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11 Attorneys for Defendants  
 FELLOWES INC. and BODY  
 12 GLOVE INTERNATIONAL, LLC

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UNITED STATES DISTRICT COURT

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NORTHERN DISTRICT OF CALIFORNIA

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SAN FRANCISCO DIVISION

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 19 SPECULATIVE PRODUCT DESIGN, LLC, )  
 a Delaware limited liability company, )

Case No. CV12-04998 WHO

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Plaintiff, )

**JOINT STATUS REPORT AND  
 REQUEST TO CONTINUE THE  
 STATUS CONFERENCE IN LIGHT  
 OF UPCOMING ITC HEARING**

21

vs. )

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BODY GLOVE INTERNATIONAL, LLC )  
 23 and FELLOWES INC., )

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Defendants. )

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1 Speculative Product Design, LLC (“Speck”), Body Glove International, LLC (“Body  
2 Glove”) and Fellowes Inc. (“Fellowes”), through their respective counsel, hereby provide this  
3 joint status report and request for continuance of the September 19, 2013 case management  
4 conference:

5 On September 25, 2012, plaintiff, Speck sued Body Glove, asserting infringement of  
6 U.S. Patent No. 8,204,561 (the ’561 Patent). (Docket Entry (“D.E.”) 1.) On September 26,  
7 2012, Speck filed a complaint with the International Trade Commission (“ITC”) against  
8 Fellowes, Body Glove and other parties not named in this district court case. The ITC  
9 Complaint also asserts infringement of the ’561 Patent.

10 The ITC instituted an investigation against Fellowes, Body Glove and other parties on  
11 November 9, 2012 entitled “In the Matter of CERTAIN CASES FOR PORTABLE  
12 ELECTRONIC DEVICES,” Inv. No. 337-TA-861. The ITC later consolidated Investigation  
13 No. 337-TA-861 with Speck’s later-filed investigation against additional respondents  
14 (collectively, “ITC Investigation”).

15 On December 14, 2012, Speck amended its Complaint in this District to add Fellowes  
16 as a defendant. (D.E. 15.) Fellowes answered Speck’s Amended Complaint on January 7,  
17 2013. (D.E. 20.) In light of the stipulation detailed below, Body Glove has not responded to  
18 Speck’s Complaint or Amended Complaint as of the filing of this status report.

19 Upon stipulation of the parties, this Court stayed this case on January 11, 2013 pending  
20 the resolution of the ITC Investigation. (D.E. 22.) Since that time, the parties have engaged in  
21 fact and expert discovery in the ITC Investigation, which is scheduled for hearing beginning  
22 October 18, 2013. The Administrative Law Judge in the ITC Investigation has stated that the  
23 parties will receive an Initial Determination by January 31, 2014.

24 Because the ITC Investigation is ongoing and scheduled for hearing in the near future,  
25 the parties respectfully request that the September 19, 2013 case management conference be  
26 rescheduled for a date on or after March 4, 2014 at this Court’s convenience.

1 RESPECTFULLY SUBMITTED,

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3 DATED: September 12, 2013.

PILLSBURY WINTHROP SHAW PITTMAN LLP

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/s/ Dianne L. Sweeney

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Dianne L. Sweeney  
Counsel for Defendants FELLOWES INC. and  
BODY GLOVE INTERNATIONAL, LLC

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9 DATED: September 12, 2013.

BRAUNHAGEY & BORDEN LLP

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/s/ J. Noah Hagey

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J. Noah Hagey  
Counsel for Plaintiff SPECULATIVE PRODUCT  
DESIGN, LLC

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**ORDER**

PURSUANT TO STIPULATION AND FOR GOOD CAUSE SHOWN, IT IS ORDERED that the case management conference is hereby continued from September 18, 2013 to March 4, 2014 at 2:00 p.m. The parties shall submit to short joint report to this Court concerning the status of the above-noted ITC Investigation no later than February 11, 2014. Should this matter be resolved by the ITC before February 11, 2014, the parties shall promptly notify this Court of the same.

DATED: September 17, 2013.

  
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WILLIAM H. ORRICK  
UNITED STATES DISTRICT JUDGE