has not closed, depositions have not been taken, and while Plaintiff's motion for partial summary judgment has been fully briefed, the court has yet to resolve this matter. . . . [T]he inability to predict exactly what the PTAB will do is not a persuasive argument against a stay. . . . While Plaintiff questions the helpfulness of PTAB statistics, the court considers them useful in predicting the high likelihood of simplification of at least some of the issues in this case."

Motion to Stay Pending Inter Partes Review — Granted

Stay of Proceedings
└ Factors Considered
└ **Prejudice From Stay/Tactical Advantage**

The court granted defendant's motion to stay pending its petition for *inter partes* review because the benefits of a stay outweighed the prejudice to plaintiff. "Plaintiff also suggests that the timing of Defendant's IPR -- seven months after litigation was initiated and right after Plaintiff filed a partial motion for summary judgment -- indicates that the review petition was filed for purposes of delay. . . . [T]he court cannot say that the seven-month delay in this case suggests a dilatory motive on Defendant's part. . . . Undermining Plaintiff's argument that it will be prejudiced by the granting of a stay is the fact that Plaintiff appears to have waited several years to file a lawsuit against Defendant. . . . [A]lthough prejudice to Plaintiff due to its direct competition with Defendant is a factor that weighs in Plaintiff's favor, the court gives it only some weight due to the unexplained, lengthy delay between the discovery of Defendant's allegedly improper bid paddle sweep equipment and the filing of this lawsuit."

Dec. 20, 2016	58	MINUTE entry before the Honorable Joan H. Lefkow:Motion hearing held on 12/20/2016. Defendants' motion to stay pending inter partes review and covered business method review of patents-in-suit 38 is granted as stated on the record. Parties are to submit a proposed order granting motion to chambers via the proposed order mailbox on Judge Lefkow's web page on the District Court's website. Plaintiff's motion to compel discovery 42 and plaintiff's motion to compel defendants to supplement their initial invalidity contentions 44 are both withdrawn without prejudice. Status hearing set for 5/16/2017 at 11:00 a.m. Mailed notice (mad,) (Entered: 12/21/2016)	T-Rex Property AB v. ContextMedia Inc. et al 1-16-cv-04826 (NDIL)	

Motion to Stay Pending Inter Partes Review — Granted

Motion to Stay Pending CBM Review — Granted

Scheduling/ Pretrial Order (FRCP 16, FRCP 26(f)) — N/A

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Dec. 21, 2016 | 65 | ORDER: This Order and the accompanying Statement provide additional detail regarding the Court's 9/6/2016 oral ruling granting Defendants' motion to stay litigation pending inter partes review 44 . Signed by the Honorable Andrea R. Wood on 12/21/2016. Mailed notice(ef,) (Entered: 12/21/2016)

Arch Development Corporation et al v. Genentech, Inc. et al
1-15-cv-06597 (NDIL)

Motion to Stay Pending Inter Partes Review — Granted

Stay of Proceedings
└ Factors Considered
└ **Prejudice From Stay/Tactical Advantage**
Stay of Proceedings
└ Factors Considered
└ **Reduction of Litigation Burden**
Stay of Proceedings
└ Factors Considered
└ **Simplification of Issues**
Stay of Proceedings
└ Factors Considered
└ **Stage of Litigation**

The court granted defendants' motion to stay pending their petition for *inter partes* review because the lack of undue prejudice, early stage of the case, potential simplification of issues, and reduction of the litigation burden favored a stay. "Defendants argue that a stay would not unduly prejudice either party because this litigation is in its early stages. In response, Plaintiffs contend that a stay would prejudice them because they would lose time. . . . Considering the potential delay in light of the potential benefits, the Court cannot conclude that a stay would unduly prejudice any party here. . . . Plaintiffs argue that the 'majority rule' is for courts to stay litigation not when a petition for IPR is filed but only after the PTO grants such a petition. . . . In the present case . . . Defendants seek IPR of the only patent in this suit. Moreover, Plaintiffs cite no case from this District other than [one] taking the so-called majority approach. Even if Defendants end up arguing against the PTO's position, the PTO's expert treatment of the patent in issue will assist the Court. The simplification factor strongly weighs in favor of a stay."

Dec. 21, 2016 | 69 | ORDER: Defendant's motion to stay (dkt. 49) is granted. Case nos. 15 C 11362 and 16 C 5262 are stayed pending (1) final written decisions by the Patent Trial and Appeals Board (PTAB) on third-party FOX Factory, Inc.'s inter partes review (IPR) petition (IPR2016-01876) and post-grant review (PGR) petition (PGR2016-00043), and (2) this court's ruling on defendants motion for judgment on the pleadings on plaintiff's counterfeiting claim in case no. 15 C 11362 (count III) (dkt. 34). The parties are ordered to jointly inform the court in writing of the PTAB' decisions regarding whether to institute proceedings within fourteen days of those decisions. See Statement. Signed by the Honorable Joan H. Lefkow on 12/21/2016. Mailed notice (tt,) (Entered: 12/22/2016)

SRAM, LLC v. Race Face Performance Products
1-15-cv-11362 (NDIL)

Motion to Stay Pending Inter Partes Review — Granted

Stay of Proceedings
└ Factors Considered
└ **Prejudice From Stay/Tactical Advantage**
Stay of Proceedings
└ Factors Considered
└ **Reduction of Litigation Burden**
Stay of Proceedings
└ Factors Considered
└ **Simplification of Issues**

The court granted defendant's motion to stay pending its parent company's petitions for *inter partes* and post-grant review because the lack of undue prejudice, potential simplification of issues, and reduction of the litigation burden favored a stay. "[Plaintiff] seems to argue that there was unreasonable delay in filing the petitions. The parties, however, had previously agreed that the final date to seek a stay pending IPR or PGR would be [earlier this month]. The stay was filed well in advance of that date; further, the petitions were filed months in advance of their respective statutory deadlines. Additionally, [defendant's] corporate parent . . . has filed the IPR and PGR petitions, listing [defendant] as a real party in interest. [Defendant] will be subject to the same statutory estoppel as [its parent], negating any tactical advantage. . . . Assuming the IPR and PGR petitions are instituted, these cases will be simplified and streamlined since the PTAB will weigh in on at least some claims, and certain arguments will not be able to be raised again here."

Motion to Stay Pending Post-Grant Review — Granted

Jan. 03, 2017 | 52 | MINUTE entry before the Honorable Robert M. Dow, Jr: Upon careful review of the parties' joint status report 51 and the attached decisions of the Patent Trial and Appeal Board concerning several of the patents at issue in this lawsuit, the Court determines that the stay previously ordered in this case [see 50] shall remain in place pending the PTAB's decisions in the inter parites review trials. Although the PTAB declined to institute review proceedings on the '621 patent and only instituted trial on some of the claims of the '114 patent (which claims may be dismissed in any event), the scope of the ongoing review proceedings nevertheless are sufficiently comprehensive to justify keeping the stay of the litigation in place. The parties are directed to notify the Court when the PTAB issues its decisions so that the Court may set the case for further status hearing. Mailed notice (cdh,) (Entered: 01/03/2017)

Kolcraft Enterprises, Inc. v. Graco Children's Products Inc.
1-15-cv-07950 (NDIL)

Motion to Stay Pending Inter Partes Review — Granted

Stay of Proceedings
└ Factors Considered
└ **Simplification of Issues**

The court granted defendant's motion to continue a stay pending *inter partes* review because the potential simplification of issues favored a stay. "Although the PTAB declined to institute review proceedings on [one patent-in-suit] and only instituted trial on some of the claims of the [other patent-in-suit] (which claims may be dismissed in any event), the scope of the ongoing review proceedings nevertheless are sufficiently comprehensive to justify keeping the stay of the litigation in place."

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Jan. 24, 2017 | 30 | MINUTE entry before the Honorable Edmond E. Chang: In view of the institution of the IPRs, the case is stayed in its entirety, including the answer deadline, pending the PTAB's decision in the IPRs. The extension motion 28 on the answer is terminated as unnecessary in light of the stay. The status hearing of 01/31/2017 is reset to 04/25/2017 at 9:30 a.m. A status report on the PTAB proceedings is due the earlier of (a) 04/17/2017 or (b) within 3 business days of the issuance of the PTAB's decision. Emailed notice (slb,) (Entered: 01/24/2017)

Nalco Company LLC et al v. Solenis LLC
1-16-cv-08897 (NDIL)

Scheduling/ Pretrial Order (FRCP 16, FRCP 26(f)) — N/A

Motion to Stay Pending Inter Partes Review — Granted

Motion to Enlarge Time to Answer — Denied as moot

Jan. 26, 2017 | 40 | MEMORANDUM Opinion and Order signed by the Honorable Virginia M. Kendall on 1/26/2017. Adaptive's Motion to Stay 28 is granted. The parties are ordered to file a status report with the Court within 24 hours of receipt of each of the PTAB's institution decisions. Mailed notice(lk,) (Entered: 01/26/2017)

T-Rex Property AB v. Adaptive Micro Systems, LLC
1-16-cv-05667 (NDIL)

Motion to Stay Pending Inter Partes Review — Granted

Stay of Proceedings
└ Factors Considered
└ **Reduction of Litigation Burden**

Stay of Proceedings
└ Factors Considered
└ **Simplification of Issues**

Stay of Proceedings
└ Factors Considered
└ **Stage of Litigation**

The court granted defendant's motion to stay pending petitions for *inter partes* and CBM review filed by a defendant in one of plaintiff's 57 other cases because the potential simplification of issues, early stage of the litigation, and reduction of the litigation burden favored a stay. "The fact that some, if not every, asserted claim may be under review in such a short time period of time weighs in favor of granting a stay. . . . The fact that the PTAB has not yet rendered institution decisions does not eliminate the benefits of a stay. . . . [Plaintiff] does not dispute that it is a non-practicing entity and that it only seeks monetary remedy. . . . [Plaintiff] fails to set forth any case law or other authority, and the Court has found none, supporting its contention that a stay in this case should be denied so that it will be able to pursue other, future cases against unnamed third party defendants. Indeed, if the Court were to credit such an argument, it is difficult to imagine any circumstance in which a stay in any case could be warranted."

Motion to Stay Pending CBM Review — Granted

Feb. 15, 2017 | 27 | MINUTE entry before the Honorable Andrea R. Wood: Status hearing held. Pursuant to the discussion held in open court and for the reasons stated on the record, this case is stayed until further order of Court. In lieu of in-court status hearings, the parties are directed to file a status report every 120 days to inform the Court of the status of and any developments in the inter partes review proceedings. The first status report shall be filed by 6/15/2017. Mailed notice (ef,) (Entered: 02/16/2017)

Ignite USA, LLC v. Pacific Market International, LLC
1-16-cv-01928 (NDIL)

Motion to Stay Pending Inter Partes Review — Granted

Mar. 01, 2017 | 23 | MINUTE entry before the Honorable Thomas M. Durkin:Plaintiff's unopposed motion to stay the case 21 is granted. This action is stayed pending the completion of the IPR and the reissue proceeding for application No. 14/567,016, for the US Patent No. 7,454,002, including all subsequent appeals. The 3/8/2017 status date is vacated. Mailed notice (srn,) (Entered: 03/01/2017)

Sportbrain Holdings LLC v. Motorola Mobility LLC
1-16-cv-04186 (NDIL)

Stipulated/Agreed - Motion to Stay Pending Reissue — Granted

Stipulated/Agreed - Motion to Stay Pending Inter Partes Review — Granted

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Mar. 08, 2017	21	MINUTE entry before the Honorable John J. Tharp, Jr: Plaintiff's motion for a stay 19 is granted. Plaintiff shall file a status report within 14 of the resolution of the pending IPR. No appearance on the motion is required. mailed notice (air,) (Entered: 03/08/2017)	Sportbrain Holdings LLC v. Walkingspree USA Ltd. 1-16-cv-07507 (NDIL)	

Motion to Stay Pending Inter Partes Review — Granted

Motion to Stay Pending Reissue — Granted

Apr. 11, 2017	46	MINUTE entry before the Honorable Matthew F. Kennelly: Status hearing held on 4/11/2017. The stay remains in effect at least until the Federal Circuit's ruling on appeal. Joint status report to include status of appeal and status of the reissue is to be filed by 11/10/2017. Mailed notice. (pjg,) (Entered: 04/11/2017)	Allsteel Inc. v. DIRTT Environmental Solutions Ltd. 1-15-cv-04874 (NDIL)	

Motion to Stay Pending Inter Partes Review — Granted

Apr. 22, 2017	16	MINUTE entry before the Honorable Edmond E. Chang: Plaintiff has now confirmed Defendant's agreement to the motion to stay 11 . The stay motion 11 is granted and is effectuated, as suggested by Plaintiff, R. 11 at 4, by terminating the case without prejudice to reinstating it after the conclusion of the PTAB proceedings, including any appeals to the Federal Circuit and the Supreme Court. The status hearing of 04/27/2017 is vacated. Civil case terminated without prejudice.Emailed notice (slb,) (Entered: 04/22/2017)	Sportbrain Holdings LLC v. HP Inc. 1-17-cv-00981 (NDIL)	

Stipulated/Agreed - Motion to Stay Pending Inter Partes Review — Granted

Ex Parte / Emergency - Motion to Stay Pending Reissue — Granted

May. 31, 2017	138	ORDER Signed by the Honorable Amy J. St. Eve on 5/31/2017: Defendants' motion to stay litigation 104 is granted. All pending deadlines are stricken and this case is stayed. Status hearing set for 6/1/17 is stricken and reset to 10/3/17 at 8:30 a.m. [For further details, see Order.] Mailed notice(kef,) (Entered: 05/31/2017)	Baxter International, Inc. v. CareFusion Corporation et al 1-15-cv-09986 (NDIL)	

Renewed Motion - Motion to Stay Pending Inter Partes Review — Granted

Stay of Proceedings
└ Factors Considered
└ **Prejudice From Stay/Tactical Advantage**

Stay of Proceedings
└ Factors Considered
└ **Simplification of Issues**

Stay of Proceedings
└ Factors Considered
└ **Stage of Litigation**

The court granted defendant's renewed motion to stay pending *inter partes* review because the potential simplification of issues, lack of undue prejudice, and stage of the case favored a stay. "[T]here is much to gain in terms of efficiency from a stay. This is particularly true if the PTAB invalidates some or all of the claims before it, eliminating those claims from the case entirely. . . . Even though the PTAB will not review all of the claims involved in this case, there is no requirement that the PTAB institute proceedings on a certain percentage of asserted patent claims to justify a stay. . . . [Plaintiff] argues that prejudice is heightened in this case because the parties are direct competitors. Even if this is true, [plaintiff's] lack of urgency in filing this lawsuit (and decision not to seek injunctive relief) lessens any prejudice. Additionally, two of the three patents are expired and the [third] Patent -- which [plaintiff] apparently does not practice -- expires in [20 months]. . . . There is still much left to do in this case, and the PTAB's IPR decisions will simplify -- likely in significant ways -- the proceedings that remain."

Oct. 05, 2017	73	MINUTE entry before the Honorable John Robert Blakey: Status hearing held on 10/5/2017. Defendant's motion to stay 69 is granted. The case is stayed until 2/6/2018. Parties are required to meet and confer and file a status report within 48 hours of any Patent Trial and Appeal Board decision. Status hearing set for 2/6/2018 at 9:45 a.m. in Courtroom 1203. Mailed notice (gel,) (Entered: 10/05/2017)	T-Rex Property AB v. Barco, Inc. 1-16-cv-06938 (NDIL)	

Scheduling/ Pretrial Order (FRCP 16, FRCP 26(f)) — N/A

Motion to Stay Pending Inter Partes Review — Granted

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Mar. 01, 2018	47	MINUTE entry before the Honorable Virginia M. Kendall. Status hearing held on 6/7/2018. Movant's Motion to stay action pending inter partes review of patents-in-suit 31 is granted. Case will be stayed until 6/7/2018. Status hearing set for 6/7/2018 at 9:00 AM. Parties shall submit status reports and position papers by 6/5/2018. Mailed notice (lk,) (Entered: 03/02/2018)	Sharpe Innovations, Inc. v. KDDI America, Inc. et al 1-17-cv-05460 (NDIL)	

Motion to Stay Pending Inter Partes Review — Granted

Scheduling/ Pretrial Order (FRCP 16, FRCP 26(f)) — N/A

Mar. 06, 2018	48	MINUTE entry before the Honorable Virginia M. Kendall. Defendant Tracfone moved for a stay pending inter partes review of two patents in these consolidated cases. (Dkt. No. 31) The petitions for review, requested by two defendants in unrelated patent litigation involving the Plaintiffs but who are not parties to the cases before this Court, are pending before the Patent Trial and Appeal Board, and a decision on whether they will review the patents is expected in early June 2018. See 35 U.S.C. §§ 311(a)-(c). Similar to § 18(b)(1) of the America Invents Act, district courts have the authority to stay litigation pending inter parties review where they find that a stay will not unduly prejudice or tactically disadvantage the non-moving party; will simplify the issues in question and streamline the trial; and will reduce the burden of litigation on the parties and on the Court. See, e.g., T-Rex Property AB v. Adaptive Micro Systems, LLC, 2017 WL 372311, 1 (N.D. Ill. 2017) (Kendall, J.). On March 1, 2018, the Court granted the motion for a stay pending inter partes review in open Court. (Dkt. No. 47) The Court grants Defendant's stay 31 because: (1) the Plaintiffs delay of over four years prior to filing this patent-infringement action, when coupled with the sparse litigation activity thus far in the case, weighs in favor of a stay because it will not unduly prejudice the Plaintiff; (2) the decision to review the two patents at issue and the subsequent conclusions by the PTAB will potentially simplify the issues involved in the underlying matter and also will streamline the trial by possibly removing numerous claims and thus weighs in favor of granting the stay; (3) that there has currently been very little discovery or litigation and that the Court has yet to affix a discovery schedule or set a trial date are considerations that also weigh in favor of granting a stay; and finally (4) although not binding, the sister court's recent granting of a stay in these matters suggests that a stay is appropriate here. See Sharpe Innovations, Inc. v. T-Mobile USA, Inc., 17 C 351, 17 C 412 (E.D. Va. Jan. 10 2018) (Doumar, J.) (Dkt. No. 41). The Parties shall submit status reports and position papers by June 5, 2018 regarding the PTAB decision to review the patents at issue. Mailed notice (lk,) (Entered: 03/06/2018)	Sharpe Innovations, Inc. v. KDDI America, Inc. et al 1-17-cv-05460 (NDIL)	

Motion to Stay Pending Inter Partes Review — Granted

Stay of Proceedings
└ Factors Considered
└ **Prejudice From Stay/Tactical Advantage**

Stay of Proceedings
└ Factors Considered
└ **Simplification of Issues**

Stay of Proceedings
└ Factors Considered
└ **Stage of Litigation**

The court granted defendant's motion to stay pending petitions for *inter partes* review filed by defendants in one of plaintiff's other cases because the lack of undue prejudice, potential simplification of issues, and stage of the case favored a stay. "[Plaintiff's] delay of over four years prior to filing this patent-infringement action, when coupled with the sparse litigation activity thus far in the case, weighs in favor of a stay because it will not unduly prejudice the Plaintiff. . . . [T]he decision to review the two patents at issue and the subsequent conclusions by the PTAB will potentially simplify the issues involved in the underlying matter and also will streamline the trial by possibly removing numerous claims. . . . [T]here has currently been very little discovery or litigation and that the Court has yet to affix a discovery schedule or set a trial date. . . [A]lthough not binding, the sister court's recent granting of a stay in these matters suggests that a stay is appropriate here."

May. 16, 2018	26	MINUTE entry before the Honorable Andrea R. Wood: Motion and Status hearing held. Pursuant to the discussion held in open court, Defendant's motion to stay litigation pending inter-parties review 24 is granted as unopposed. Case stayed. The parties shall file a joint status report by 11/16/2018. After reviewing the status report, the Court will determine whether the parties must appear for the status hearing. Status hearing set for 11/28/2018 at 9:00 AM. Mailed notice (ef,) (Entered: 05/17/2018)	Kohler Co. v. Moen, Inc. 1-18-cv-00845 (NDIL)	

Stipulated/Agreed - Motion to Stay Pending Inter Partes Review — Granted

Scheduling/ Pretrial Order (FRCP 16, FRCP 26(f)) — N/A

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May. 29, 2018 | 54

MINUTE entry before the Honorable Sharon Johnson Coleman: Defendant Any Logic North America, LLC's motion to stay the proceedings pending inter partes Review 45 is granted. On May 15, 2017, Plaintiff TheBrain Technologies LP ("TheBrain"), filed its complaint 1 in the Central District of California against Defendant AnyLogic North America, LLC ("AnyLogic") for past and continuous infringement on the '736 Patent. The case was transferred to this Court in September 2017. On January 30, 2018, AnyLogic filed a petition for Inter Partes Review ("IPR") with the United States Patent and Trademark Office's Patent Trial and Appeal Board, to evaluate all of TheBrain's patent claims against AnyLogic. AnyLogic also filed a motion to stay this case pending the IPR ruling, which is due next month. Defendant asserts that a stay is appropriate here because this case is still in its early stages; there is no undue prejudice or tactical disadvantage to TheBrain; and the stay will simplify the issues and streamline the litigation before this Court. Since the patent will expire in August of 2018, TheBrain alleges that the stay will prejudice its ability to enforce its patent rights. TheBrain also argues that AnyLogic's failure to meet its discovery obligations presents a tactical disadvantage. There are no pending dispositive motions in this case, nor is there a trial date set. District Courts have discretion over whether or not to stay a case pending IPR proceedings. See Black & Decker, Inc. v. Positec USA, Inc., No. 13 C 3075, 2013 U.S. Dist. LEXIS 153795, at *3 (N.D. Ill. Oct. 1, 2013) (Gottschall, J.). In doing so, it considers whether a stay will (1)unduly prejudice or tactically disadvantage the non-moving party, (2) simplify the issues in question and streamline the trial, and (iii) reduce the burden of litigation on the parties and on the court. Id. Here, the Court finds that there would be no prejudice or disadvantage if the instant case is stayed. TheBrain's main argument against the stay is that delaying the case will not permit it to effectively enforce its patent rights; however, plaintiff has not articulated exactly what the impediment would be. Considering that this case is practically in its infancy, it is not clear how the expiration of the patent will impact TheBrains ability to litigate the claim. In order to resolve this matter by the August deadline, the parties would have to complete discovery, summary judgment, trial, and have this Court issue its decision. As the parties have just recently started discovery and do not have a trial date yet, it is highly unlikely that all these milestones will be accomplished in just a few months, especially given the Court's full schedule and the limited progress in the case. See Eli Lilly & Co. v. Accord Healthcare, Inc., USA, No. 1:14-cv-00389-SEB-TAB, 2016 U.S. Dist. LEXIS 39233, at *9 (S.D. Ind. Mar. 25, 2016)(finding no prejudice because it was unlikely that litigation would be resolved before the patent's expiration). Additionally, this Court finds that staying the case, especially so close to the expected ruling date, is likely to limit needless litigation expenses and streamline the proceedings if the IPR decision clarifies or eliminates legal issues. Black & Decker, Inc., No. 13 C 3075, 2013 U.S. Dist. LEXIS 153795, at *3. Having reviewed the parties filings on the issue and considered their arguments in the hearing, this Court grants Defendants motion to stay litigation pending the inter partes review of the patent in question. Parties must inform the court within 7 days of the Patent Trial and Appeal Board's ruling on the petition for inter partes review. Parties are advised to continue making good faith efforts towards completing discovery, and accordingly, the matter is referred to Magistrate Judge Valdez to manage that process. Mailed notice. (ym,) (Entered: 05/29/2018)

TheBrain Technologies, LP v. AnyLogic North America, LLC
1-17-cv-06574 (NDIL)

Motion to Stay Pending Inter Partes Review — Granted

Stay of Proceedings
└ Factors Considered
└ **Prejudice From Stay/Tactical Advantage**

Stay of Proceedings
└ Factors Considered
└ **Simplification of Issues**

Stay of Proceedings
└ Factors Considered
└ **Stage of Litigation**

The court granted defendant's motion to stay pending its petitions for *inter partes* review because the lack of undue prejudice, stage of the case, and potential simplification of issues favored a stay. "[Plaintiff's] main argument against the stay is that delaying the case will not permit it to effectively enforce its patent rights; however, plaintiff has not articulated exactly what the impediment would be. Considering that this case is practically in its infancy, it is not clear how the expiration of the patent will impact [plaintiff's] ability to litigate the claim. . . . [S]taying the case, especially so close to the expected ruling date, is likely to limit needless litigation expenses and streamline the proceedings if the IPR decision clarifies or eliminates legal issues."

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Jun. 21, 2018 | 51 | MINUTE entry before the Honorable Elaine E. Bucklo: Per Joint Status Report, this case is stayed until further order of the court. Status hearing previously set for 6/22/2018 set for 11/16/2018 at 9:30 a.m. Mailed notice. (mgh,) (Entered: 06/21/2018)

Ignite USA, LLC v. Pacific Market International, LLC
1-16-cv-01929 (NDIL)

Stipulated/Agreed - Motion to Stay Pending Inter Partes Review — Granted

Scheduling/ Pretrial Order (FRCP 16, FRCP 26(f)) — N/A

Aug. 07, 2018 | 87 | ORDER signed by the Honorable Joan H. Lefkow on 8/7/2018. Sennco Solutions Inc.'s motion to stay the patent counterclaims (dkt. 68) is granted. The case is stayed pending final written decisions by the Patent Trial and Appeals Board (PTAB) on Mobile Tech, Inc.'s (MTI) inter partes review (IPR) petitions IPR2017-02199 and IPR2017-02200. The parties are ordered to jointly inform the court in writing of the PTAB's decisions within seven days of those decisions. See Statement. Mailed notice (ags,) (Entered: 08/08/2018)

Sennco Solutions Inc. v. Mobile Technologies Inc.
1-16-cv-09668 (NDIL)

Motion to Stay Pending Inter Partes Review — Granted

Stay of Proceedings
└ Factors Considered
└ **Prejudice From Stay/Tactical Advantage**

Stay of Proceedings
└ Factors Considered
└ **Simplification of Issues**

Stay of Proceedings
└ Factors Considered
└ **Stage of Litigation**

The court granted plaintiff's motion to stay defendant's patent counterclaims pending *inter partes* review, but granted defendant's request to stay the entire action because the lack of undue prejudice, potential simplification of issues, and stage of the case favored a complete stay. "[T]he PTAB has a deadline . . . to issue its decisions, meaning a stay would last approximately ten months; [plaintiff] added its trade secret and breach of contract counts more than seven months after filing its original patent infringement complaint, permitting an inference that those counts lacked the urgency of the now-withdrawn patent counts. . . . [T]he PTAB's decisions would affect [plaintiff's] trade secret misappropriation count because the patents' validity (or lack thereof) weighs on the factors considered when determining what constitutes a trade secret under the Illinois Trade Secrets Act. . . . [W]hile this case was originally filed [two years ago], it is in its early stages from a litigation standpoint."

Aug. 27, 2018 | 43 | AGREED ORDER: For the reasons stated in this order, this case is stayed pending the final disposition of the IPRs and the parties are to file a notice with the Court within 7 days of receiving notice of final disposition of all four pending IPRs. Signed by the Honorable Robert M. Dow, Jr on 8/27/2018:Mailed notice(clw,) (Entered: 08/27/2018)

Seong et al v. Bedra, Inc. et al
1-18-cv-00396 (NDIL)

Stipulated/Agreed - Motion to Stay Pending Inter Partes Review — Granted

Nov. 26, 2018 | 94 | ORDER: Baxter International, Inc. has sued Becton, Dickinson and Company for patent infringement. Becton filed three petitions for inter partes review before the Patent Trial and Appeal Board (PTAB) and asks this court to stay this litigation until review is complete. (Dkt. 68 .) The motion 68 is granted. The case is stayed during inter partes proceedings in the PTAB. The parties are directed to file a joint status report within one week of the last institution decision, after which the court will determine whether to lift or extend the stay. See statement. Motion hearing set for 11/28/2018 is stricken. Status hearing set for 12/11/2018 is stricken and reset to 4/30/2019 at 11:00 a.m. Signed by the Honorable Joan H. Lefkow on 11/26/2018. Mailed notice (ags,) (Entered: 11/26/2018)

Baxter International, Inc. v. Becton, Dickinson and Company
1-17-cv-07576 (NDIL)

Motion to Stay Pending Inter Partes Review — Granted

Stay of Proceedings
└ Factors Considered
└ **Prejudice From Stay/Tactical Advantage**

Stay of Proceedings
└ Factors Considered
└ **Simplification of Issues**

Stay of Proceedings
└ Factors Considered
└ **Stage of Litigation**

The court granted defendant's motion to stay pending its three petitions for *inter partes* review because the lack of undue prejudice, potential simplification of issues, and reduction of the litigation burden favored a stay. "[Plaintiff's] asserted patents, however, have all expired; [defendant] cannot infringe them during a stay. The only competitive disadvantage is that [defendant] might enjoy extra money that by rights should be [plaintiff's], which prejudgment interest will rectify. . . . Although it is not certain that a stay will simplify the case, there is a meaningful chance that it will, and a stay poses little danger of complicating the case. . . . A stay will stop the parties from engaging in any more discovery or briefing on cancelled claims or precluded defenses."

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Aug. 15, 2019 | 54 | MINUTE entry before the Honorable Sharon Johnson Coleman: The Court heard arguments regarding Comcast's motion to enter a hybrid protective order. After reviewing the parties' written and oral arguments, the Court does not find good cause to enter an order that differs from this Court's standard protective order. Comcast did not provide, and the Court has not found, any reported cases from this District or the Federal Circuit that supports the need for a prosecution bar. This Court's standard protective order is sufficient to protect the parties' information from improper use. As such, Comcast's motion 51 is denied. Based on this Court's ruling, the plaintiff shall submit a protective order using this Court's standard format. Varatec's motion for oral arguments 45 is stricken as moot. Finally, Varatec's motion 48 to stay this matter pending Inter Partes Review is granted. Mailed notice. (jjr,) (Entered: 08/15/2019)

Varatec, LLC v. Comcast Broadband Security, LLC et al
1-19-cv-01541 (NDIL)

Motion for Protective Order -- Preserve Confidentiality — Denied

Confidentiality
└ Protective Orders Preserving Confidentiality
└ **Prosecution/Acquisition Bar**

The court denied defendant's motion for a protective order that included a prosecution bar. "[T]he Court does not find good cause to enter an order that differs from this Court's standard protective order. [Defendant] did not provide, and the Court has not found, any reported cases from this District or the Federal Circuit that supports the need for a prosecution bar. This Court's standard protective order is sufficient to protect the parties' information from improper use."

Motion for Hearing / Oral Argument — Denied as moot

Motion to Stay Pending Inter Partes Review — Granted

Sep. 10, 2019 | 190 | OPINION AND ORDER. The Court grants Bard's motion to stay 176 . The Court strikes the status date set for September 11, 2019 and resets it to April 21, 2020 at 9:30 a.m. Signed by the Honorable Sara L. Ellis on 9/10/2019:Mailed notice(rj,) (Entered: 09/10/2019)

Medline Industries, Inc. v. CR Bard, Inc.
1-17-cv-07216 (NDIL)

Motion to Stay Pending Inter Partes Review — Granted

Stay of Proceedings
└ Factors Considered
└ **Prejudice From Stay/Tactical Advantage**
Stay of Proceedings
└ Factors Considered
└ **Reduction of Litigation Burden**
Stay of Proceedings
└ Factors Considered
└ **Simplification of Issues**

The court granted defendant's motion to stay pending *inter partes* review because the lack of undue prejudice, potential simplification of the issues, and reduction of litigation burden weighed in favor of a stay. "'[Plaintiff's] own delay,' most recently moving for an extension that reaches [six months from now] . . . 'indicates that [plaintiff] will not suffer undue prejudice from a stay.' . . . [E]ven if no claims are canceled, the PTAB's IPRs will still simplify the issues in this case, and might encourage settlement, 'because [defendant]] will be estopped from arguing that the claim is invalid.' . . . While this is no guarantee that the PTAB will cancel any claims, a decision canceling at least one claim would simplify the case and would render unnecessary at least some of the expert discovery that would take place in the interim."

Scheduling/ Pretrial Order (FRCP 16, FRCP 26(f)) — N/A

Jan. 29, 2020 | 51 | MINUTE entry before the Honorable Steven C. Seeger: The Motion to Stay (Dckt. No. 49]) is hereby granted. This case is stayed until March 31, 2020. The parties shall file a status report on March 31, 2020. Status hearing on February 4, 2020 is stricken. Status hearing is reset for April 9, 2020 at 9:00 a.m. Mailed notice. (jjr,) (Entered: 01/29/2020)

Seong et al v. Bedra, Inc. et al
1-18-cv-00396 (NDIL)

Scheduling/ Pretrial Order (FRCP 16, FRCP 26(f)) — N/A

Stipulated/Agreed - Motion to Stay Pending Inter Partes Review — Granted

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	Feb. 06, 2020		TEXT ORDER entered by Magistrate Judge Jonathan E. Hawley on 2/6/2020: In light of the parties Stipulation to Stay Pending Inter Partes Review 21 , the Clerk is directed to enter a STAY in this case as of 2/3/2020. The Defendants Motion to Stay Pending Outcome of Inter Partes Review 19 is MOOT. The parties are directed to file a status report within 90 days of todays date or upon the USPTO Patent Trial and Appeal Board entering its final decision, whichever is sooner.(RL, ilcd) (Entered: 02/06/2020)	Geissele Automatics, LLC et al v. Lewis Machine & Tool Company 4-19-cv-04030 (CDIL)	
			Motion to Stay Pending Inter Partes Review		Denied as moot
			Stipulated/Agreed - Motion to Stay Pending Inter Partes Review		Granted
	Jun. 24, 2020	119	MINUTE entry before the Honorable John J. Tharp, Jr: Upon receipt of the parties' stipulation regarding the defendant's motion to stay pending inter partes review 118 , the motion to stay 116 is denied as moot. This litigation shall be stayed pending the PTAB's decision regarding whether to initiate inter partes proceedings. The parties are directed to file a status report as to PTAB's decision on or before 12/11/20. Mailed notice (air,) (Entered: 06/24/2020)	Exegy Inc. et al v. ACTIV Financial Systems, Inc. 1-19-cv-02858 (NDIL)	
			Stipulated/Agreed - Motion to Stay Pending Inter Partes Review		Granted
			Motion to Stay Pending Inter Partes Review		Denied as moot
	Aug. 22, 2020	39	MINUTE entry before the Honorable Young B. Kim: Parties' joint motion for stay 38 is granted. The discovery schedule this court issued in May 26, 2020, is stricken. Parties are ordered to file a joint status report by December 4, 2020, updating the court on the review proceeding pending before the USPTO. The status hearing scheduled for September 11, 2020, is cancelled. Mailed notice (Kim, Young) (Entered: 08/22/2020)	Ranpak Corp. v. Sealed Air Corporation 1-19-cv-08206 (NDIL)	
			Stipulated/Agreed - Motion to Stay Pending Inter Partes Review		Granted
	Oct. 06, 2020	26	MINUTE entry before the Honorable Sara L. Ellis: Telephone conference held on 10/6/2020. Ty Inc.'s motion to stay pending inter partes review of the patent-in-suit and memorandum of law in support 13 is granted. Combined motion and memorandum in support of Plaintiff's motion to strike Defendant's ninth affirmative defense 22 is denied without prejudice. Status hearing set for 10/5/2021 at 9:30 AM. Mailed notice (rj,) (Entered: 10/08/2020)	Softbelly's Inc. v. Ty, Inc. 1-20-cv-00234 (NDIL)	
			Motion to Stay Pending Inter Partes Review		Granted
			Motion to Strike Pleading		Denied without prejudice
			Scheduling/ Pretrial Order (FRCP 16, FRCP 26(f))		N/A

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Mar. 02, 2021	70	ORDER: Defendant Carjamz Com Inc.'s, "Motion to Stay Pending USPTO Decisions Re Inter Partes Review" 46 , is granted. The parties are ordered to inform the Court of the PTO's decision whether to grant inter partes review within seven days of it occurring. Signed by the Honorable Margaret J. Schneider on 3/2/2021. Mailed notice. (jxk) (Entered: 03/02/2021)	Putco, Inc. v. Carjamz Com Inc. 3-20-cv-50109 (NDIL)	

Motion to Stay Pending Inter Partes Review — Granted

Stay of Proceedings
└ Factors Considered
└ **Prejudice From Stay/Tactical Advantage**

Stay of Proceedings
└ Factors Considered
└ **Reduction of Litigation Burden**

Stay of Proceedings
└ Factors Considered
└ **Simplification of Issues**

Stay of Proceedings
└ Factors Considered
└ **Stage of Litigation**

The court granted defendant's motion to stay pending its petition for *inter partes* review because the potential simplification of issues, reduction of the litigation burden, stage of the case, and lack of undue prejudice favored a stay. "[Defendant's] petition before the PTO challenges all 37 of the claims at issue in this litigation. As a result, every claim may be affected by the PTO's review. . . . The Court finds that the reduced litigation burden factor also weighs in favor of granting the stay. If the PTO voids all or some of the claims, then those will no longer be at issue. If the PTO finds the claims valid, [defendant] will be estopped from asserting invalidity as a defense. . . . Fact discovery is ongoing and expert discovery has not even begun. . . . [Plaintiff] decided to wait at least four years to file its Complaint. If competition for market share was a serious concern, [plaintiff] surely would have filed sooner."

Apr. 29, 2021	55	MINUTE entry before the Honorable Virginia M. Kendall. Teleconference Status hearing heldo n4/29/2021. Defendant's Unopposed Motion to Stay Case pending Inter Parties Review 49 is granted. Case is stayed. Status hearing set for 8/31/2021 at 9:00 AM. Parties shall file a Joint Status Report by 8/26/2021. Mailed notice (lk,) (Entered: 05/03/2021)	Illinois Tool Works Inc. v. Termax LLC et al 1-20-cv-05416 (NDIL)	

Stipulated/Agreed - Motion to Stay Pending Inter Partes Review — Granted

Scheduling/ Pretrial Order (FRCP 16, FRCP 26(f)) — N/A

Sep. 01, 2021	99	MINUTE entry before the Honorable Gabriel A. Fuentes: In light of the parties' joint status report (doc. # 98), indicating that the Patent Trial and Appeals Board (PTAB) has granted Defendant's request for inter partes review, the Court construes the parties' agreed request to stay the case during the pendency of the PTAB review as a motion to stay, and grants that motion, subject to the two agreed exceptions. Therefore, discovery in this case is stayed until after the PTAB issues a final written decision or there is a prior termination of the IPR, except that (1) the parties may complete review, correction and finalization of the transcript of the recent deposition of Michael J. Smith, and (2) the parties may seek rulings from the Court if they are unable to resolve disputes regarding confidentiality or use in the IPR proceedings of discovery. The parties are further ordered to file a joint status report within seven days of either a final written decision by the PTAB or prior termination of the IPR. Mailed notice. (jj,) (Entered: 09/01/2021)	Ellenby Technologies, Inc. v. FireKing Security Group et al 1-20-cv-02253 (NDIL)	

Stipulated/Agreed - Motion to Stay Pending Inter Partes Review — Granted

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Dec. 02, 2021

TEXT ORDER: Before the Court is parties' Joint Motion to Stay (d/e 22). For good cause shown, the Court hereby GRANTS the parties' Motion 22 . The case is hereby STAYED pending the outcome of the inter partes review (IPR) of U.S. Patent No. 10,317,167 (the '617 Patent) by the U.S. Patent and Trademark Office (PTO) and the outcome of Defendants' Motion for Summary Judgment of Noninfringement of U.S. Patent No. 8,938,817 (the '817 Patent) (d/e 17). All deadlines other than the ones related to Defendants' Motion for Summary Judgment (d/e 17) are hereby VACATED, including the April 2023 trial date. Within two weeks of receiving an Institution Decision on the '167 IPR, the parties are DIRECTED to provide a joint status report to the Court. Within two weeks of receiving the Court's decision on Defendants' Motion for Summary Judgment (d/e 17), the parties are DIRECTED to provide a joint status report to the Court. Plaintiff's response to Defendants' Motion for Summary Judgment remains due on December 10, 2021. Defendants' reply in support of the Motion for Summary Judgment remains due on January 7, 2022. Entered by Judge Sue E. Myerscough on 12/2/2021. (GL) (Entered: 12/02/2021)

Apalone Inc. v. Schutt Sports LLC et al
3-21-cv-03186 (CDIL)

Stipulated/Agreed - Motion to Stay Pending Inter Partes Review — Granted

Jan. 31, 2022

3 6 7

ORDER. The Court grants Defendant C.R. Bard, Inc.'s motion to stay this case 353 . The Court stays this case pending the issuance of the Patent Trial and Appeal Board's revised decisions. In light of the stay, the Court denies the pending motions for summary judgment and to strike expert opinions 279 , 280 , 285 , 292 , 293 , 305 , 307 , 325 , 326 without prejudice to the parties refiling these motions once the Court lifts the stay. The Court sets a status hearing on April 6, 2022 at 9:30 a.m. for the parties to report on the status of the Patent Trial and Appeal Board's decisions and directs the parties to file a joint status report by March 31, 2022. See Statement. Attorneys/Parties should appear for the hearing by calling the Toll-Free Number:(866) 434-5269, Access Code: 8087837. Members of the public and media will be able to call in to listen to this hearing (use toll free number). Please be sure to keep your phone on mute when you are not speaking. Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, and rebroadcasting of court proceedings. Violation of these prohibitions may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the Court. Signed by the Honorable Sara L. Ellis on 1/31/2022:Mailed notice(rj,) (Entered: 01/31/2022)

Medline Industries, Inc. v. CR Bard, Inc.
1-17-cv-07216 (NDIL)

Motion to Stay Pending Inter Partes Review — Granted

Stay of Proceedings
└ Factors Considered
└ **Prejudice From Stay/Tactical Advantage**

Stay of Proceedings
└ Factors Considered
└ **Reduction of Litigation Burden**

Stay of Proceedings
└ Factors Considered
└ **Simplification of Issues**

The court granted defendant's motion to stay pending the PTAB's revised decisions following remand from the Federal Circuit on *inter partes* review proceedings. "[Plaintiff] argues that the stay will cause undue prejudice because it would unnecessarily delay an already long-running case between direct competitors and [plaintiff] is entitled to an injunction to stop [defendant's] ongoing infringement. . . . [Plaintiff] has not moved for summary judgment on all of the asserted claims and acknowledges that a trial in this case would not take place before [next month], when the parties expect the PTAB to issue revised decisions. . . . In light of the Federal Circuit's opinion, the PTAB may invalidate nine of the sixteen claims at issue in this case, which would undoubtedly simplify and streamline the trial. . . . [T]he PTAB's revised decisions will likely reduce the burden of litigation on both the parties and the Court."

Scheduling/ Pretrial Order (FRCP 16, FRCP 26(f)) — N/A

Feb. 22, 2022

5 7

MINUTE entry before the Honorable John Z. Lee:Agreed motion to stay pending inter parties review 56 is granted. (ca,) (Entered: 02/22/2022)

Oil-Dri Corporation of America v. AMCOL International Corp.
1-21-cv-00991 (NDIL)

Motion to Stay Pending Inter Partes Review — Granted

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Feb. 23, 2022	58	ORDER entering stay of pending inter partes review: This Court, having considered the parties Agreed Motion to Stay Pending Inter Partes Review, hereby GRANTS the motion and STAYS the above-captioned action. The Court further orders the parties to file a Joint Status Report within one week of the PTO's institution decision that (1) informs the Court of the action taken by the PTO as to AMCOL's pending petition for Inter Partes Review, and (2) proposes further proceedings, including whether the stay should be continued or lifted. Signed by the Honorable John Z. Lee on 2/23/22.(ca,) (Entered: 02/23/2022)	Oil-Dri Corporation of America v. AMCOL International Corp. 1-21-cv-00991 (NDIL)	

Stipulated/Agreed - Motion to Stay Pending Inter Partes Review — Granted

Apr. 06, 2022	81	MINUTE entry before the Honorable Steven C. Seeger: The joint motion to stay pending disposition of the inter partes reviews of the patents-in-suit (Dckt. No. 79) is hereby granted. The case is stayed pending a decision by the Patent Trial and Appeal Board. The PTAB has instituted review of the some of the challenged claims, and should make an institution decision on the remaining IPRs by August 2022. The joint motion for an extension of time to serve final non-infringement, enforceability, and validity contentions (Dckt. No. 80) is hereby denied as moot in light of the stay. The case is stayed, and all currently deadlines are hereby vacated. The Court will reset the deadlines, if necessary, down the road. In light of the stay, and the pending review by the PTAB, Plaintiff OsteoMed's motion to strike (Dckt. No. 71) is hereby denied. The motion is for administrative purposes only, and is not a ruling on the merits. OsteoMed can refile the motion down the road if necessary. The parties must file a status report by June 30, 2022. Mailed notice (jjr,) (Entered: 04/06/2022)	OsteoMed LLC v. Stryker Corporation 1-20-cv-06821 (NDIL)	

Stipulated/Agreed - Motion to Stay Pending Inter Partes Review — Granted

Stipulated/Agreed - Motion to Modify Scheduling/Pretrial Order — Denied as moot

Dec. 05, 2022	117	ORDER: The Court grants Defendant Innovative Growers Equipment, Inc.'s motion to stay pending inter partes review 101 . The Court stays this case pending the issuance of the Patent Trial and Appeal Board's decision. In light of the stay, the Court denies Defendant's motion to amend final invalidity contentions 95 , 96 without prejudice to refiling after the Court lifts the stay. The Court grants in part Defendant's motion to seal 99 . The Court orders the Clerk of Court to unseal the following documents: Docs. 102-1, 102-2, 102-3, 102-4, 102-5, 102-6, 102-7, 102-8, 102-10, 102-13, 102-14, 102-15. The Court sets a status hearing on 3/22/2023 at 9:30 a.m. for the parties to report on the status of the Patent Trial and Appeal Board's decisions and directs the parties to file a joint status report by 3/15/2023. See Statement. Signed by the Honorable Sara L. Ellis on 12/5/2022. Mailed notice. (jh,) (Entered: 12/05/2022)	Pipp Mobile Storage Systems, Inc. v. Innovative Growers Equipment, Inc. 1-21-cv-02104 (NDIL)	

Motion to Stay Pending Inter Partes Review — Granted

Stay of Proceedings
└ Factors Considered
└ **Prejudice From Stay/Tactical Advantage**

Stay of Proceedings
└ Factors Considered
└ **Reduction of Litigation Burden**

Stay of Proceedings
└ Factors Considered
└ **Simplification of Issues**

The court granted defendant's motion to stay pending *inter partes* review and concluded that the lack of undue prejudice, potential simplification of the issues, and the reduction of the litigation burden favored a stay. "[T]he Court does not find that a delay in this case will unduly prejudice [Plaintiff], particularly considering that the case has proceeded relatively quickly up to this point. . . . [T]he fact that [Plaintiff] did not seek a preliminary injunction against Innovative undermines [Plaintiff's] concerns about how a stay would cause it prejudice based on any continued infringement. . . . Even if the PTAB does not cancel any of the claims, the IPR will still simplify the issues in this case, and might encourage settlement, 'because Innovative will be estopped from arguing that the claims are invalid' based on the grounds available to it in the IPR. . . . If the IPR results in cancellation of all or some of [Plaintiff's] claims, the parties will not need to engage in expert discovery on those claims."

Motion for Leave to Serve Amended Contentions — Denied without prejudice

Motion to File Under Seal — Denied in part granted in part

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Aug. 21, 2023	64	MINUTE entry before the Honorable Sara L. Ellis: The Court grants Defendants' Motorola Mobility LLC and Lenovo (United States) Inc.'s motion to stay pending inter partes review 49 . The Court stays this case pending the decisions by the USPTO as to whether to institute inter partes review on the asserted patents. The Court sets a status hearing for 11/8/2023 at 9:30 a.m. The parties should file a status report by 11/1/2023, providing the Court with information as to the actions taken by the USPTO, the parties' positions on the continuance of the stay, and the parties' proposed modifications to the case schedule if necessary. Attorneys/Parties should appear for the hearing by calling the Toll-Free Number: (866) 434-5269, Access Code: 8087837. Throughout the telephonic hearing, each speaker will be expected to identify themselves for the record before speaking. Please note that the conference call-in will be used by all cases that are on the court's calendar for the said date, therefore counsel must be in a quiet area while on the line and must have the telephone muted until your case is called. Members of the public and media will be able to call in to listen to this hearing (use toll-free number). Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, and rebroadcasting court proceedings. Violation of these prohibitions may result inv sanctions, including removal of court-issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the Court. Mailed notice (rj,) (Entered: 08/21/2023)	Theta IP, LLC v. Motorola Mobility LLC et al 1-22-cv-03441 (NDIL)	
		Motion to Stay Pending Inter Partes Review		Granted	
Oct. 12, 2023	69	MINUTE entry before the Honorable Jeremy C. Daniel: Motion hearing set for October 18, 2023 is stricken. The parties' joint motion to stay 66 is granted. The case is stayed pending resolution of IPR2023-00580, including any appeals therefrom. The parties shall file a joint status report on or before January 10, 2024; the status report must address the status of the IPR and the effect, if any, 35 U.S.C. § 315(e) may have on the parties in this case should a final written decision issue in the IPR. Status hearing set for October 18, 2023 is reset to January 17, 2024, at 9:30 a.m. Mailed notice (vcf,) (Entered: 10/12/2023)	With-U E-Commerce (Shanghai) Co., Ltd. v. The Partnerships and Unincorporated Associations identified in Schedule A 1-22-cv-03815 (NDIL)	
		Stipulated/Agreed - Motion to Stay Pending Inter Partes Review		Granted	
Feb. 29, 2024	36	MINUTE entry before the Honorable Joan B. Gottschall: In its response 35 to defendants' motion to stay pending inter partes review, plaintiff states that it "does not oppose" defendants' motion to stay. Accordingly, defendants' unopposed motion 32 to stay this case pending inter partes review is granted. Defendants' motion 15 to dismiss the complaint is denied without prejudice and with leave to reinstate or refile after the conclusion of the inter partes review process. The parties are instructed to inform the court within 14 days after the conclusion of the inter partes review process. For case tracking purposes, a status report is due on or before 9/6/2024. Mailed notice (mjc,) (Entered: 02/29/2024)	Tegris, Inc. v. Bryce, LLC 1-23-cv-07744 (NDIL)	
		Stipulated/Agreed - Motion to Stay Pending Inter Partes Review		Granted	
Jul. 16, 2024	71	MINUTE entry before the Honorable Mary M. Rowland: Hearing held on Defendant's motion to continue stay 68 . For the reasons stated on the record, Defendant's motion is granted. Enter Order. Parties should file a joint status report by 1/10/25. Defendant's motion to dismiss 40 is denied without prejudice. Mailed notice. (dm,) (Entered: 07/16/2024)	Kove IO, Inc. v. Google LLC 1-23-cv-04244 (NDIL)	
		Motion to Dismiss - Failure to State a Claim (FRCP 12(b)(6))		Denied without prejudice	
		Motion to Stay Pending Inter Partes Review		Granted	

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Jul. 18, 2024 | 49 | ORDER Granting Unopposed Motion to Stay Pending Inter Partes Review. Signed by the Honorable Sharon Johnson Coleman on 7/18/2024. Mailed notice. (ym) (Entered: 07/18/2024)

M.E.A.C. Engineering LTD v. Medela LLC et al
1-23-cv-14045 (NDIL)

Stipulated/Agreed - Motion to Stay Pending Inter Partes Review — Granted

Oct. 29, 2024 | 50 | ORDER. Signed by the Honorable Sharon Johnson Coleman on 10/29/2024. Mailed notice. (ym) (Entered: 10/29/2024)

Newtonoid Technologies, LLC et al v. Abbott Laboratories
1-23-cv-02532 (NDIL)

Stipulated/Agreed - Motion to Stay Pending Inter Partes Review — Granted

Dec. 09, 2024 | 99 | MINUTE entry before the Honorable Martha M. Pacold: Pursuant to the parties' joint motion to stay the case pending inter partes review, 97 , this case is stayed pending a final decision in IPR2024-00425. See Ethicon, Inc. v. Quigg, 849 F.2d 1422, 142627 (Fed. Cir. 1988) ("Courts have inherent power to manage their dockets and stay proceedings, including the authority to order a stay pending conclusion of a PTO reexamination." (citing Landis v. N. Am. Co., 299 U.S. 248, 254 (1936))). Given the stay, for docket management purposes only, defendants' motion to dismiss, 32 , is denied without reaching the merits and without prejudice to renewal at a later date. Mailed notice. (kp,) (Entered: 12/09/2024)

Gentag, Inc. et al v. Abbott Laboratories, Inc. et al
1-23-cv-00310 (NDIL)

Stipulated/Agreed - Motion to Stay Pending Inter Partes Review — Granted

Dec. 10, 2024 | 48 | OPINION AND ORDER. Signed by the Honorable Sara L. Ellis on 12/10/2024. Emailed notice(rj,) (Entered: 12/10/2024)

Hengst SE v. Champion Laboratories, Inc.
1-23-cv-00794 (NDIL)

Motion to Stay Pending Inter Partes Review — Granted

Stay of Proceedings
└ Factors Considered
└ **Prejudice From Stay/Tactical Advantage**

The court granted defendant's motion to stay pending *inter partes* review and found that the lack of undue prejudice, potential simplification of the issues, and likely reduction in litigation burden favored a stay. "Because the system for IPR requires petitioners to bring all of their arguments or face waiver and in contrast, this Court's rules require parties to narrow their claims to the most persuasive, it does not appear to be impermissible gamesmanship for a petitioner to raise arguments in their IPR petition that they did not pursue in their final invalidity contentions. [Plaintiff] also has not identified any authority to support that raising different grounds with the PTAB than with the district court amounts to unfair prejudice or a tactical disadvantage. . . . Because the IPR covers the same claims at issue in this litigation, the PTAB's review may affect every claim in this litigation. . . . [I]t does not matter that the IPR involves grounds for invalidity that [Defendant] has not advanced in this case because the IPR involves the same patent and same claims, which the PTAB may invalidate or amend."

Feb. 04, 2025 | 106 | ORDER: Before the Court is Defendants' motion for a partial stay of proceedings pending resolution of their petitions for inter partes review ("IPR") of the patent claims at issue. The Court held oral argument on the motion on January 16, 2025. For the reasons stated in this order, Defendants' motion 96 is granted. Status/Motion hearing set for 2/5/25 is stricken and reset to 2/13/25 at 9:45 a.m. Joint status report due no later COB on 2/11/25 setting forth the agreed proposed schedule and any updates to the 2/3/25 joint status report 105 . If any issues (either with respect to the proposed discovery schedule or other topics) remain outstanding despite the parties' efforts to reach agreement, they shall briefly outline the issues in the joint status report. (For further details see order.) Signed by the Honorable M. David Weisman on 2/4/2025. Mailed notice (ao,) (Entered: 02/04/2025)

Miracor Medical SA v. Abbott Laboratories et al
1-23-cv-16257 (NDIL)

Motion to Stay Pending Inter Partes Review — Granted

Stay of Proceedings
└ Factors Considered
└ **Prejudice From Stay/Tactical Advantage**

Stay of Proceedings
└ Factors Considered
└ **Simplification of Issues**

Stay of Proceedings
└ Factors Considered
└ **Stage of Litigation**

The court granted defendants' motion to stay pending institution of *inter partes* review and determined that the stage of the case, lack of undue prejudice, and potential simplification of the issues favored a stay. "A stay will preserve the parties' resources by avoiding unnecessary work on claims the PTAB may deem invalid, and it would prevent potentially inconsistent claim construction. . . . [T]he Court does not find that a stay will cause Miracor undue prejudice. . . . [T]he stay is a partial one, as relevant discovery will continue as to fact issues that need to be addressed regardless of the outcome of the IPR proceedings. . . . [T]his case is in its relative infancy, and the Court finds no basis on which to conclude that Defendants waited to file their requests for IPRs in bad faith."

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Mar. 19, 2025	87	MINUTE entry before the Honorable Jorge L. Alonso: Telephonic status hearing held and continued to 5/1/25 at 9:30 a.m. The stay is continued. The parties are directed to file a joint status report by 4/28/25. Members of the public and media will be able to call in to listen to this hearing. The call-in number is 650-479-3207 and the access code is 1804010308. Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, and rebroadcasting of court proceedings. Violation of these prohibitions may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the Court. Notice mailed by Judge's staff (lf,) (Entered: 03/19/2025)	Jin v. The Partnerships And Unincorporated Associations Identified On Schedule A 1-24-cv-05247 (NDIL)	
		Motion to Stay Pending Inter Partes Review		Granted
Apr. 21, 2025	31	MINUTE entry before the Honorable M. David Weisman: The parties' joint motion to temporarily stay all deadlines 29 is granted. All deadlines, including discovery, are stayed and all remaining deadlines are vacated until the PTAB issues institution decisions for Abbott's IPRs in Miracor v. Abbott, 23 C 16257. Status hearing set for 5/1/25 is stricken and reset to 6/26/25 at 1:45 p.m. for docket management. If the parties require a continuance of the 6/26/25 status hearing based on the status of the IPR proceedings, they shall contact the Courtroom Deputy, Alyssia_Owens@ilnd.uscourts.gov. Joint status report on next steps shall be due no later than 14 calendar days after the PTAB's last institution decision on any of the Abbott IPRs in Miracor v. Abbott, 23 C 16257. Mailed notice (ao,) (Entered: 04/21/2025)	Miracor Medical SA v. Abbott Laboratories et al 1-25-cv-00484 (NDIL)	
		Stipulated/Agreed - Motion to Stay Pending Inter Partes Review		Granted
Apr. 21, 2025	136	MINUTE entry before the Honorable M. David Weisman: The parties' joint motion to temporarily stay all deadlines 134 is granted. All deadlines, including discovery, are stayed and all remaining deadlines are vacated until the PTAB issues institution decisions for Abbott's IPRs in Miracor v. Abbott, 23 C 16257. Status hearing set for 5/1/25 is stricken and reset to 6/26/25 at 1:00 p.m. for docket management. If the parties require a continuance of the 6/26/25 status hearing based on the status of the IPR proceedings, they shall contact the Courtroom Deputy, Alyssia_Owens@ilnd.uscourts.gov. Joint status report on next steps shall be due no later than 14 calendar days after the PTAB's last institution decision on any of the Abbott IPRs in Miracor v. Abbott, 23 C 16257. Motion hearing on motion 116 set for 5/1/25 is stricken and reset to 6/26/25. Mailed notice (ao,) (Entered: 04/21/2025)	Miracor Medical SA v. Abbott Laboratories et al 1-23-cv-16257 (NDIL)	
		Stipulated/Agreed - Motion to Stay Pending Inter Partes Review		Granted

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Apr. 23, 2025	127	ORDER. The Court conditionally grants Defendants' motion to stay pending inter partes review 114 . The Court stays this case pending resolution of the Apple IPR proceedings, provided that Defendants agree to be bound by the same estoppel that limits IPR petitioners as set forth in 35 U.S.C. § 315(e). Defendants shall file a notice indicating their consent or declination to be bound by IPR estoppel by May 7, 2025. The Court strikes the status hearing set for April 30, 2025 and resets it to May 13, 2025, at 9:30 AM. If Defendants file the consent to be bound, the Court will strike the May 13, 2025, status date. In the event that Defendants file the consent to be bound, the Court sets a further status date of December 4, 2025 at 1:30 PM and orders the parties to file a status report by December 2, 2025, providing the Court with information as to the actions taken by the USPTO and the parties' proposed modifications to the case schedule if necessary. See Statement. Signed by the Honorable Sara L. Ellis on 4/23/2025. Emailed notice(rj,) (Entered: 04/24/2025)	Theta IP, LLC v. Motorola Mobility LLC et al 1-22-cv-03441 (NDIL)	

Motion to Stay Pending Inter Partes Review — Granted

Infringement Defenses
└ PTAB Post-Decision Estoppel
└ **PTAB Petitioner Estoppel Following IPR (35 USC § 315(e))**

The court granted defendants' motion to stay pending *inter partes* review of plaintiff's patents by a non-defendant petitioner on the condition that these defendants agreed to be bound by IPR estoppel. "The Court stays this case pending resolution of the Apple IPR proceedings, provided that Defendants agree to be bound by the same estoppel that limits IPR petitioners as set forth in 35 U.S.C. § 315(e). Defendants shall file a notice indicating their consent or declination to be bound by IPR estoppel by [two weeks from now]."

Motion to Stay Pending Inter Partes Review — Granted

Stay of Proceedings
└ Factors Considered
└ **Prejudice From Stay/Tactical Advantage**

Stay of Proceedings
└ Factors Considered
└ **Reduction of Litigation Burden**

Stay of Proceedings
└ Factors Considered
└ **Simplification of Issues**

The court conditionally granted defendants' motion to stay pending *inter partes* review of plaintiff's patents by a non-defendant petitioner and concluded that the lack of undue prejudice, potential simplification of the issues, and reduction of the litigation burden favored a stay. "[Plaintiff] recently requesting a seventy-day extension of all case deadlines to allow it additional time to complete discovery and prepare its contentions. . . . [Plaintiff] has not identified any particular evidence it fears will be lost if the Court stays this case. . . . [T]he fact that the PTAB is considering all of the claims at issue in this litigation, including those of the '330 Patent that were not previously before it, suggests that its review may affect at least some of the claims in this litigation. . . . Much work remains in this case, as the parties have not taken any depositions yet, nor have they even begun the claim construction process. If the IPR results in cancellation of all or some of [Plaintiff's] claims, those claims would no longer be at issue and would not be subject to discovery, claim construction, or trial."

May. 12, 2025	129	MINUTE entry before the Honorable Sara L. Ellis: The Court strikes the status date set for 5/13/2025 and resets it to 12/4/2025 ay 1:30 PM. The parties should file a joint status report by 12/2/2025 indicating the status of the inter partes review and any modifications to the case schedule. The Court grants Defendants' motion to stay pending inter partes review 114 and stays this matter through the next status date. Mailed notice. (jcc,) (Entered: 05/12/2025)	Theta IP, LLC v. Motorola Mobility LLC et al 1-22-cv-03441 (NDIL)	

Motion to Stay Pending Inter Partes Review — Granted

Sep. 17, 2025	84	ORDER: The motion 59 to stay is granted. All deadlines in this case are stricken. The parties shall file a joint status report within 14 days of the PTO's ruling. Signed by the Honorable Jorge L. Alonso on 9/17/2025. Notice mailed by Judge's staff (lf,) (Entered: 09/17/2025)	Shenzhen Shokz Co., Ltd. v. Shenzhen Wenming Technology Co., Ltd. et al 1-24-cv-06717 (NDIL)	

Motion to Stay Pending Inter Partes Review — Granted

Stay of Proceedings
└ Factors Considered
└ **Prejudice From Stay/Tactical Advantage**

Stay of Proceedings
└ Factors Considered
└ **Simplification of Issues**

Stay of Proceedings
└ Factors Considered
└ **Stage of Litigation**

The court granted defendant's motion to stay pending institution of *inter partes* review and concluded that the lack of undue prejudice, stage of the case, and potential simplification of the issues favored a stay. "[T]here are other competitors in the bone conduction headphone market. And the existence of other competitors in the market undermines an assertion of undue prejudice. . . . Close of fact discovery is not until over four months from now, and close of expert discovery is not until over eight months from now. The parties' positions as to claim construction have not yet been fully briefed. And the trial date has not yet been set. . . . Defendant's IPR petitions challenge the validity of 17 of the total 20 asserted claims of the two asserted patents."

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