

United States District Court
Northern District of California

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

CELLSPIN SOFT, INC.,
Plaintiff,
vs.
PANASONIC CORPORATION OF NORTH AMERICA,
Defendants.

CASE NO. 17-cv-05941-YGR

ORDER TO SHOW CAUSE

TO PLAINTIFF CELLSPIN SOFT, INC. AND PLAINTIFF’S COUNSEL OF RECORD:

You are **HEREBY ORDERED TO SHOW CAUSE** in writing by **no later than January 20, 2023** why this case should not be dismissed with prejudice and dismiss defendant’s declaratory judgment counterclaims as moot without prejudice.


On July 19, 2022, the Court administratively closed the above-captioned action and directed the parties to advise whether the case should be terminated upon the resolution of any rehearing and appeals regarding United States Patent No. 9,258,698 (“the ’698”).

On January 9, 2023, defendant Panasonic Corporation of North America (“Panasonic”) filed a notice informing the Court that the United States Court of Appeals for the Federal Circuit affirmed the ruling of the United States Patent and Trademark Office that the asserted claims of the ’698 are invalid as obvious under 35 U.S.C. § 103. Panasonic avers that it requested that plaintiff’s counsel notify the Court of this development and sought a stipulation. Plaintiff has not.

Failure to timely respond to this order to show cause will be construed as a concession that the order to show cause should be granted sua sponte.

IT IS SO ORDERED.

Dated: January 13, 2023


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE