

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

PICTIVA DISPLAYS INTERNATIONAL	)	
LTD.,	)	
KEY PATENT INNOVATIONS LIMITED	)	
	)	
Plaintiffs,	)	Civil Action No. 2:23-CV-00495-JRG
	)	
vs.	)	JURY TRIAL DEMANDED
	)	
SAMSUNG ELECTRONICS CO., LTD.,	)	
SAMSUNG ELECTRONICS AMERICA,	)	
INC.,	)	
	)	
Defendants.	)	

**MOTION TO WITHDRAW PLAINTIFFS’ MOTION FOR LEAVE TO FILE
SECOND AMENDED COMPLAINT (DKT. 111 & 112)**

In an effort to ensure consolidation of the instant action with Case No. 2:24-cv-00532-JRG (“*Pictiva IP*”) and to have the cases proceed on the same schedule as the current action, Plaintiffs Pictiva Displays International Ltd. and Key Patent Innovations Limited (collectively, “Pictiva”) hereby withdraw its Motion for Leave to File Second Amended Complaint (Dkt. 111) bringing a claim of infringement of U.S. Patent No. 12,158,250, published as US2024/0110678A1.¹ A revised Second Amended Complaint with KPI added as a co-plaintiff as authorized by Dkt. 118 has been filed as Dkt. 124.

Good cause exists for this motion. First, the motion is brought timely, less than a month after the motion was filed. Second, the motion simplifies the pending issues before the Court. For example, Samsung has been making the ’250 patent an issue for case scheduling, contending that new discovery

¹ Pictiva previously filed a notice to the same effect. Dkt. 123. The clerk’s office, however, has informed Pictiva’s counsel that Dkt. 123 was filed using the wrong docket event and that the document should be refiled using the correct docket event Motion to Withdraw.

will be needed and that the prejudice it will suffer can be ameliorated by adopting the *Pictiva II* case schedule. *See* Dkt. 117 at 6-8. Samsung also contends that the Court currently does not have jurisdiction over the '250 patent because it was added to the case before it was issued. *Id.* at 5-6. Although Pictiva disagrees with the merits of those arguments, Pictiva would like to have the cases proceed as scheduled without being distracted by further motion practices related to the '250 patent or delay in discovery. For instance, the parties are scheduling certain depositions for January and would like to proceed instead of having them delayed once more due to alleged need to prepare for new issues related to the '250 patent. Consequently, to ensure consolidation with *Pictiva II* and to have both cases proceed under the same schedule, Pictiva withdraws its Motion for Leave to File Second Amended Complaint (Dkt. 111) bringing a claim of infringement of U.S. Patent No. 12,158,250.

Dated: December 18, 2024

Respectfully submitted,

/s/ Jason G. Sheasby

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CERTIFICATE OF CONFERENCE

The undersigned certifies that counsel for Plaintiffs conferred with Counsel for Defendants on December 18, 2024 about this Joint Motion. Defendants indicate that they do not oppose the motion.

/s/ Jeffrey Linxwiler
Jeffrey Linxwiler

CERTIFICATE OF SERVICE

I hereby certify that, on December 18, 2024, a copy of the foregoing was served to all counsel of record via the Court's ECF system.

/s/ Jeffrey Linxwiler
Jeffrey Linxwiler