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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
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11 PALOMAR TECHNOLOGIES, INC.,
12 Plaintiff,
13 v.
14 MRSI SYSTEMS, LLC,
15 Defendant.

Case No.: 15-CV-1484 JLS (KSC)

**ORDER GRANTING MOTION TO
LIFT STAY**

(ECF No. 38)

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17 Presently before the Court is Plaintiff Palomar Technologies, Inc.’s Motion for
18 Relief from the Court’s June 6, 2016 Order, to Lift the Stay of this Action and to set a Case
19 Management Conference. (“Lift Mot.,” ECF No. 38-1.)

20 On June 6, 2016, the Court issued an Order staying this patent infringement case
21 pending resolution of an Inter Partes Review (“IPR”) filed by Defendant on October 13,
22 2015. (*Id.* at 2.) On March 29, 2017, the U.S. Patent and Trademark Office (“USPTO”)
23 issued a Final Written Decision affirming forty-seven out of forty-eight of the ’327 patent’s
24 claims as valid over Defendant’s arguments. (*Id.* (citing Ex. A).) Defendant did not seek
25 review or appeal of the USPTO’s decision, and thus this decision became final on May 31,
26 2017. (*Id.*)

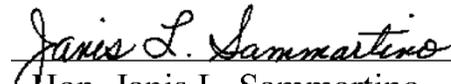
27 The Court’s June 6, 2016 Order provides that the stay in this case will not be lifted
28 until the issuance of the Certificate informing the Court of the USPTO’s decision. (*Id.*)

1 (citing ECF No. 36, at 12–13.) However, Plaintiff notes that the IPR proceeding and any
2 potential appeal have concluded at this point, save the purely administrative task of issuing
3 the IPR Certificate. (*Id.*) Thus, Plaintiff seeks to lift the stay at this point, before issuance
4 of the IPR Certificate, and to set a Case Management Conference. (*Id.* at 5.) Notably,
5 Defendant MRSI Systems, LLC has filed a notice of non-opposition, and likewise seeks to
6 lift the stay in this case. (ECF No. 40, at 2.) Defendant also notes that it has separately
7 moved to dismiss this case or transfer this action in light of the Supreme Court’s recent
8 decision in *TC Heartland LLC v. Kraft Foods Group Brands LLC*, 137 S. Ct. 1514 (2017).
9 (*Id.* (citing ECF No. 39).)

10 Good cause appearing, the Court **GRANTS** Plaintiff’s Motion to Lift the Stay (ECF
11 No. 38). Accordingly, the Court **LIFTS** the stay of litigation in this case. The parties
12 **SHALL** contact the chambers of Magistrate Judge Karen C. Crawford for the purpose of
13 setting a Case Management Conference.

14 **IT IS SO ORDERED.**

15 Dated: August 16, 2017


16 Hon. Janis L. Sammartino
17 United States District Judge