

ORAL ORDER: Having reviewed Defendant MOM Enterprises, LLC's ("MOM") Motion to Stay Pending Inter Partes Review ("IPR") (D.I. 80, "the Motion") and the parties' briefing related thereto (D.I. 81; D.I. 91; D.I. 104), and having considered the three stay-related factors, *Am. Axle & Mfg., Inc. v. Neapco Holdings LLC*, C.A. No. 15-1168-LPS, 2021 WL 616992, at *2 (D. Del. Feb. 17, 2021), IT IS HEREBY ORDERED that the Motion is DENIED WITHOUT PREJUDICE to renew the request if the IPR is instituted. A court has discretionary authority to grant a motion to stay. See *Dentsply Int'l Inc. v. Kerr Mfg. Co.*, 734 F. Supp. 656, 658 (D. Del. 1990). Because no institution decision has yet been issued, the Court will decline to stay the case until it hears from the PTAB. *Microscopy Inc. v. Carl Zeiss Microscopy, LLC*, C.A. No. 15-516-LPS-CJB, 2016 WL 558615, at *2 (D. Del. Feb. 11, 2016); *ImmerVision, Inc. v. LG Elecs. U.S.A., Inc.*, C.A. No. 18-1630-MN-CJB, D.I. 78 (D. Del. Feb. 10, 2020). By no later than five (5) business days after the PTAB issues its institution decision as to the IPR petition relating to the asserted patent, the parties shall file a joint letter updating the Court on the results of the PTAB's decision. If the PTAB grants the IPR petition, and if MOM then wishes to renew its Motion, MOM should include in the joint letter a statement that it intends to renew its Motion. The Court will then set a letter briefing schedule on the renewed Motion. When reviewing the renewed Motion, the Court will take into account the briefs already filed as to the instant Motion. ORDERED by Judge Gregory B. Williams on 8/25/2023. (ntl) (Entered: 08/25/2023)

As of August 28, 2023, PACER did not contain a publicly available document associated with this docket entry. The text of the docket entry is shown above.

Ddrops Company et al v. MOM Enterprises, LLC d/b/a Mommy's Bliss
1-22-cv-00332 (DDE), 8/25/2023, docket entry 108