Docket Sheets Search

36 Results

Courts: Illinois (all districts) **Types of Document:** Motion to Stay Pending Inter Partes Review **Results of Motion:** Denied, Denied in part granted in part, Denied without prejudice

D...	#	Description	Case
Oct. 18, 2012	43	MINUTE entry before Honorable Joan H. Lefkow:Motion hearing held on 10/18/2012. Plaintiff's motion for leave to appear by telephone 41 is granted for the hearing of 10/18/2012. Defendant's motion to stay 39 is granted in part as stated on the record. Case is stayed until 4/18/2013 or until further order of court. Status hearing set for 4/18/2013 at 08:30 AM.Mailed notice (mad,) (Entered: 10/18/2012)	Clearlamp, LLC v. LKQ Corporation 1-12-cv-02533 (NDIL)
		Motion to Stay Pending Inter Partes Review	Denied in part granted in part
Jan. 24, 2013	63	MINUTE entry before Honorable Gary Feinerman:Motion hearing held. For the reasons stated on the record, Defendant's motion to stay third party discovery 59 is granted in part. Plaintiff shall inform the non-party subpoena recipients that the subpoena are not returnable until 2/15/2013 and that documents should not be produced before 2/8/2013. The non-party subpoena recipients also shall be informed of their duty to preserve documents responsive to the subpoenas.Mailed notice. (jlj) (Entered: 01/28/2013)	White v. H J Heinz Company, LP 1-12-cv-06074 (NDIL)
		Motion to Stay Pending Inter Partes Review	Denied in part granted in part
Dec. 16, 2013	139	MEMORANDUM Opinion and Order Signed by the Honorable Sharon Johnson Coleman on 12/16/2013:Mailed notice(rth,) (Entered: 12/17/2013)	RR Donnelley & Sons Company v. Xerox Corporation 1-12-cv-06198 (NDIL)
		Motion to Stay Pending Inter Partes Review	Denied
		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 denied without prejudice defendant's motion to stay plaintiff's entire action pending *inter partes* review of 2 of 6 patents because the undue prejudice to plaintiff, lack of potential simplification of issues, and later stage of the case weighed against a stay. "Granting a stay as to the entire litigation would cause the four unchallenged . . . patents to languish unresolved for an unspecified amount of time, and up to two years if one or both of [defendant's] petitions is granted. . . . Furthermore, the Court finds Xerox's assumption that the PTO will grant its petitions based solely on statistics too speculative. . . . [T]he parties have engaged in significant discovery efforts in this complex litigation. . . . [A]ny small inefficiency resulting from denying the stay is outweighed by substantial efficiencies resulting from reviewing common documents and deposing common witnesses only once."
		Motion to Amend or Supplement Pleading	Granted
Feb. 18, 2014	94	MINUTE entry before the Honorable Harry D. Leinenweber:Defendants Motion to stay 91 is denied without prejudice. Status hearing set for 5/21/2014 at 9:00 a.m.Mailed notice (wp,) (Entered: 02/21/2014)	OpinionLab, Inc. v. Qualtrics Labs, Inc. 1-13-cv-01574 (NDIL)
		Motion to Stay Pending Inter Partes Review	Denied without prejudice

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Mar. 17, 2014	169	ORDER: Motion hearing held on 3/14/2014 on plaintiff RR Donnelley & Sons' Motion to amend/correct the Case Schedule 162 . This Court having heard substantive argument on plaintiff's motion in court, no briefing was deemed necessary, and the motion is granted in part and denied in part. The motion is denied with respect to RR Donnelley's request for this Court to "reaffirm" its order denying defendant Xerox's motion to stay 138 because there is no need for this Court to do so without any request for reconsideration of that order. The remainder of RR Donnelley's motion to amend the schedule is granted. The deadline for RR Donnelley's LPR 3.1 Final Infringement contentions on the Cyman patents is extended to 28 days following Xerox's tender of the previously agreed upon discovery. This Court directs Xerox to provide RR Donnelley with the previously agreed upon discovery within 14 days of this Order. Further, this Court extends RR Donnelley's deadline for LPR 3.2 Final Enforceability and Validity contentions on the Cyman patents to 28 days following the deadline for their LPR 3.1 Infringement contentions. Status hearing set for 5/23/2014 at 9:00 a.m. Signed by the Honorable Sharon Johnson Coleman on 3/17/2014:Mailed notice(rth,) (Entered: 03/17/2014)	RR Donnelley & Sons Company v. Xerox Corporation 1-12-cv-06198 (NDIL)

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

Motion to Modify Scheduling/Pretrial Order — Granted

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

Aug. 14, 2014	101	MINUTE entry before the Honorable Harry D. Leinenweber:The Motion to stay 88 is denied, nunc pro tunc 2/18/2014.Mailed notice (wp,) (Entered: 08/14/2014)	OpinionLab, Inc. v. iPerceptions, Inc., et. al. 1-12-cv-05662 (NDIL)

Motion to Stay Pending Inter Partes Review — Denied

Aug. 25, 2015	60	MINUTE entry before the Honorable John J. Tharp, Jr: Status hearing held. Defendant's motion to stay 41 is granted in part, for the reasons stated in open court. The case is stayed pending further order of the Court, except that the parties are to meet and confer regarding any discovery disputes; any motion a party deems necessary to file to address unresolved disputes following such meet and confer should be noticed for presentment on 9/30/15 at 9:00 a.m. Plaintiff is granted leave to renew the motion to lift the stay in the event that the PTAB opts to address fewer than all of the claims presented by the pending petition. Defendant's motion to extend case schedule 55 is denied as moot. Mailed notice (air,) (Entered: 08/25/2015)	Ignite USA, LLC v. CamelBak Products, LLC 1-14-cv-09210 (NDIL)

Motion to Stay Pending Inter Partes Review — Denied in part granted in part

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

The court granted in part defendant's motion to stay pending its petition for *inter partes* review. "The case is stayed pending further order of the Court, except that the parties are to meet and confer regarding any discovery disputes; any motion a party deems necessary to file to address unresolved disputes following such meet and confer should be noticed for presentment [in one month]. Plaintiff is granted leave to renew the motion to lift the stay in the event that the PTAB opts to address fewer than all of the claims presented by the pending petition."

Motion to Modify Scheduling/Pretrial Order — Denied as moot

Sep. 29, 2015	46	MINUTE entry before the Honorable Matthew F. Kennelly: Motion hearing held on 9/29/2015. Motion to stay 42 is denied without prejudice. Mailed notice. (pjg,) (Entered: 09/29/2015)	The Green Pet Shop Enterprises LLC v. Maze Innovations Inc 1-15-cv-01138 (NDIL)

Motion to Stay Pending Inter Partes Review — Denied without prejudice

Nov. 05, 2015	49	MINUTE entry before the Honorable Matthew F. Kennelly: Motion hearing held on 11/5/2015. Motion to stay 47 is denied for reasons stated in open court. Mailed notice. (pjg,) (Entered: 11/05/2015)	The Green Pet Shop Enterprises LLC v. Maze Innovations Inc 1-15-cv-01138 (NDIL)

Motion to Stay Pending Inter Partes Review — Denied

Apr. 12, 2016	198	MINUTE entry before the Honorable John Robert Blakey: Status hearing held on 4/12/16 and continued, as previously scheduled, to 5/31/16 at 9:45 a.m. in Courtroom 1725. As discussed in open court, Defendants' motion to stay 180 and motion for extension of time 183 are granted in part, and denied in part. Plaintiff's motion to seal 192 is granted. All forthcoming claim construction deadlines are hereby stricken. However, fact discovery shall proceed, and the 5/31/16 fact discovery deadline stands. If the parties intend to file any motions to compel or motions for protective orders, they are advised not to wait until near the end of discovery. Moreover, although the Court will issue a forthcoming ruling on Defendants' motion to dismiss 98 , no party shall object to the production of discovery in the interim based on the motion's pending status. At the 5/31/16 status hearing, the parties shall come prepared to address whether the claim construction deadlines should remain stayed. Mailed notice (gel,) (Entered: 04/12/2016)	Vaxcel International Co., Ltd. v. HeathCo LLC et al 1-15-cv-00696 (NDIL)

Motion to Stay Pending Inter Partes Review — Denied in part granted in part

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

The court granted in part defendant's motion to stay pending *inter partes* review. "All forthcoming claim construction deadlines are hereby stricken. However, fact discovery shall proceed, and the . . . fact discovery deadline stands. If the parties intend to file any motions to compel or motions for protective orders, they are advised not to wait until near the end of discovery."

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

Motion to File Under Seal — Granted

Aug. 05, 2016	116	MINUTE entry before the Honorable James B. Zagel: Plaintiff's Motion to Compel 88 is granted with regard to the FEA files. The Court reminds the parties that the files are subject to the protective order and must be sealed. The remaining requests in Plaintiff's Motion to Compel are being resolved by the parties. Defendant's Motion to Stay Pending IPR [62, 68] is denied with leave to reinstate after the PTAB determines whether IPR will go forward. With respect to Defendant's Motion to Compel 64 , Plaintiff shall submit the requested Price Waterhouse Cooper reports for in camera review by 9/1/16. Ruling set for 9/14/16 at 9:30 a.m. is converted to a status hearing on 9/14/16 at 9:30 a.m. Mailed notice (ep,) (Entered: 08/05/2016)	National Steel Car Limited v. FreightCar America, Inc. 1-15-cv-03418 (NDIL)

Motion to Stay Pending Inter Partes Review — Denied without prejudice

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

The court denied without prejudice defendant's motion to stay pending its two petitions for *inter partes* review. "Defendant's Motion to Stay Pending IPR is denied with leave to reinstate after the PTAB determines whether IPR will go forward."

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

Motion to Compel Discovery — Granted

Sep. 06, 2016	64	ORDER Signed by the Honorable Amy J. St. Eve on 9/6/2016: The Court denies Defendants' motion to stay 58 without prejudice. [For further details, see Order.] Mailed notice(kef,) (Entered: 09/06/2016)	Baxter International, Inc. v. CareFusion Corporation et al 1-15-cv-09986 (NDIL)

Motion to Stay Pending Inter Partes Review — Denied without prejudice

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

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

The court denied without prejudice defendants' motion to stay pending their petitions for *inter partes* review because the lack of potential simplification of issues and potential undue prejudice weighed against a stay. "While it is possible that the IPR proceedings could simplify the case, as a final Board decision could cancel [plaintiff's] claims or give rise to the preclusive effects of § 315(e)(2), it is an overstatement to say that the IPRs will simplify the case because the Board could opt against instituting IPR. Thus, while granting a stay at this juncture 'guarantees . . . delay, it does not necessarily guarantee . . . clarity.'. . . Even assuming Defendants are correct that [plaintiff] will not suffer undue prejudice as a result of instituting a stay in spite of the Court having already denied a motion to dismiss, discovery being underway, and Defendants having waited more than eight months after [plaintiff] initiated this lawsuit to request IPR, the Court declines to grant a stay because the benefits of doing so at this point are illusory. . . . Patent litigation is a long road, and the Court does not wish to add an extra mile without a concomitant benefit."

Oct. 07, 2016	31	MINUTE entry before the Honorable Matthew F. Kennelly: Xenith's motions to join in Kranos Corp.'s motion to stay and its reply brief filed in Case No. 16 C 4496 are granted. The motion to stay is denied as premature, because the PTAB has not yet decided whether to institute IRP proceedings with respect to any of the patents in suit. The Court expresses no views on the other arguments made in favor of or against a stay. The case remains set for a status hearing on 10/11/2016 at 9:30 AM. (mk) (Kennelly, Matthew) (Entered: 10/07/2016)	Riddell, Inc. v. Xenith, LLC 1-16-cv-04498 (NDIL)

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

Motion to Stay Pending Inter Partes Review — Denied

Oct. 07, 2016	52	MINUTE entry before the Honorable Matthew F. Kennelly: Xenith's motions to join in Kranos Corp.'s motion to stay and its reply brief are granted. The motion to stay is denied as premature, because the PTAB has not yet decided whether to institute IRP proceedings with respect to any of the patents in suit. The Court expresses no views on the other arguments made in favor of or against a stay. The case remains set for a status hearing on 10/11/2016 at 9:30 AM. (mk) (Entered: 10/07/2016)	Riddell, Inc. v. Kranos Corporation d/b/a Schutt Sports 1-16-cv-04496 (NDIL)

Motion to Stay Pending Inter Partes Review — Denied

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

The court denied as premature defendant's motion to stay pending *inter partes* review. "The motion to stay is denied as premature, because the PTAB has not yet decided whether to institute IPR proceedings with respect to any of the patents in suit. The Court expresses no views on the other arguments made in favor of or against a stay."

Nov. 16, 2016	158	MINUTE entry before the Honorable Manish S. Shah: Status hearing held. Motion hearing held. Defendant's motion for leave to file under seal 153 is granted. For the reasons stated in open court, defendant's motions to strike 144 and to stay 131 are denied. A Markman tutorial and oral argument are set for 1/31/17 at 1:30 p.m. Notices mailed by Judicial Staff. (psm,) (Entered: 11/16/2016)	National Steel Car Limited v. FreightCar America, Inc. 1-15-cv-03418 (NDIL)	

Scheduling/ Pretrial Order (FRCP 16, FRCP 26(f))	N/A
Motion Re Claim Construction	Denied
Motion to File Under Seal	Granted
Motion to Strike Evidence / Argument Supporting a Motion	Denied
Order Re Claim Construction Process	N/A
Motion to Stay Pending Inter Partes Review	Denied

Dec. 15, 2016	91	ORDER Signed by the Honorable Joan B. Gottschall on 12/15/2016. Mailed notice(mjc,) (Entered: 12/15/2016)	Sioux Steel Company v. Prairie Land Millwright Services, Inc. 1-16-cv-02212 (NDIL)	

Motion to Reconsider - Motion to Stay Pending Inter Partes Review	Denied

Jan. 03, 2017	37	MINUTE entry before the Honorable Elaine E. Bucklo: Defendant Pacific Market International, LLC's Motion to Stay 26 is denied. No appearance required on 1/9/2017. Mailed notice. (mgh,) (Entered: 01/03/2017)	Ignite USA, LLC v. Pacific Market International, LLC 1-16-cv-01929 (NDIL)	

Motion to Stay Pending Inter Partes Review	Denied

Jan. 03, 2017	66	MINUTE entry before the Honorable Joan H. Lefkow:Plaintiff's motion to clarify the Court's December 20, 2016, decision and to adopt plaintiff's proposed order staying case pending patent office review 59 is granted in part and denied in part; defendants' motion for entry of an order memorializing the court's grant of defendants' motion to stay and imposing the agreed-to estoppel 63 is granted. Defendants shall be estopped from arguing that any claim asserted in this case is invalid based on the same invalidity arguments submitted to the Patent Trial and Appeal Board and substantively rejected on the merits in a Final Written Decision under 35 U.S.C. § 318(a) (for inter partes review (IPR) proceedings IPR2016-01869 and IPR2017-00006) or in a Final Written Decision under 35 U.S.C. § 328(a) (for covered business method review (CBMR) proceeding CBM2017-00008), unless the Final Written Decision issues subject to 35 U.S.C. § 317(a) or 35 U.S.C. § 327(a). No estoppel shall apply in connection with a particular IPR or CBMR absent a Final Written Decision. Motions are stricken from the Court's call of 1/4/2017.Mailed notice (mad,) (Entered: 01/03/2017)	T-Rex Property AB v. ContextMedia Inc. et al 1-16-cv-04826 (NDIL)	

Motion to Clarify Order Re - Motion to Stay Pending Inter Partes Review	Denied in part granted in part

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Jan. 04, 2017	26	ORDER signed by the Honorable Edmond E. Chang. For the reasons stated in the Order, which is being entered in both 15 C 8913 and 16 C 8897, the motion to stay 58 is denied as unnecessary and the motion to dismiss 84 is granted in part. Case No. 15 C 8913 is dismissed for lack of standing, and because it is subsumed by 16 C 8897. The Clerk's Office shall terminate 15 C 8913, and a separate AO-450 judgment shall be entered. But the dismissal is not with prejudice, so 16 C 8897 remains an open case. Nalco shall pay attorney's fees and costs in 15 C 8913 as detailed in the Order. The Court retains jurisdiction in 15 C 8913 to implement the attorney's fees and costs shifting, and only filings pertaining to that issue shall be filed in 15 C 8913. All other filings shall be made in 16 C 8897. In 16 C 8897, Solenis shall answer and counterclaim by 01/25/2017; the parties shall file an IPR status report by 01/25/2017; and the case is otherwise stayed. The status hearing of 01/05/2017 in both cases is reset to 01/31/2017, at 9:45 a.m., in both cases.Emailed notice(slb,) (Entered: 01/04/2017)	Nalco Company LLC et al v. Solenis LLC 1-16-cv-08897 (NDIL)

Motion to Dismiss - Lack of Standing (FRCP 12(b)(1)) — Denied in part granted in part

District Court Procedural Issues
└ Standing
└ **Patent Rights Sufficient To Convey Standing**

The court granted in part defendant's motion to dismiss plaintiff's patent infringement actions for lack of standing. "[Defendant] argues that not only should [one case] be dismissed for lack of standing, but it should be dismissed with prejudice, thus in effect preventing [plaintiff] from pursuing the [later-filed] action for post-[standing] damages. On review of the record, although [plaintiff] made several unreasonable mistakes that warrant sanctions, the ultimate sanction of dismissal with prejudice is too harsh here. To start, it does not appear that [plaintiff] acted in outright bad faith when it filed the [first] lawsuit. There is no stratagem that would motivate [plaintiff] to intentionally misstate its standing to sue. [Plaintiff] would have risked the unwinding of any victory if it were later discovered (as it was) that it had no standing to sue, and also would have (as it does now) faced sanctions for pursuing the litigation in the first place. . . . But the Court retains jurisdiction to implement the attorney's fees and costs shifting as explained in this Order."

Motion to Stay Pending Inter Partes Review — Denied in part granted in part

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

The court granted in part defendant's motion to stay pending its petitions for *inter partes* review because the potential simplification of issues favored a stay. "The Court was going to enter a stay pending inter partes review in [one of the parties' cases that was dismissed for lack of standing], and does so in this case (except for the answer deadline and the status report requirement). . . . [Plaintiff] argues that waiting is not worth it because . . . nearly half (1,621) of IPR petitions did not result in instituted trials. But of those 1,621 petitions, 583 petitions resulted in a settlement before the institution decision was even made. Those 583 settlements presumably resolved at least some, and perhaps all, of the disputes between the parties. Adding those 583 petitions to the 1,674 petitions that did result in instituted trials means that around 68.5% of the total petitions had a direct impact on the disputes between the parties."

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

Motion for Sanctions (other than discovery) — Denied in part granted in part

Jan. 04, 2017 | 107

ORDER signed by the Honorable Edmond E. Chang. For the reasons stated in the Order, which is being entered in both 15 C 8913 and 16 C 8897, the motion to stay 58 is denied as unnecessary and the motion to dismiss 84 is granted in part. Case No. 15 C 8913 is dismissed for lack of standing, and because it is subsumed by 16 C 8897. The Clerk's Office shall terminate 15 C 8913, and a separate AO-450 judgment shall be entered. But the dismissal is not with prejudice, so 16 C 8897 remains an open case. Nalco shall pay attorney's fees and costs in 15 C 8913 as detailed in the Order. The Court retains jurisdiction in 15 C 8913 to implement the attorney's fees and costs shifting, and only filings pertaining to that issue shall be filed in 15 C 8913. All other filings shall be made in 16 C 8897. In 16 C 8897, Solenis shall answer and counterclaim by 01/25/2017; the parties shall file an IPR status report by 01/25/2017; and the case is otherwise stayed. The status hearing of 01/05/2017 in both cases is reset to 01/31/2017, at 9:45 a.m., in both cases.Emailed notice(slb,) (Entered: 01/04/2017)

Nalco Company, v. Solenis LLC
1-15-cv-08913 (NDIL)

Motion to Dismiss - Lack of Standing (FRCP 12(b)(1)) — Denied in part granted in part

District Court Procedural Issues
└ Standing
└ **Patent Rights Sufficient To Convey Standing**

The court granted in part defendant's motion to dismiss plaintiff's patent infringement actions for lack of standing. "[Defendant] argues that not only should [one case] be dismissed for lack of standing, but it should be dismissed with prejudice, thus in effect preventing [plaintiff] from pursuing the [later-filed] action for post-[standing] damages. On review of the record, although [plaintiff] made several unreasonable mistakes that warrant sanctions, the ultimate sanction of dismissal with prejudice is too harsh here. To start, it does not appear that [plaintiff] acted in outright bad faith when it filed the [first] lawsuit. There is no stratagem that would motivate [plaintiff] to intentionally misstate its standing to sue. [Plaintiff] would have risked the unwinding of any victory if it were later discovered (as it was) that it had no standing to sue, and also would have (as it does now) faced sanctions for pursuing the litigation in the first place. . . . But the Court retains jurisdiction to implement the attorney's fees and costs shifting as explained in this Order."

Motion to Stay Pending Inter Partes Review — Denied in part granted in part

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

The court granted in part defendant's motion to stay pending its petitions for *inter partes* review because the potential simplification of issues favored a stay. "The Court was going to enter a stay pending inter partes review in [one of the parties' cases that was dismissed for lack of standing], and does so in this case (except for the answer deadline and the status report requirement). . . . [Plaintiff] argues that waiting is not worth it because . . . nearly half (1,621) of IPR petitions did not result in instituted trials. But of those 1,621 petitions, 583 petitions resulted in a settlement before the institution decision was even made. Those 583 settlements presumably resolved at least some, and perhaps all, of the disputes between the parties. Adding those 583 petitions to the 1,674 petitions that did result in instituted trials means that around 68.5% of the total petitions had a direct impact on the disputes between the parties."

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

Motion for Sanctions (other than discovery) — Denied in part granted in part

Mar. 12, 2017 | 47

MEMORANDUM OPINION AND ORDER signed by the Honorable Matthew F. Kennelly on 3/12/2017: For the reasons stated in the accompanying Order, the Court denies Kranos Corp.'s renewed motion to stay, in which Xenith LLC has joined. The status hearing set for 3/16/2017 is vacated and reset to 4/20/2017 at 9:30 AM, for the primary purpose of discussing the nature and scope of the claim construction hearing. (mk) (Entered: 03/12/2017)

Riddell, Inc. v. Xenith, LLC
1-16-cv-04498 (NDIL)

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

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 denied defendant's renewed motion to stay pending *inter partes* review because the undue prejudice to plaintiff, lack of potential simplification of issues, and stage of the case weighed against a stay. "[Plaintiff] argues persuasively that staying the case pending the IPR proceeding instituted by [movant] would cause [plaintiff] a tactical disadvantage. . . . [I]f, for example, the PTAB rejects a particular ground of invalidity asserted by [movant], [movant] cannot re-assert that ground in this lawsuit. . . . But this same bar will not apply to [the other defendant], which did not seek institution of IPR proceedings but which would benefit from favorable rulings in the IPR instituted by [movant]. Thus the defendants collectively will get two bites at the invalidity apple if the Court stays this case pending conclusion of the IPR proceedings. . . . [T]he PTAB instituted IPR proceedings on 23 of the 53 claims at issue. . . . Thus a significant number of claims will remain for determination in this suit irrespective of the outcome of the IPR. . . . A stay would bring matters to a grinding halt for a period of somewhere between a year and two years, depending on whether there is an appeal of the IPR rulings."

Mar. 12, 2017	92	MEMORANDUM OPINION AND ORDER signed by the Honorable Matthew F. Kennelly on 3/12/2017: For the reasons stated in the accompanying Order, the Court denies Kranos Corp.'s renewed motion to stay [dkt. no. 84], in which Xenith LLC has joined [dkt. no. 87]. The status hearing set for 3/16/2017 is vacated and reset to 4/20/2017 at 9:30 AM, for the primary purpose of discussing the nature and scope of the claim construction hearing. (mk) (Entered: 03/12/2017)	Riddell, Inc. v. Kranos Corporation d/b/a Schutt Sports 1-16-cv-04496 (NDIL)

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

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 denied defendant's renewed motion to stay pending *inter partes* review because the undue prejudice to plaintiff, lack of potential simplification of issues, and stage of the case weighed against a stay. "[Plaintiff] argues persuasively that staying the case pending the IPR proceeding instituted by [movant] would cause [plaintiff] a tactical disadvantage. . . . [I]f, for example, the PTAB rejects a particular ground of invalidity asserted by [movant], [movant] cannot re-assert that ground in this lawsuit. . . . But this same bar will not apply to [the other defendant], which did not seek institution of IPR proceedings but which would benefit from favorable rulings in the IPR instituted by [movant]. Thus the defendants collectively will get two bites at the invalidity apple if the Court stays this case pending conclusion of the IPR proceedings. . . . [T]he PTAB instituted IPR proceedings on 23 of the 53 claims at issue. . . . Thus a significant number of claims will remain for determination in this suit irrespective of the outcome of the IPR. . . . A stay would bring matters to a grinding halt for a period of somewhere between a year and two years, depending on whether there is an appeal of the IPR rulings."

Mar. 24, 2017	101	ORDER Signed by the Honorable Amy J. St. Eve on 3/24/2017: The Court denies Defendant's motion to stay 84 . [For further details, see Order.] Mailed notice(kef,) (Entered: 03/24/2017)	Oil-Dri Corporation of America v. Nestle Purina Petcare Company 1-15-cv-01067 (NDIL)

Motion to Stay Pending Inter Partes Review — Denied

Stay of Proceedings
└ Factors Considered
└ **Likelihood Of Success (Stay)**
Stay of Proceedings
└ Factors Considered
└ **Reduction of Litigation Burden**
Stay of Proceedings
└ Factors Considered
└ **Simplification of Issues**

The court denied defendant's motion to stay pending its appeal of *inter partes* review proceedings. "Even if [the prior judge] did not deny a stay pending appeal before the Federal Circuit, the Court denies [defendant's] current request. The factors of whether a stay will simplify the issues in question, streamline the trial, and reduce the burden of litigation on the parties and the court favor [plaintiff]. . . . The Court already has the benefit of the PTAB's expert analysis and record, and the PTAB's decision has already simplified the case somewhat because the IPR petitioner is estopped from arguing that a 'claim is invalid on any ground that the petitioner raised or reasonably could have raised during that [IPR].'. . . The Court further notes that [plaintiff] has provided statistics showing that there is a 92% chance that the Federal Circuit will affirm the PTAB as to every challenged claim. . . . The IPR process -- particularly where the PTAB upholds the validity of the plaintiff's patent -- should not constitute an automatic multi-year pause button."

Sep. 13, 2017	78	MINUTE entry before the Honorable Joan H. Lefkow:Motion hearing held on 9/13/2017. Defendants' motion to stay pending inter partes review of the patents-in-suit 74 is denied without prejudice.Mailed notice (mad,) (Entered: 09/13/2017)	T-Rex Property AB v. ContextMedia Inc. et al 1-16-cv-04826 (NDIL)

Motion to Stay Pending Inter Partes Review — Denied without prejudice

May. 02, 2018	363	MINUTE entry before the Honorable John Robert Blakey: Status and motion hearing held on 5/2/2018. Defendant's motion for stay 357 is denied. Claim construction hearing set for 8/15/2018 at 11:00 a.m. in Courtroom 1203. Jury trial set for 9/3/2019 at 10:30 a.m. in Courtroom 1203. Enter Case Management Order. The parties shall carefully review the case management order for additional dates, deadlines and information. Mailed notice (gel,) (Entered: 05/02/2018)	Fatigue Fracture Technology LLC v. Navistar, Inc. 1-15-cv-05667 (NDIL)

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

Motion to Stay Pending Reexamination — Denied

Motion to Stay Pending Inter Partes Review — Denied

Jul. 11, 2018	118	RULING on Prairie Land Millwright Services, Inc.'s motion to extend the stay of the litigation pending challenge to the inter partes review decision: Considering the diminished prospects of further clarification in defendant's favor, as well as the prejudice to plaintiff of continuing to delay resolution of this litigation, and finding the other factors it must consider essentially in equipoise, the court denies defendant's Motion to Extend the Stay, ECF No. 108 . The case is set for status on July 25, 2018, at 9:30 a.m. Signed by the Honorable Joan B. Gottschall on 7/11/2018. Mailed notice(mjc,) (Entered: 07/11/2018)	Sioux Steel Company v. Prairie Land Millwright Services, Inc. 1-16-cv-02212 (NDIL)

Motion to Stay Pending Inter Partes Review — Denied

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

The court denied defendant's motion to extend a stay pending *inter partes* review pending its request for rehearing and appeal because the lack of potential simplification of issues and undue prejudice to plaintiff weighed against a stay. "[A]t this stage, when the PTAB has issued a decision rejecting defendant's invalidity contentions, the likelihood of a further stay resulting in further clarification is limited. . . . The possibility of lengthy additional delay for that modest possible benefit is great. . . . In its initial decision granting defendant's motion for a stay, the court found that [plaintiff's] declaration [that the parties were direct competitors] was undisputed, as it still appears to be. This factor weighs heavily against a stay."

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

Dec. 17, 2018	146	MINUTE entry before the Honorable Sara L. Ellis: Claim construction hearing held on 12/17/2018. The Court denies Defendant's motion to stay 126 without prejudice. The Court grants Defendant's motion to seal 144 . Mailed notice (rj,) (Entered: 12/18/2018)	Medline Industries, Inc. v. CR Bard, Inc. 1-17-cv-07216 (NDIL)

Motion to File Under Seal — Granted

Motion to Stay Pending Inter Partes Review — Denied without prejudice

Jan. 29, 2019	61	MINUTE entry before the Honorable Ruben Castillo: Motion hearing held on 1/29/2019. Defendant's motion to stay pending Inter Partes Review of U.S. Pantent No. 8,141,843 52 is denied. Defendant's motion under LPR 3.4 to amend final invalidity and unenforceability contentions 55 is denied. Defendant's motion for sanctions 57 is denied without prejudice to its potential renewal at the end of this case. (rao,) (Entered: 01/29/2019)	VRG Controls, LLC v. Valpres SRL 1-18-cv-01957 (NDIL)

Motion for Leave to Serve Amended Contentions — Denied

Motion for Sanctions (FRCP 11) — Denied without prejudice

Motion to Stay Pending Inter Partes Review — Denied

Oct. 17, 2019	48	MINUTE entry before the Honorable Gary Feinerman:Status hearing held and continued to 11/19/2019 at 9:00 a.m. Motion hearing held. For the reasons stated on the record, Defendant's motion to extend stay 41 is denied. The parties shall file a joint status report by 11/13/2019. Attorneys who wish to participate by telephone at the next status hearing should call Toll-Free Number: (877) 336-1828, Access Code: 4082461. The Clerk is directed to reinstate this case as pending.Mailed notice. (jlj,) (Entered: 10/18/2019)	Kohler Co. v. Moen, Inc. 1-18-cv-00845 (NDIL)

Motion to Stay Pending Inter Partes Review — Denied

Mar. 26, 2021	71	ORDER. Signed by the Honorable Gabriel A. Fuentes on 3/26/2021. Mailed notice. (jj,) (Entered: 03/26/2021)	Ellenby Technologies, Inc. v. FireKing Security Group et al 1-20-cv-02253 (NDIL)

Motion to Stay Pending Inter Partes Review — Denied without prejudice

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

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

The court denied without prejudice defendants' motion to stay pending their petition for *inter partes* review because the potential undue prejudice and lack of potential simplification of issues weighed against a stay. "While we find that a stay of five months would be unlikely to cause significant prejudice to Plaintiff from a competitive standpoint, we agree that a stay's interference with Plaintiff's ability to obtain relevant (and in some cases, already served) discovery weighs in favor of denying a stay. . . . [A]t this point, any possible streamlining that could result from a final PTAB decision is purely speculative. . . . [I]t is an overstatement to say that the IPRs *will* simplify the case because the Board could opt against instituting IPR."

Sua Sponte - Order Re Claim Construction Process — Recommended granting

Apr. 13, 2021	77	MEMORANDUM Opinion and Order. Signed by the Honorable Gabriel A. Fuentes on 4/13/2021. Mailed notice.(jj,) (Entered: 04/13/2021)	Ellenby Technologies, Inc. v. FireKing Security Group et al 1-20-cv-02253 (NDIL)

Motion to Reconsider - Motion to Stay Pending Inter Partes Review — Denied

Stay of Proceedings
└ Factors Considered
└ **Harm Without Stay**

District Court Procedural Issues
└ Motion Practice in General
└ **Reconsideration**

The court denied defendants' motion to reconsider an earlier order denying without prejudice defendants' motion to stay pending their petition for *inter partes* review. "Defendants characterize the discovery as an unreasonable 'campaign' of discovery that Plaintiff unleashed as 'an avalanche' after having made unreasonable settlement demands that scuttled the settlement conference. Yet Defendants have filed no motion for protective order under Federal Rule of Civil Procedure 26 to try to limit that discovery. Instead, they are pressing their argument that no discovery ought to occur at all in light of their IPR petition and their request to stay the case. . . . [T]he Court sees Defendants' complaints about the discovery as being addressable in the ordinary course of the litigation, without a stay -- at least for now. . . . Defendants' authority for pre-institution stays is relatively thin or is distinguishable."

Aug. 02, 2022	129	MINUTE entry before the Honorable Rebecca R. Pallmeyer: Telephone status hearing held. For the reasons stated on the record, Plaintiff's motion to stay 76 is denied without prejudice. Parties are directed to file a written status report by 10/4/2022. Mailed notice. (cp,) (Entered: 08/02/2022)	Samsung Electronics Co., Ltd. et al v. Lynk Labs, Inc. 1-21-cv-02665 (NDIL)

Motion to Stay Pending Inter Partes Review — Denied without prejudice

Jun. 13, 2024	102	ORDER. The Court denies Defendants' motion to stay pending inter partes review 96 . See Statement. Signed by the Honorable Sara L. Ellis on 6/13/2024. Mailed notice(rj,) (Entered: 06/13/2024)	Theta IP, LLC v. Motorola Mobility LLC et al 1-22-cv-03441 (NDIL)

Motion to Stay Pending Inter Partes Review — Denied

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

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

The court denied defendant's motion to stay pending institution of inter partes review and found that stage of the case and lack of simplification of the issues disfavored a stay. "The Court acknowledges that it previously stayed this case before the PTAB decided whether to grant any of Defendants' IPR petitions. . . . Without an instituted IPR as to the '330 Patent or reason to believe one will materialize, the Court does not find that another stay at this time would simplify the proceedings or reduce the burden of litigation on the parties and the Court. This holds especially true here because the Court has postponed the claim construction hearing until after the PTAB issues its final decisions on the '825 and '202 Patents, with the opening claim construction brief currently due on January 17, 2025."

Jul. 18, 2024	63	MINUTE entry before the Honorable Sunil R. Harjani: Telephone conference previously set for 7/24/2025 is stricken and reset to 10/22/2024 at 9:15 a.m.The Court declines to stay this case based on the IPR proceedings. The IPR proceeding has not even been instituted yet. Beyond that, it will likely take a year for the IPR proceedings if the PTAB institutes the case. There is no reason why these cases cannot proceed simultaneously at least through the discovery phase. The parties should attempt settlement talks with the assistance of the magistrate judge. In addition, the Court enters and orders the parties to follow the schedule identified in Exhibit 1 to the 7/17/24 status report 62 . Deadline for amendment of pleadings or joinder of additional parties is 9/18/24. This case is referred to the Magistrate Judge for discovery supervision (including adjusting all deadlines as needed), resolution of discovery motions, and settlement discussions. Members of the public and media will be able to call in to listen to this hearing but will be placed on mute. The call-in number is (855) 244-8681 and the access code is 172 628 1276##. Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, and rebroadcasting of court proceedings. Mailed notice (lxs,) (Entered: 07/18/2024)	Shenzhen CARKU Technology Co., Ltd. v. Shenzhen Xinzexing E-commerce Co., Ltd. 1-22-cv-03403 (NDIL)

Motion to Stay Pending Inter Partes Review — Denied

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

The court denied defendant's motion to stay pending institution of *inter partes* review. "The IPR proceeding has not even been instituted yet. Beyond that, it will likely take a year for the IPR proceedings if the PTAB institutes the case. There is no reason why these cases cannot proceed simultaneously at least through the discovery phase. The parties should attempt settlement talks with the assistance of the magistrate judge."

May. 12, 2025	33	MINUTE entry before the Honorable Steven C. Seeger: The Court reviewed the joint status report. (Dckt. No. 32) The parties have not settled. A third party request for ex parte reexamination of the asserted patent was filed with the United States Patent and Trademark Office. The parties "would like to stay the case pending USPTO decision on the validity of the asserted patent." That request, which didn't appear in a motion, is hereby denied. The joint initial status report is due by May 15, 2025. A failure to comply will lead to dismissal. Mailed notice (lf,) (Entered: 05/12/2025)	Jin v. The Partnerships And Unincorporated Associations Identified On Schedule A, 1-24-cv-11870 (NDIL)

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

Jan. 20, 2026	121	MINUTE entry before the Honorable Jeremy C. Daniel: The defendant's motion to stay 104 is denied. The defendants filed their first petition for inter partes review nearly ten months into this case. The defendant filed its fifth nearly a year into this case. None of those petitions have been granted. The Court declines to speculate as to whether the U.S. Patent and Trademark Office will institute any of the petitions. The Court further declines to stay this case. Mailed notice. (vcf,) (Entered: 01/20/2026)	Brain Corporation v. Avidbots Corporation et al 1-24-cv-12569 (NDIL)

Motion to Stay Pending Inter Partes Review — Denied

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