PATENT

U.S. District Court [LIVE]
Western District of Texas (Austin)
CIVIL DOCKET FOR CASE #: 1:24-cv-00254-ADA

Vervain, LLC v. Kingston Technology Company, Inc. et al
Assigned to: Judge Alan D Albright
Related Cases: 6:21-cv-00487-ADA
6:21-cv-00488-ADA
1:24-cv-00259-ADA
Cause: 35:271 Patent Infringement

Date Filed: 03/07/2024
Jury Demand: Plaintiff
Nature of Suit: 830 Patent
Jurisdiction: Federal Question

Plaintiff

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V.

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Date Filed	#	Docket Text
03/07/2024	1	COMPLAINT (Filing fee $ 405 receipt number ATXWDC-18506570), filed by Vervain, LLC. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J, # 11 Exhibit K, # 12 Exhibit L, # 13 Exhibit M, # 14 Exhibit N, # 15 Exhibit O, # 16 Exhibit P, # 17 Exhibit Q, # 18 Exhibit R, # 19 Exhibit S, # 20 Exhibit T, # 21 Exhibit U, # 22 Exhibit V, # 23 Exhibit W, # 24 Exhibit X, # 25 Exhibit Y, # 26 Exhibit Z, # 27 Exhibit AA, # 28 Exhibit BB, # 29 Exhibit CC, # 30 Exhibit DD, # 31 Exhibit EE, # 32 Exhibit FF, # 33 Exhibit GG, # 34 Exhibit HH, # 35 Exhibit II, # 36 Exhibit JJ, # 37 Exhibit KK, # 38 Exhibit LL, # 39 Exhibit MM, # 40 Exhibit NN, # 41 Exhibit OO, # 42 Exhibit PP, # 43 Exhibit QQ, # 44 Exhibit RR, # 45 Exhibit SS, # 46 Exhibit TT, # 47 Exhibit UU, # 48 Exhibit VV, # 49 Exhibit WW, # 50 Exhibit XX, # 51 Exhibit YY, # 52 Civil Cover Sheet) (Whitehurst, Alan) (Entered: 03/07/2024)
03/07/2024		Case assigned to Judge Alan D Albright. CM WILL NOW REFLECT THE JUDGE INITIALS AS PART OF THE CASE NUMBER. PLEASE APPEND THESE JUDGE INITIALS TO THE CASE NUMBER ON EACH DOCUMENT THAT YOU FILE IN THIS CASE. (kp) (Entered: 03/08/2024)
03/07/2024		If ordered by the court, all referrals and consents in this case will be assigned to Magistrate Judge Mark Lane. (kp) (Entered: 03/08/2024)
03/07/2024		DEMAND for Trial by Jury by Vervain, LLC. (kp) (Entered: 03/08/2024)
03/08/2024	2	REQUEST FOR ISSUANCE OF SUMMONS by Vervain, LLC. (Attachments: # 1 summons, # 2 summons)(Whitehurst, Alan) (Entered: 03/08/2024)
03/08/2024	3	Notice of Filing of Patent/Trademark Form (AO 120). AO 120 forwarded to the Director of the U.S. Patent and Trademark Office. (Whitehurst, Alan) (Entered: 03/08/2024)

03/08/2024	4	RULE 7 DISCLOSURE STATEMENT filed by Vervain, LLC. (Whitehurst, Alan) (Entered: 03/08/2024)
03/08/2024	5	Summons Issued as to Kingston Digital, Inc., Kingston Technology Company, Inc., Kingston Technology Corporation. (kp) (Entered: 03/08/2024)
03/11/2024	6	SUMMONS Returned Executed by Vervain, LLC. All Defendants. (Whitehurst, Alan) (Entered: 03/11/2024)
03/20/2024	7	NOTICE of Attorney Appearance by George Andrew Lever Rosbrook on behalf of Kingston Digital, Inc., Kingston Technology Company, Inc., Kingston Technology Corporation. Attorney George Andrew Lever Rosbrook added to party Kingston Digital, Inc.(pty:dft), Attorney George Andrew Lever Rosbrook added to party Kingston Technology Company, Inc.(pty:dft), Attorney George Andrew Lever Rosbrook added to party Kingston Technology Corporation(pty:dft) (Rosbrook, George Andrew) (Entered: 03/20/2024)
03/22/2024	8	NOTICE of Extension of Time to File Answer *or Otherwise Respond* by Kingston Digital, Inc., Kingston Technology Company, Inc., Kingston Technology Corporation. (Attachments: # 1 Exhibit A - Proposed Order)(Rosbrook, George Andrew) Modified on 3/28/2024 (dm). (Entered: 03/22/2024)
05/08/2024	9	NOTICE of Attorney Appearance by Cono A. Carrano on behalf of Kingston Digital, Inc., Kingston Technology Company, Inc., Kingston Technology Corporation. Attorney Cono A. Carrano added to party Kingston Digital, Inc.(pty:dft), Attorney Cono A. Carrano added to party Kingston Technology Company, Inc.(pty:dft), Attorney Cono A. Carrano added to party Kingston Technology Corporation(pty:dft) (Carrano, Cono) (Entered: 05/08/2024)
05/10/2024	10	AMENDED COMPLAINT against All Defendants amending, filed by Vervain, LLC. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J, # 11 Exhibit K, # 12 Exhibit L, # 13 Exhibit M, # 14 Exhibit N, # 15 Exhibit O, # 16 Exhibit P, # 17 Exhibit Q, # 18 Exhibit R, # 19 Exhibit S, # 20 Exhibit T, # 21 Exhibit U, # 22 Exhibit V, # 23 Exhibit W, # 24 Exhibit X, # 25 Exhibit Y, # 26 Exhibit Z, # 27 Exhibit AA, # 28 Exhibit BB, # 29 Exhibit CC, # 30 Exhibit DD, # 31 Exhibit EE, # 32 Exhibit FF, # 33 Exhibit GG, # 34 Exhibit HH, # 35 Exhibit II, # 36 Exhibit JJ, # 37 Exhibit KK, # 38 Exhibit LL, # 39 Exhibit MM, # 40 Exhibit NN, # 41 Exhibit OO, # 42 Exhibit PP, # 43 Exhibit QQ, # 44 Exhibit RR, # 45 Exhibit SS, # 46 Exhibit TT, # 47 Exhibit UU, # 48 Exhibit VV, # 49 Exhibit WW, # 50 Exhibit ZZ, # 51 Exhibit AAA)(Whitehurst, Alan) (Entered: 05/10/2024)
05/16/2024	11	Unopposed MOTION for Extension of Time to File Answer re 10 Amended Complaint,,,, by Kingston Digital, Inc., Kingston Technology Company, Inc., Kingston Technology Corporation. (Attachments: # 1 Proposed Order)(Rosbrook, George Andrew) (Entered: 05/16/2024)
05/21/2024	12	NOTICE *of Unopposed Extension of Time to Answer or Otherwise Respond* by Kingston Digital, Inc., Kingston Technology Company, Inc., Kingston Technology Corporation re 10 Amended Complaint,,,, (Rosbrook, George Andrew) (Entered: 05/21/2024)
06/07/2024	13	Sealed Motion Defendants' Opposed Motion to Dismiss for Improper Venue by Kingston Digital, Inc., Kingston Technology Company, Inc., Kingston Technology Corporation (Attachments: # 1 Exhibit 2 - Declaration of Rick Webb) (Carrano, Cono) (Entered: 06/07/2024)
06/07/2024	14	ATTACHMENT to 13 Sealed Motion Defendants' Opposed Motion to Dismiss for Improper Venue by Kingston Digital, Inc., Kingston Technology Company, Inc., Kingston Technology Corporation by Kingston Digital, Inc., Kingston Technology Company, Inc., Kingston Technology Corporation. (Attachments: # 1 Exhibit 1 - Declaration of George

		Andrew Lever Rosbrook, # 2 Exhibit A - to Rosbrook Declaration Email Exchange between Counsel, # 3 Exhibit A - to Webb's Declaration - Moveout Checklist, # 4 Exhibit B - to Webb's Declaration - Job Posting)(Carrano, Cono) (Entered: 06/07/2024)
06/10/2024	15	NOTICE *of Venue Discovery Regarding Defendants' Opposed Motion to Dismiss* by Vervain, LLC (Whitehurst, Alan) (Entered: 06/10/2024)
06/14/2024	16	Redacted Copy of 13 Sealed Motion Defendants' Opposed Motion to Dismiss for Improper Venue by Kingston Digital, Inc., Kingston Technology Company, Inc., Kingston Technology Corporation by Kingston Digital, Inc., Kingston Technology Company, Inc., Kingston Technology Corporation. (Attachments: # 1 Exhibit 2 - Declaration of Rick Webb)(Carrano, Cono) (Entered: 06/14/2024)
06/14/2024	17	NOTICE *Case Readiness Status Report* by Vervain, LLC (Whitehurst, Alan) (Entered: 06/14/2024)
07/12/2024	18	Proposed Scheduling Order *Joint Motion for Entry of Scheduling Order* by Vervain, LLC. (Whitehurst, Alan) (Entered: 07/12/2024)
07/15/2024	19	SCHEDULING ORDER: Pretrial Conference set for 11/18/2025 at 9:00 AM before Judge Alan D Albright, Jury Selection and Trial set for 12/8/2025 at 9:30 AM before Judge Alan D Albright, Markman Hearing set for 12/5/2024, Amended Pleadings due by 3/28/2025, Discovery due by 7/7/2025, Joinder of Parties due by 1/17/2025, Motions due by 9/12/2025. Signed by Judge Alan D Albright. (dm) (Entered: 07/15/2024)
07/19/2024	20	MOTION to Transfer Case *Defendants' Opposed Motion to Transfer Venue* by Kingston Digital, Inc., Kingston Technology Company, Inc., Kingston Technology Corporation. (Attachments: # 1 Exhibit 1 - Second Declaration of Rick Webb, # 2 Exhibit 2 - Amd and Restated Articles of Incorporation for Silicon Motion Inc., # 3 Exhibit 3 - Silicon Motion website, # 4 Exhibit 4 - Excerpts from Phison website, # 5 Exhibit 5 - Petition for IPR No. 2021-01547, # 6 Exhibit 6 - Institution Decision IPR No. 2021-00547, # 7 Exhibit 7 - Institution Decision IPR No. 2021-01548, # 8 Exhibit 8 - Moshayedi Website, # 9 Exhibit 9 - US Patent App. No. 2008/0140918, # 10 Exhibit 10 - US Patent App. No. 2011/0099460, # 11 Exhibit 11 - Western Digital's Statement in Vervain v. Western Digital, # 12 Exhibit 12 - Articles of Incorporation for SanDisk, LLC, # 13 Exhibit 13 - Wester Digital Joint Pretrial Order in, # 14 Exhibit 14 - Complaint for Patent Infringement in Vervain v. Micron, # 15 Exhibit 15 - First Amd Complaint for Patent Infringement in Vervain v. Phison, # 16 Exhibit 16 - Caseload Statistics, # 17 Exhibit 17 - Declaration of George Andrew Lever Rosbrook)(Carrano, Cono) (Entered: 07/19/2024)
08/05/2024	21	NOTICE *of Appearance of Counsel Christian Dorman* by Vervain, LLC (Whitehurst, Alan) (Entered: 08/05/2024)

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Transaction Receipt

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Billable Pages:	5	**Cost:**	0.50