

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

R.D. JONES, et al.,

Plaintiffs,

v.

Case No. 8:16-cv-1689-T-33TGW

TRAFFIC SAFETY CORPORATION,

Defendant.

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**ORDER**

This matter comes before the Court upon consideration of Defendant Traffic Safety Corporation's Unopposed Motion to Stay Proceedings (Doc. # 27), filed on August 22, 2016. For the reasons that follow, the Court grants the Motion.

**Discussion**

On June 15, 2016, before instituting this action, Plaintiffs R.D. Jones, Stop Experts, Inc., and RRFB Global, Inc. filed a complaint against RTC Manufacturing, Inc., alleging direct and indirect patent infringement of U.S. Patent Numbers 8,081,087 and 9,129,540. R.D. Jones, et al. v. RTC Mfg., Inc., 8:16-cv-1686-T-35JSS, (Doc. # 1). In the RTC action, Plaintiffs alleged that RTC was the manufacturer of an infringing product. Id.

Then, on June 22, 2016, Plaintiffs filed the instant Complaint against Traffic Safety. (Doc. # 1). Plaintiffs allege direct and indirect patent infringement of U.S. Patent Numbers 8,081,087 and 9,129,540 against Traffic Safety. Traffic Safety now moves the Court to stay this action pending the outcome of the RTC action, which request is unopposed by Plaintiffs. (Doc. # 27). Traffic Safety argues it fits within the consumer-suit exception because it is alleged to have purchased and resold infringing products produced by RTC. (Id. at 1). Traffic Safety further argues that staying this action will facilitate judicial economy. (Id.).

Upon review, the Court agrees that staying this action will facilitate judicial economy. To be sure, the Federal Circuit has previously indicated a patent suit may be stayed pending the resolution of a related action against a manufacturer of infringing goods. See Spread Spectrum Screening LLC v. Eastman Kodak Co., 657 F.3d 1349, 1357 (Fed. Cir. 2011) (“litigation against or brought by the manufacturer of infringing goods takes precedence over a suit by the patent owner against customers of the manufacturer”) (citation omitted).

Accordingly, it is

**ORDERED, ADJUDGED, and DECREED:**

- (1) Defendant Traffic Safety Corporation's Unopposed Motion to Stay Proceedings (Doc. # 27) is **GRANTED**.
- (2) The Clerk is directed to **STAY** and **ADMINISTRATIVELY CLOSE** this case pending resolution of R.D. Jones, et al. v. RTC Mfg., Inc., 8:16-cv-1686-T-35JSS.
- (3) The parties are directed to file a status with the Court immediately upon the resolution of R.D. Jones, et al. v. RTC Mfg., Inc., 8:16-cv-1686-T-35JSS.

**DONE** and **ORDERED** in Chambers in Tampa, Florida, this 24th day of August, 2016.

