

1
2
3
4
5
6
7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 SUPERCELL OY,

11 Plaintiff,

12 v.

13 ROTHSCHILD DIGITAL MEDIA
14 INNOVATIONS, LLC,

15 Defendant.

CASE NO. C15-1119JLR

ORDER CONTINUING STAY

16 This matter has been stayed since July 28, 2016, pending *inter partes* review
17 (“IPR”) of the patent at issue by the Patent Trial and Appeal Board (“PTAB”) of the
18 United States Patent and Trademark Office. (*See* 7/28/16 Order (Dkt. # 37) at 13.) On
19 February 28, 2018, Defendant Rothschild Digital Media Innovations, LLC (“RDMI”)
20 filed a status report informing the court that on December 13, 2017, the Federal Circuit

21 //

22 //

1 affirmed PTAB's Final Written Decision.¹ (2/28/18 Status Rep. (Dkt. # 49) at 2.) On
2 March 8, 2018, the court ordered the parties to submit proposals recommending how the
3 court should proceed in light of the Federal Circuit's decision. (3/8/18 Order (Dkt. # 50)
4 at 2.)

5 In response, the parties propose that the court continue the stay until there is a
6 decision on RDMI's petition for a writ of *certiorari* to the United States Supreme Court.
7 (Pl. Resp. (Dkt. # 51) at 2; Def. Resp. (Dkt. # 52) at 2.) Given the parties' agreement and
8 the pending petition, the court ORDERS that this case remain stayed until the court
9 directs otherwise. The court further ORDERS RDMI to file a status report no later than
10 ninety (90) days from the entry of this order and to file a status report every ninety (90)
11 days until the court lifts the stay. The status report shall inform the court of the status of
12 the petition for a writ of *certiorari* and/or further proceedings before the Supreme Court,
13 the expected timeline for resolution, and any other developments affecting the resolution
14 of this matter. If the case is resolved or there is any other significant development at any
15 time before ninety (90) days from the entry of this order or during any subsequent 90-day

16 //

17 //

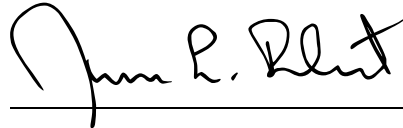
18 //

19 //

21 ¹ RDMI's status report states that the Federal Circuit issued its decision on December 13,
22 2018. (2/28/18 Status Rep. at 2.) However, the Federal Circuit decision RDMI filed with its
status report confirms that the Circuit issued its decision in 2017. (*Id.*, Ex 1 (Dkt. # 49-1) at 2.)

1 interval, the court ORDERS RDMI to file a status report informing the court of that
2 development no more than five (5) days after it occurs.

3 Dated this 20th day of March, 2018.

4
5 

6 JAMES L. ROBART
7 United States District Judge
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22