

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ENPLAS DISPLAY DEVICE CORPORATION, et al.,
Plaintiffs,
v.
SEOUL SEMICONDUCTOR COMPANY, LTD.,
Defendant.

Case No.13-cv-05038-NC
**ORDER DENYING IN PART
MOTION FOR SUMMARY
JUDGMENT OF
NONINFRINGEMENT**
Re: Dkt. No. 168

The Court already partially denied Enplas’ motion for summary judgment as to the “other Enplas lenses.” Enplas’ motion for summary judgment of noninfringement also argues that SSC’s infringement expert, Moore, should be excluded, and without his testimony, there is no dispute of material fact that Enplas does not infringe on the patents-in-suit. The Court has already ruled the Moore’s opinion will not be excluded. Moore opines that Enplas is infringing the patents-in-suit, and his opinion demonstrates a factual issue between the parties.

Summary judgment may be granted only when, drawing all inferences and resolving all doubts in favor of the nonmoving party, there is no genuine dispute as to any material fact. Fed. R. Civ. P. 56(a); *Tolan v. Cotton*, 134 S. Ct. 1861, 1863 (2014); *Celotex Corp. v. Catrett*, 477 U.S. 317, 322 (1986). Considering Moore’s testimony, the Court finds that drawing all inferences and resolving all doubts in favor of SSC, there is a

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genuine dispute of material fact as to infringement of the patents-in-suit.

IT IS SO ORDERED.

Dated: December 22, 2015


NATHANAEL M. COUSINS
United States Magistrate Judge