

United States District Court
For the Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

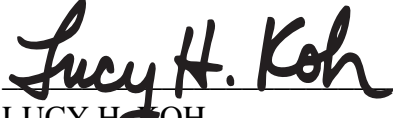
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

AVOCET SPORTS TECHNOLOGY, INC.,)	Case No.: 11-CV-04049-LHK
)	
Plaintiff,)	ORDER REFERRING MATTER FOR
v.)	RELATED CASE DETERMINATION
)	
GARMIN INTERNATIONAL, INC., et al.,)	
)	
Defendants.)	
)	
)	

Pursuant to Civil Local Rule 3-12(c), the above captioned matter is hereby referred to the Honorable James Ware for a determination as to whether it is related to: *Avocet Sports Technology, Inc. v. Amer Sports Corp., et al.*, 08-CV-04264-JW. In both this case (11-CV-04049-LHK) and the first filed case assigned to Judge Ware (08-CV-04264-JW), Plaintiff Avocet Sports Technology Inc. claims that Defendants infringe United States Patent Number 5,058,427 (“the ’427 Patent”). In the first filed case, Judge Ware previously construed a term from the ’427 Patent. *See* First Claim Construction Order, Case Number 08-CV-04264-JW, Doc. No. 52. Additionally, Defendants in this case have raised a laches defense, and Plaintiffs have indicated that the same defense was raised by the Defendants in the first filed case before Judge Ware.

IT IS SO ORDERED.

Dated: February 7, 2012



LUCY H. KOH
United States District Judge