

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

ONESTA IP, LLC,

Plaintiff,

v.

NVIDIA CORPORATION,

Defendant.

Case No. 1:25-cv-586-ADA

DEFENDANT’S UNOPPOSED MOTION TO STAY PURSUANT TO 28 U.S.C. § 1659(a)

Defendant NVIDIA Corporation (“NVIDIA”) moves to stay this action pursuant to 28 U.S.C. § 1659(a). This case involves allegations of patent infringement brought by Plaintiff Onesta IP, LLC (“Onesta”) against NVIDIA. Onesta filed this suit on April 17, 2025, asserting five patents against NVIDIA. The next day, on April 18, 2025, Onesta filed a complaint asserting the same five patents against NVIDIA in the United States International Trade Commission (“ITC”).¹ When a party institutes parallel infringement proceedings in both the ITC and district court concerning the “same issues,” 28 U.S.C. § 1659(a) provides that the district court “shall” stay the litigation pending resolution of the ITC proceeding, upon request of the respondent in the ITC proceeding. This stay must be granted if made within thirty days from the later of: (1) the party being named a respondent in a proceeding before the ITC, or (2) the filing of the district court action. 28 U.S.C. § 1659(a)(1), (2). The ITC instituted the investigation against NVIDIA on

¹ See *Certain Integrated Circuits, Electronic Devices Containing The Same, And Components Thereof*, Inv. No. 337-TA-1450. In both proceedings, Onesta asserts U.S. Patent No. 8,854,381, U.S. Patent No. 9,519,943, U.S. Patent No. 11,741,019, U.S. Patent No. 11,841,803, and U.S. Patent No. 9,116,809.

May 20, 2025. *See* Notice of Institution of Investigation, *Certain Integrated Circuits, Electronic Devices Containing The Same, And Components Thereof*, Inv. No. 337-TA-1450, EDIS DocID #851680 (May 20, 2025). This motion filed June 4, 2025, is thus timely. Counsel for NVIDIA has conferred with Onesta's counsel, and Onesta does not oppose NVIDIA's motion to stay.

For the foregoing reasons, NVIDIA respectfully requests that this case be stayed pending final resolution of the parallel ITC proceeding, including during any appeals thereof. *In re Princo Corp.*, 478 F.3d 1345, 1355 (Fed. Cir. 2007).

Respectfully submitted,

/s/ David M. Prichard

David M. Prichard
State Bar No. 16317900
Direct Line: (210) 477-7401
Email: dprichard@pomllp.com

David R. Montpas
State Bar No. 00794324
Direct Line: (210) 477-7417
Email: dmontpas@pomllp.com

PRICHARD, OLIVER MONTPAS LLP
10101 Reunion Place, Suite 600
San Antonio, Texas 78216
(210) 477-7400 –Telephone
(210) 477-7450 –Telecopier

Counsel for Defendant NVIDIA Corporation

CERTIFICATE OF CONFERENCE

I certify that I conferred with counsel for Plaintiff in accordance with the Federal Rules of Civil Procedure and the Local Rule CV-7(g) about the substance of this motion. Counsel for Plaintiff does not oppose the motion.

/s/ David M. Prichard

DAVID M. PRICHARD

CERTIFICATE OF SERVICE

I certify that on the 4th day of June 2025 I filed the foregoing document using the Federal Court's e-filing system, and I certify that I have served all counsel of record in the manner authorized by Federal Rule of Civil Procedure 5(b)(2):

/s/ David M. Prichard

DAVID M. PRICHARD