

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROCKWELL AUTOMATION
TECHNOLOGIES, INC.,

Plaintiff,

Case No. 12-10274
HON. GEORGE CARAM STEEH

v.

SECURE CROSSING RESEARCH
AND DEVELOPMENT, INCORPORATED,

Defendant.

ORDER DENYING DEFENDANT'S MOTION TO STAY (#31)

Presently before the court is defendant's motion to stay proceedings pending *ex parte* reexamination of U.S. Patent No. 7,990,967 (the "967 patent") before the United States Patent and Trademark Office ("PTO"). The motion has been fully briefed. The court finds that oral argument is not necessary. See Local Rule 7.1(f). On August 27, 2012, defendant filed a notice acknowledging that its request for reexamination was denied by the PTO. As the request for a stay was based solely on the request for reexamination, defendant's motion to stay proceedings is DENIED. Given defendant's representation that it has not yet decided whether to petition for reconsideration of the denial of its request for reexamination, and that it has 30 days to determine whether to do so, the motion is denied without prejudice.

SO ORDERED.

Dated: August 29, 2012

s/George Caram Steeh _____
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on August 29, 2012, by electronic and/or ordinary mail.

s/Marcia Beauchemin
Deputy Clerk