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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

COGENT MEDICINE INC.,
Plaintiff,
v.
ELSEVIER, INC.,
Defendant.

Case Nos. C-13-4479-RMW, -4483, -4486

**STIPULATED BRIEFING SCHEDULE
RE: MOTIONS TO DISMISS BASED ON
PATENTABLE SUBJECT MATTER AND
[] ORDER**

COGENT MEDICINE INC.,
Plaintiff,
v.
JOHN WILEY & SONS, INC. and
JOHN WILEY & SONS LTD.,
Defendants.

COGENT MEDICINE INC.,
Plaintiff,
v.
PHYSICIANS INTERACTIVE
HOLDINGS, INC., PHYSICIANS
INTERACTIVE, INC., AND
SKYSCAPE.COM, INC.,
Defendants.

1 **WHEREAS**, on January 27, 2014, defendants Elsevier, Inc. (“Elsevier”) and John
2 Wiley & Sons, Inc. and John Wiley & Sons, Ltd. (collectively, “John Wiley”) filed motions
3 to dismiss Plaintiff Cogent Medicine, Inc’s complaints against them based on allegations
4 that the patent asserted was invalid for failure to claim patentable subject matter;

5 **WHEREAS**, on March 28, 2014, this Court issued an order staying the above-
6 captioned cases until the Supreme Court issued an opinion in *Alice Corporation v. CLS Bank*
7 *International* (Dkt. #37) (hereafter, “Stay Order”);

8 **WHEREAS**, the Supreme Court issued its opinion in *CLS Bank* on June 19, 2014;

9 **WHEREAS**, on June 25, 2014, the parties met and conferred on a briefing schedule
10 for motions to dismiss / motions for summary judgment based on patentable subject matter;

11 **NOW, THEREFORE, IT IS STIPULATED**, by and between the undersigned
12 parties, through their respective counsel of record, pursuant to the Stay Order, the following:
13

Event	Deadline
Deadline for Defendants Elsevier and John Wiley to file a supplemental brief in support of their motions to dismiss based on patentable subject matter (not to exceed 5 pages in length) Deadline for Defendants Physicians Interactive Holdings, Inc., Physicians Interactive, Inc., and Skyscape.com, Inc. (collectively, “Skyscape”) to file a summary judgment motion based on patentable subject matter	August 4, 2014
Deadline for Plaintiff to file a supplemental brief in opposition to Defendants Elsevier and John Wiley’s motions to dismiss based on patentable subject matter (not to exceed 5 pages in length) Deadline for Plaintiff to file an opposition to any summary judgment motion based on patentable subject matter filed by Skyscape	August 18, 2014
Deadline for Defendants Elsevier and John Wiley to file a supplemental reply brief in support of their motions to dismiss based on patentable subject matter (not to exceed 3 pages in length)	August 25, 2014

1 2 3	Deadline for Skyscape Defendants to file a reply brief in support of any motion for summary judgment based on patentable subject matter	
4 5	Hearing on Defendants' motions based on patentable subject matter	September 19, 2014 at 9:00 a.m.

6 Respectfully submitted,

7 Dated: June 26, 2014

GUTRIDE SAFIER LLP

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Inc., John Wiley & Sons, Inc., and
22 **John Wiley & Sons LLC**
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Interactive Holdings, Inc., Physicians
Interactive, Inc., and Skyscape.com,
Inc.**

IT IS SO ORDERED

Dated: _____



Hon. Ronald M. Whyte
U.S. District Judge