

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

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CIVIL MINUTES - GENERAL

Case No.	CV 10-1533 CAS (AGR _x)	Date	January 6, 2010
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Title	MONOLITHIC POWER SYSTEMS, INC. v. SILERGY CORPORATION; ET AL.
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Present: The Honorable	CHRISTINA A. SNYDER
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CATHERINE JEANG	Not Present	N/A
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Deputy Clerk	Court Reporter / Recorder	Tape No.
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Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:
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Not Present	Not Present
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Proceedings: **(In Chambers:) ORDER GRANTING PLAINTIFF’S REQUEST TO CONDUCT LIMITED JURISDICTIONAL DISCOVERY AND CONTINUING DEFENDANT SILERGY CORPORATION’S MOTION TO DISMISS** (filed 11/17/10)

The Court finds this motion appropriate for decision without oral argument. Fed. R. Civ. P. 78; Local Rule 7-15.

On March 2, 2010, plaintiff Monolithic Power Systems, Inc. filed suit for patent infringement against defendant Silergy Corporation (“Silergy Corp”), a corporation organized and existing under the laws of the Cayman Islands. On September 21, 2010, plaintiff filed a first amended complaint (“FAC”) naming as defendants Silergy Corp and Silergy Technology (“Silergy Tech”), a corporation organized and existing under the laws of the state of California, for infringement of United States Patent Nos. 6,897,643 (“the ’643 Patent”) and 7,714,558 (“the ’558 Patent”).

On November 17, 2010, Silergy Corp filed the instant motion to dismiss for lack of personal jurisdiction and insufficient service of process. On December 6, 2010, plaintiff filed an opposition. Silergy Corp replied on December 20, 2010.¹

In light of the record before the Court, the Court finds that plaintiff’s request to conduct limited discovery is of particular relevance, and additional facts are likely to

¹ On January 5, 2011, plaintiff filed a motion for leave to submit a surreply in opposition to Silergy Corp’s motion to dismiss. The Court denies plaintiff’s motion for leave to file a surreply as moot.

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assist the Court in determining whether Silergy Corp is subject to personal jurisdiction in California and whether it was properly served with the complaint pursuant to Fed. R. Civ. P. 4. Accordingly, the Court hereby GRANTS plaintiff's request to conduct jurisdictional discovery limited to the following issues: (1) the nature of the relationship between Acer Inc. and Silergy Corp and (2) Mr. Grimm's positions if any, at the time of service of process, with Silergy Corp and Silergy Tech.

The Court hereby continues the hearing of Silergy Corp's motion to dismiss from January 10, 2011 to **February 28, 2011 at 10:00 a.m.** Each party may file one supplemental memorandum not to exceed ten pages on or before **February 18, 2011.**

IT IS SO ORDERED.

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CMJ