

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:16-CV-895-D

VALENCELL, INC.,

Plaintiff,

v.

BRAGI STORE, LLC,
BRAGI NORTH AMERICA, LLC,
and BRAGI GMBH,


Defendants.

ORDER

On July 20, 2017, Bragi Store, LLC, Bragi North America, LLC, and Bragi GMBH (collectively, “defendants”) moved to stay the above-captioned case pending resolution of Inter Partes Review (“IPR”) of U.S. Patent Nos. 8,923,941 and 8,929,965 before the Patent Trial and Appeal Board (“PTAB”) [D.E. 32] and filed a memorandum in support [D.E. 33]. On August 10, 2017, plaintiff Valencell, Inc., responded in opposition [D.E. 38]. On August 24, 2017, defendants replied [D.E. 39–40].

For the reasons set forth in defendants’ memorandum in support and reply, as well as the PTAB’s institution of IPR for the ‘941 and ‘965 patents [D.E. 32-2, 32-3, 32-4], a stay of this action is warranted. Thus, the court GRANTS defendants’ motion to stay [D.E. 32]. The action is STAYED pending completion of the IPR.

SO ORDERED. This 10 day of September 2017.


JAMES C. DEVER III
Chief United States District Judge