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13 **UNITED STATES DISTRICT COURT**  
 14 **CENTRAL DISTRICT OF CALIFORNIA**

16 DOCUMENT SECURITY SYSTEMS,  
 17 INC.,

18 *Plaintiff,*

19 v.

20 SEOUL SEMICONDUCTOR CO., LTD.  
 21 and SEOUL SEMICONDUCTOR, INC.,

22 *Defendants.*

Case No. 8:17-cv-00981-JVS-JCG

**PLAINTIFF DOCUMENT  
 SECURITY SYSTEMS, INC.’S  
 OPPOSITION TO  
 DEFENDANTS’ MOTION TO  
 STAY PENDING *INTER PARTES*  
 REVIEW**

Date: March 26, 2018  
 Time: 1:30 p.m.  
 Ctrm: 10C  
 Judge: Hon. James V. Selna

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1 Plaintiff Document Security Systems, Inc. (“DSS”) opposes Defendants Seoul  
2 Semiconductor Co., Ltd.’s and Seoul Semiconductor, Inc.’s (collectively, “Seoul”)  
3 motion (Dkt. 57) to stay pending *inter partes* review (“IPR”).

#### 4 **I. INTRODUCTION**

5 Courts in this District consider three factors in evaluating a request for stay:  
6 the stage of the proceedings; the extent to which a stay will simplify the issues; and  
7 the potential prejudice to the non-moving party. These three factors weigh against  
8 a stay here.

9 First, the stage of the proceedings does not warrant a stay. The parties have  
10 already exchanged both infringement and invalidity contentions, propounded  
11 discovery, and are beginning the claim construction process. The parties carefully  
12 negotiated, and the Court already issued, a Case Schedule. A stay would undo the  
13 efforts of the parties and the Court thus far. Further, the Court has already had  
14 occasion to consider issues relating to the merits of this case in light of Defendants’  
15 previous motions to dismiss. Additionally, Seoul waited nearly eight months after  
16 first being sued on the patents-in-suit to file its first IPR petition, and then nearly 3  
17 months after filing that first IPR petition, and more than a month after filing its last  
18 IPR petition, before requesting a stay.

19 Second, a stay would not simplify issues. Seoul’s IPR petitions were filed  
20 within the last two to three months and the PTAB will not issue rulings even on  
21 instituting those IPRs for another three to four months. Any purported simplification  
22 is entirely speculative. Further, as Seoul recognizes in its motion, the IPR petitions  
23 do not cover all of the patents asserted in the related cases pending before this Court,  
24 nor are they joined by all of the parties in the related cases. This Court will still have  
25 to adjudicate issues of claim construction as to the three patents asserted against  
26 Seoul, even if the stay were granted, because those same patents are asserted against  
27 other defendants who have not filed IPRs, nor moved for a stay. This Court is the  
28 only forum that can resolve all the issues between the parties, including

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