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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

HO KEUNG TSE,

Plaintiff,

vs.

APPLE, INC., et al.,

Defendants.

Case No: C 06-6573 SBA

**ORDER TO SHOW CAUSE
RE DISMISSAL**

Plaintiff Ho Keung Tse (“Plaintiff”) brings the instant patent infringement action against various Defendants alleging infringement of U.S. Patent No. 6,665,797 (“the ‘797 patent”). On December 11, 2013, Judge Susan Illston issued an Order finding that claims 1-5, 13, 16, 17, 20, and 23-26 of the ‘797 patent are invalid for lack of written description under 35 U.S.C. § 112. See Ho Keung Tse v. Google, Inc., 2013 WL 6502478, at *6 (N.D. Cal. 2013). On July 16, 2014, the Federal Circuit affirmed Judge Illston’s Order.

Accordingly,

IT IS HEREBY ORDERED THAT the parties shall show cause in writing why this case should or should not be dismissed on the ground that the claims of the ‘797 patent at issue in this case are invalid. The parties shall file briefs, not to exceed five (5) pages, by no later than seven (7) days from the date this Order is filed. Plaintiff is warned that the failure to fully and timely comply with this Order will constitute grounds for dismissal of this action.

IT IS SO ORDERED.

Dated: 7/28/2014


SAUNDRABROWN ARMSTRONG
United States District Judge