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16 *Philips North America LLC*

17 **UNITED STATES DISTRICT COURT**  
18 **CENTRAL DISTRICT OF CALIFORNIA**  
19 **WESTERN DIVISION**

21 Philips North America LLC,

22 *Plaintiff,*

23 vs.

24 Garmin International, Inc.  
25 Garmin USA, Inc. and Garmin Ltd.,

26 *Defendants.*

Case No. 2:19-cv-06301-AB-KS

**PHILIPS NORTH AMERICA LLC's  
NOTICE OF MOTION AND MOTION  
UNDER RULE 54(b) TO ENTER  
FINAL JUDGMENT AS TO COUNT I  
FOR INFRINGEMENT OF  
U.S. PATENT NO. 6,013,007**

Date: December 4, 2020

Time: 10:00AM

Crtrm: 7B (350 West First Street)

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on December 4, 2020 at 10:00 AM, or as soon thereafter  
3 as the matter may be heard before Honorable André Birotte Jr., in Courtroom 7B of the United  
4 States District Court, Central District of California, located at 350 West First Street, Los  
5 Angeles, CA 90012, Plaintiff Philips North America LLC (“Philips”) will, and hereby does,  
6 respectfully move pursuant to Fed. R. Civ. P. 54(b) to enter final judgment with respect to Count  
7 I of Philips’s Amended Complaint asserting infringement of U.S. Patent No. 6,013,007 (“’007  
8 Patent”).

9 The grounds for the Motion are that the Court’s August 28, 2020 Claim Construction  
10 Order (Dkt. 102) found that the asserted claims of the ’007 Patent are invalid for indefiniteness,  
11 resulting in the complete resolution of Philips’s cause of action for infringement of the ’007  
12 Patent. Because the ’007 Patent cause of action is severable and distinct from Philips’s  
13 remaining causes of action, there is no just reason to delay entry of a final judgment on that  
14 cause of action so that Philips may appeal.

15 This Motion is based on this Notice of Motion, the accompanying Memorandum of  
16 Points and Authorities, the pleadings and papers on file in this action, and on such other and  
17 further evidence as may properly be before this Court at the hearing on the Motion.

18 This Motion is made following the conference of counsel which took place on October  
19 12, 2020.

20 DATED: November 4, 2020

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21 */s/ Jean-Paul Ciardullo*

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