

United States District Court
Northern District of California

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

<p>CELLSPIN SOFT, INC., PLAINTIFF,</p> <p>v.</p> <p>FITBIT, INC., DEFENDANT.</p>
<p>CELLSPIN SOFT, INC., PLAINTIFF,</p> <p>v.</p> <p>MOOV, INC., DEFENDANT.</p>
<p>CELLSPIN SOFT, INC., PLAINTIFF,</p> <p>v.</p> <p>NIKE, INC., DEFENDANT.</p>
<p>CELLSPIN SOFT, INC., PLAINTIFF,</p> <p>v.</p> <p>FOSSIL GROUP, INC., DEFENDANT.</p>

**ORDER DIRECTING PARTIES
TO FILE OMNIBUS BRIEFS**

CASE NO. 17-cv-05928-YGR

CASE NO. 17-cv-05929-YGR

CASE NO. 17-cv-05931-YGR

CASE NO. 17-cv-05933-YGR

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CELLSPIN SOFT, INC.,
PLAINTIFF,
v.
TOMTOM, INC. ET AL.,
DEFENDANT.

CASE NO. 17-cv-05937-YGR

CELLSPIN SOFT, INC.,
PLAINTIFF,
v.
GOPRO, INC.,
DEFENDANT.

CASE NO. 17-cv-05939-YGR

CELLSPIN SOFT, INC.,
PLAINTIFF,
v.
PANASONIC CORPORATION OF NORTH AMERICA,
DEFENDANT.

CASE NO. 17-cv-5941-YGR

CELLSPIN SOFT, INC.,
PLAINTIFF,
v.
ADIDAS AMERICA, INC.
DEFENDANT.

CASE NO. 17-cv-5930-YGR

CELLSPIN SOFT, INC.,
PLAINTIFF,
v.
JK IMAGINING LTD.
DEFENDANT.

CASE NO. 17-cv-06881-YGR

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TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

The above-captioned matters are related cases in which defendant has filed, or may file, a motion to dismiss based on the Supreme Court’s holding in *Alice Corp. Pty. Ltd. v. CLS Bank Int’l*, 213 S.Ct. 2348 (2014). Accordingly, all pending motions to dismiss are **DENIED WITHOUT PREJUDICE** to refile in compliance with this order.

Defendants shall file **one omnibus motion** to dismiss not to exceed **twenty five pages** by **January 16, 2018**. Each defendant shall be permitted to supplement the motion with **five additional pages** if issues exist which are specific to that defendant’s individual case.

Plaintiff shall file **one consolidated opposition** by **January 30, 2018**.


Defendants shall file **one omnibus reply** not to exceed fifteen pages by **February 13, 2018**. Each defendant shall be permitted to supplement the reply with two additional pages if issues exist which are specific to that defendant’s individual case.

With regard to those cases for which defendant’s reply is not yet due, namely *Cellspin Cellspin Soft, Inc. v. Adidas America, Inc.*, 17-cv-5930-YGR and *Cellspin Soft, Inc. v. JK Imagining Ltd*, 17-cv-06881-YGR, defendant shall file notice with the Court indicating whether defendant intends to join the consolidated motion to dismiss based on the Supreme Court’s holding in *Alice Corp.*

A hearing on defendants’ omnibus motion to dismiss shall be held on **Tuesday, March 6, 2018**, at 2:00 p.m., at the United States District Court for the Northern District of California, Ronald V. Dellums Federal Building, Oakland, in Courtroom 1, 4th Floor.

IT IS SO ORDERED.

Dated: December 22, 2017



YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE