

1 BOIES, SCHILLER & FLEXNER LLP  
 Michael D. Jay (SBN 223827)  
 2 mjay@bsfllp.com  
 Bill Ward (SBN 246472)  
 3 bward@bsfllp.com  
 401 Wilshire Blvd., Suite 850  
 4 Santa Monica, CA 90401  
 Telephone: (310) 752-2401  
 5 Facsimile: (310) 752-2490

6 BOIES, SCHILLER & FLEXNER LLP  
 William D. Marsillo (*Pro Hac Vice* to be filed)  
 7 wmarsillo@bsfllp.com  
 333 Main Street  
 8 Armonk, NY 10504  
 Telephone: (914) 749-8200  
 9 Facsimile: (914) 749-8300

10 *Attorneys for Defendant*  
 APPLE INC.  
 11  
 12 *[Additional Counsel list on Signature*  
*Page]*

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 14 **UNITED STATES DISTRICT COURT**  
 15 **NORTHERN DISTRICT OF CALIFORNIA**  
 16 **SAN FRANCISCO DIVISION**

18 AMERICAN NAVIGATION SYSTEMS,  
 INC.,  
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 Plaintiff,  
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 v.  
 21 APPLE INC.,  
 22  
 Defendant.  
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Case No. 3:14-cv-05297-JST  
**STIPULATION AND ~~PROPOSED~~**  
**ORDER STAYING CASE PENDING**  
**INTER PARTES REVIEW**  
**PROCEEDINGS**

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 28 **STIPULATION AND ~~PROPOSED~~**  
**ORDER STAYING CASE PENDING**  
**INTER PARTES REVIEW PROCEEDINGS**  
 NO. 3:14-CV-05297-JST

1 Plaintiff American Navigation Systems, Inc. (“AmNav”) and Defendant Apple Inc.  
2 (“Apple”) hereby submit this stipulation and proposed order.

3 WHEREAS, on March 6, 2015, Apple, Samsung Electronics Co., Ltd. and Samsung  
4 Electronics America, Inc. (collectively “Samsung”), and non-party Google Inc. filed two  
5 petitions with the U.S. Patent and Trademark Office (“PTO”) for administrative *inter partes*  
6 review of asserted U.S. Patent No. 5,902,347 (“’347 Patent”), numbered IPR2015-00849 and  
7 IPR2015-00851.

8 WHEREAS, “Courts have inherent power to manage their dockets and stay  
9 proceedings, including the authority to order a stay pending conclusion of a PTO  
10 reexamination.” *Ethicon, Inc. v. Quigg*, 849 F.2d 1422, 1426-27 (Fed. Cir. 1988) (internal  
11 citations omitted); *Advanced Micro Devices, Inc. v. LG Elecs., Inc.*, No. 14-cv-01012-SI,  
12 2015 WL 545534, at \*2 (N.D. Cal. Feb. 9, 2015).

13 WHEREAS, Apple urges that it is in the interests of the Parties and the Court to stay  
14 the above-captioned case pending final resolution of the *inter partes* review petitions and  
15 associated proceedings pertaining to the ’347 Patent.

16 WHEREAS, AmNav does not oppose a stay that would last until the PTO decides  
17 whether to institute *inter partes* review (Dkt. No. 106).

18 IT IS HEREBY STIPULATED AND AGREED by and between AmNav and Apple,  
19 and subject to the approval of the Court, that:<sup>1</sup>

20 1. The entirety of this case shall be stayed pending the decision by the PTO  
21 whether to institute *inter partes* review in response to the two petitions. If the PTO institutes  
22 *inter partes* review, the stay will continue through final resolution in the PTO; in the event  
23 that the PTO has not instituted *inter partes* review within the timeframe set forth by 35 U.S.C.  
24 § 314(b), the stay will expire without further action by the Court. All remaining hearings and  
25 deadlines set forth in the Initial Scheduling Order (Dkt. No. 102) are therefore hereby

26 \_\_\_\_\_  
27 <sup>1</sup> Samsung and AmNav filed a substantively identical stipulation and proposed order in their  
28 case.

1 vacated.

2           2.       In the event the PTO (i) denies *inter partes* review on all petitioned grounds for  
3 any claim of the '347 Patent, or (ii) dismisses an *inter partes* review proceeding in whole or  
4 in part following institution, AmNav intends to file a motion requesting that the Court lift this  
5 stay. All briefing and argument pertaining to such a motion shall be conducted according to  
6 the Federal Rules, Local Rules, and Standing Orders of this Court.

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Dated: March 26, 2015

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By: /s/ Barry Barnett

By: /s/ Michael D. Jay

KALPANA SRINIVASAN (S.B. #237460)  
SUSMAN GODFREY L.L.P.  
1901 Avenue of the Stars, Suite 950  
Los Angeles, California 90067-6029  
Telephone: 310-789-3100  
Facsimile: 310-789-3150  
ksrinivasan@susmangodfrey.com

BOIES, SCHILLER & FLEXNER LLP  
Michael D. Jay (SBN 223827)  
mjay@bsflp.com  
Bill Ward (SBN 246472)  
bward@bsflp.com  
401 Wilshire Blvd., Suite 850  
Santa Monica, CA 90401  
Telephone: (310) 752-2401  
Facsimile: (310) 752-2490

BARRY BARNETT (Pro Hac Vice)  
SUSMAN GODFREY L.L.P.  
901 Main Street, Suite 5100  
Dallas, Texas 75202  
Telephone: 214-754-1900  
Facsimile: 214-754-1933  
bbarnett@susmangodfrey.com

BOIES, SCHILLER & FLEXNER LLP  
William D. Marsillo (*Pro Hac Vice* to be  
filed)  
wmarsillo@bsflp.com  
333 Main Street  
Armonk, NY 10504  
Telephone: (914) 749-8200  
Facsimile: (914) 749-8300

MAX L. TRIBBLE, JR. (Pro Hac Vice)  
JOSEPH S. GRINSTEIN (Pro Hac Vice)  
SUSMAN GODFREY L.L.P.  
1000 Louisiana, Suite 5100  
Houston, Texas 77002  
Telephone: 713-651-9366  
Facsimile: 713-654-6666  
mtribble@susmangodfrey.com  
jgrinstein@susmangodfrey.com

*Attorneys for Defendant*  
APPLE INC.

PATRICK C. BAGEANT (Pro Hac Vice)  
SUSMAN GODFREY L.L.P.  
1201 Third Avenue, Suite 3800  
Seattle, WA 98101-3000  
Telephone: 206-516-3880  
Facsimile: 206-516-3883  
pbageant@susmangodfrey.com

*Attorneys for Plaintiff*  
AMERICAN NAVIGATION SYSTEMS, INC.

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**ATTORNEY ATTESTATION**

Pursuant to Civil L.R. 5-1(i)(3), I attest under penalty of perjury that concurrence in the filing of this document has been obtained from each of its signatories.

Dated: March 26, 2015

By: /s/ Michael D. Jay  
Michael D. Jay

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**CASE MANAGEMENT ORDER**

The above Stipulation Staying Case Pending Inter Partes Review Proceedings is Approved, and all parties shall comply with its Provisions.

IT IS SO ORDERED.

Dated: March 27, 2015

