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**United States District Court**  
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

AMKOR TECHNOLOGY, INC.,  
Plaintiff,

No. C 03-05116 WHA

v.

**ORDER REQUESTING BRIEFING**

CARSEM (M) SDN BHD ET AL,  
Defendant.

At the January 10 case management conference, the parties disputed the question of whether the district court action could proceed on the issue of damages while other issues continue before the FTC. Under *In re Princo Corporation*, 478 F.3d 1345, 1356 (Fed. Cir. 2007), the answer is no. The mandatory stay “of any district court determination of issues pending before the Commission . . . extends to any district court ‘proceedings’ on a ‘claim’ involving issues pending before the Commission.” *Id.* Accordingly, the current stay order must remain in effect. In an *ex parte* letter brief filed after the case management conference, however, plaintiff now contends that defendant has not appealed the Commission’s decision with respect to two of the three patents in the action, and that therefore those patents are no longer ‘pending before the Commission.’ Plaintiff asks that the stay be lifted as to these two patents so that the action can proceed in this district.

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Defendant may respond to plaintiff's submission in a brief of not more than four pages by  
**JANUARY 17 AT NOON.** No replies, please.

**IT IS SO ORDERED.**

Dated: January 14, 2013.



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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE