

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CRONOS TECHNOLOGIES, LLC,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 13-1538-LPS
)	
EXPEDIA, INC.,)	
)	
Defendant.)	
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CRONOS TECHNOLOGIES, LLC,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 13-1541-LPS
)	
PRICELINE.COM, INCORPORATED)	
(n/k/a THE PRICELINE GROUP INC.) and)	
PRICELINE.COM LLC,)	
)	
Defendants.)	
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CRONOS TECHNOLOGIES, LLC,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 13-1544-LPS
)	
TRAVELOCITY.COM L.P.,)	
)	
Defendant.)	
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MEMORANDUM ORDER

WHEREAS, on July 22, 2016, the Court issued a supplemental claim construction opinion and order (D.I. 242, 243);

WHEREAS, on July 25, 2016, the Court held a teleconference with the parties to discuss how this case should proceed (*see* D.I. 255 (“Tr.”)), in light of the supplemental claim

construction and the parties' status report filed earlier on July 25 (D.I. 246);

WHEREAS, on July 26, 2016, the Court issued an order authorizing additional limited expert discovery and supplemental briefing relating to infringement and continuing the pretrial conference to August 17, 2016 (D.I. 250);

WHEREAS, the supplemental expert discovery and briefing will conclude on August 12, 2016;

WHEREAS, on July 27, 2016, Defendants filed a letter requesting that the Court continue the jury trial scheduled to begin on August 22, 2016 (D.I. 252);

WHEREAS, on July 28, 2016, Plaintiff responded with its opposition to Defendants' request (D.I. 254),

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Trial scheduled to commence on August 22, 2016 is CONTINUED and shall commence on September 26, 2016. Jury selection will be held on September 23 at 9:30 a.m.

2. The Court has decided to continue trial for the following reasons:

A. The parties have been unable to reach agreement as to which Defendants' case should be tried first, and this uncertainty – combined with the supplemental expert discovery and briefing the Court has ordered – make it difficult for the parties to prepare for trial.

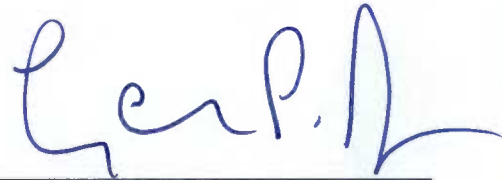
B. After reviewing the forthcoming supplemental submissions, the Court may grant summary judgment of non-infringement, which would end the merits-related phase of this case, thereby rendering trial preparations between now and such a decision an unfortunate waste of resources. The brief continuance the Court is granting obviates this possibility.

C. After reviewing the forthcoming supplemental submissions, the Court may not grant summary judgment of non-infringement on the grounds relating to the supplemental

claim construction, in which case the Court will need some additional time to resolve Defendants' other defenses, including divided infringement and invalidity. The brief continuance the Court is granting ensures that the Court will have time to complete its work on those remaining issues.

D. Plaintiff will not be unfairly prejudiced by the brief continuance the Court is granting.

Wilmington, Delaware
July 29, 2016

A handwritten signature in blue ink, appearing to read "L.P. Stark", written over a horizontal line.

HON. LEONARD P. STARK
UNITED STATES DISTRICT COURT