

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Philip A. Brimmer

Civil Action No. 13-cv-00840-PAB-KLM

FIBER, LLC, a Wyoming limited liability company,

Plaintiff,

v.

CIENA CORPORATION, a Delaware corporation, and
CIENA COMMUNICATIONS, INC., a Delaware corporation,

Defendants.

ORDER

This matter is before the Court on the Unopposed Motion to Reinstate Administratively Closed Case [Docket No. 36] filed by plaintiff Fiber, LLC. On July 18, 2013, pursuant to a joint motion by the parties, the Court administratively closed this case pursuant to D.C.COLO.LCivR 41.2 pending the outcome of an *inter partes* reexamination of the patents-in-suit by the United States Patent and Trademark Office (“PTO”). See Docket No. 33. Plaintiff states that the PTO issued final decisions on the relevant patent claims on December 5, 2014 and that the PTO’s decisions invalidated some of the claims of the patents-in-suit, but left eight claims undisturbed. See Docket No. 36 at 2, ¶ 4. As no party to the *inter partes* review has appealed the PTO’s decision, plaintiff states that the basis for the Court’s prior order administratively closing this case has now terminated. *Id.* at 2, ¶¶ 4-5. Plaintiff moves the Court to reopen this case and indicates that its motion is unopposed.

The Court finds that there is good cause to reopen this case.

Accordingly, it is

ORDERED that plaintiff Fiber, LLC's Unopposed Motion to Reinstate Administratively Closed Case [Docket No. 36] is **GRANTED**. It is further **ORDERED** that this case is reopened.

DATED November 2, 2015.

BY THE COURT:

s/Philip A. Brimmer
PHILIP A. BRIMMER
United States District Judge