

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

WATERS CORPORATION AND	)	
WATERS TECHNOLOGIES	)	
CORPORATION,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	C.A. No. 18-1450 (MN)
	)	
AGILENT TECHNOLOGIES INC.,	)	
	)	
Defendants.	)	

ORDER

WHEREAS, Defendant has moved to stay the case pending *inter partes* review (“IPR”) and to supplement the record in opposition to Plaintiff’s motion for a preliminary injunction (D.I. 71);

WHEREAS, the Patent Trial and Appeal Board (“PTAB”) has not yet determined whether to institute trial on any claims of U.S. Patent No. 9,658,234;

WHEREAS, the Court has considered the relevant factors in determining whether to exercise its discretion to stay litigation; and

WHEREAS, the Court has reviewed the prior art and arguments raised in Defendant’s motion;

THEREFORE, IT IS HEREBY ORDERED this 6th day of August 2019 that Defendant’s motion is:

1. DENIED as to its request to stay the litigation pending IPR without prejudice to renew after the PTAB decision on institution; and
2. GRANTED as to its request to supplement the record in opposition to Plaintiff’s motion for a preliminary injunction.


The Honorable Maryellen Noreika
United States District Judge