

1 William E. Thomson, Jr. (SBN 47195)  
2 BROOKS KUSHMAN P.C.  
3 6005 S. Figueroa Street, Suite 2080  
4 Los Angeles, California 90017-5726  
5 Phone: (213) 622-3003 / Fax: (213) 622-3053  
6 E-Mail: wthomson@brookskushman.com

7 Marc Lorelli (Admitted *pro hac vice*)  
8 mlorelli@brookskushman.com  
9 John P. Rondini (Admitted *pro hac vice*)  
10 jrondini@brookskushman.com  
11 BROOKS KUSHMAN P.C.  
12 1000 Town Center, 22<sup>nd</sup> Floor  
13 Southfield, MI 48075  
14 Phone: (248) 358-4400 / Fax: (248) 358-3351

15 Attorneys for Defendant  
16 Ancora Technologies, Inc.

17 **UNITED STATES DISTRICT COURT**  
18 **CENTRAL DISTRICT OF CALIFORNIA**

19 TCT MOBILE (US) INC. AND  
20 HUIZHOU TCL MOBILE  
21 COMMUNICATION CO.  
22 LTD.,

23 Plaintiffs,

24 v.

25 ANCORA TECHNOLOGIES,  
26 INC.

27 Defendant.

Case No. 8:19-02192-JLS-ADS

Judge: Hon. Josephine L. Staton

**JOINT STIPULATION REGARDING  
PARTIES, CASE CAPTION, AND TO  
EXTEND TIME TO RESPOND TO  
COMPLAINT**

**[Proposed] Order submitted herewith**

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34 JOINT STIPULATION RE PARTIES.

1 **JOINT STIPULATION**

2 Pursuant to Civil Local Rule 7-1, Plaintiffs TCT Mobile (US) Inc. and Huizhou  
3 TCL Mobile Communication Co. Ltd. (collectively, “TCL”) and Defendant Ancora  
4 Technologies, Inc. (“Ancora”), by and through their respective counsel of record,  
5 hereby stipulate and request that the Court enter an order in accordance with an  
6 agreement between the parties as set forth below. In support of this request, the parties  
7 hereby agree and stipulate as follows:

- 8 1. Ancora filed a complaint on August 27, 2019 and an amended complaint on  
9 September 12, 2019 in the Eastern District of Texas alleging TCL Corp., TCL  
10 Communication Ltd., TCL Communication Technology Holdings Ltd., TCT  
11 Mobile International Ltd., TCT Mobile, Inc., TCT Mobile (US) Inc., and TCT  
12 Mobile (US) Holdings Inc (“Texas Defendants”) of infringing of U.S. Patent  
13 No. 6,411,941 (‘941 patent). *Ancora Technologies, Inc. v. TCL Corp.*, No. 4:19-  
14 cv-00624 (E.D. Tex. Aug. 27, 2019), (“Texas Lawsuit”) (*see* Dkt. 1, ¶ 2).
- 15 2. In the Texas Lawsuit, the parties agreed and stipulated on October 7, 2019 to a  
16 90-day extension of time to February 4, 2020 for the Texas Defendants to move,  
17 answer, or otherwise respond to the Amended Complaint.
- 18 3. On November 12, 2019, TCL commenced this action against Ancora for  
19 declaratory judgment of noninfringement of the ‘941 patent. (“California  
20 Lawsuit”).
- 21 4. In the California Lawsuit, TCL served Ancora on or about November 18, 2019.
- 22 5. Ancora’s initial deadline to respond in the California Lawsuit was on December  
23 9, 2019.

24 JOINT STIPULATION RE PARTIES.

1 6. The parties previously agreed and stipulated pursuant to L.R. 8-3 that Ancora's  
2 original time to answer or otherwise respond to TCL's Complaint in the  
3 California Lawsuit be extended to January 8, 2020.

4 7. Prior to the January 8, 2020 deadline, the parties again agreed and stipulated  
5 pursuant to L.R. 8-3 that Ancora's original time to answer or otherwise respond  
6 to TCL's Complaint in the California Lawsuit be extended to January 15, 2020.

7 8. Prior to the January 15, 2020 deadline, the parties again agreed and stipulated  
8 pursuant to L.R. 8-3 that Ancora's time to answer or otherwise respond to  
9 TCL's Complaint in the California Lawsuit be extended to January 29, 2020.

10 9. Following the filing of the third stipulated extension, the parties continued to  
11 actively discuss both the Texas Lawsuit and the California Lawsuit and which  
12 venue is the proper venue to continue the case.

13 10. TCL and Ancora have reached the following agreements:

14 a. Ancora and the Texas Defendants will file a joint motion to transfer the  
15 Texas Lawsuit to this District where it will be consolidated with the  
16 California Lawsuit;

17 b. TCL and Ancora stipulate and request that the case caption of this case,  
18 the California Lawsuit, be realigned to identify Ancora as the plaintiff  
19 and TCL as the defendants;

20 c. TCL will represent in writing the TCL entities that are involved in the  
21 provision of Android over-the-air ("OTA") update functionality for TCL  
22 products within seven days of the Eastern District of Texas court  
23 transferring the Texas Lawsuit to this District;

24 JOINT STIPULATION RE PARTIES.

1 d. Each TCL entity identified in (c.) will be added as a named defendant in  
2 the California Lawsuit by a joint motion, and none of the TCL entities so  
3 added will contest venue or personal jurisdiction in this District solely  
4 for the purposes of the consolidated California Lawsuit;

5 e. Each TCL entity other than TCT Mobile (US) Inc., Huizhou TCL Mobile  
6 Communication Co. Ltd., and those TCL entities identified in (c.) will be  
7 dismissed without prejudice from the consolidated California Lawsuit by  
8 a joint motion;

9 f. Ancora will file a single amended complaint within seven days of TCL's  
10 disclosure pursuant to (c.), and all defendants shall answer or otherwise  
11 respond within 30 days of Ancora filing its amended complaint;

12 g. TCL will make a good faith effort to provide discovery and depositions  
13 related to foreign TCL entities within this District, although due to United  
14 States visa requirements, potential travel restrictions, and prohibition on  
15 conducting depositions in mainland China, some depositions may be  
16 taken by video deposition or may be required to occur outside of the  
17 United States and mainland China, such as in Hong Kong, Macau,  
18 Taiwan, Japan, or Korea.

19 11. TCL and Ancora believe that their agreements will allow the case to proceed in  
20 an orderly and efficient manner and allow all relevant parties to be joined to the  
21 case. Accordingly, TCL and Ancora request that the Court issue an order in  
22 accordance with the foregoing agreement.

23  
24 JOINT STIPULATION RE PARTIES.

1 **IT IS SO STIPULATED.**

3 **PERKINS COIE LLP**

4 /s/ Kyle R. Canavera \*  
5 John P. Schnurer (SBN 185725)  
6 Yun (Louise) Lu (SBN 253114)  
7 Kyle R. Canavera (SBN 314664)  
8 11452 El Camino Real, Suite 300  
9 San Francisco, CA 94111  
10 Tel: (415) 576-0200  
11 Fax (415) 576-0300  
12 jschnurer@perkinscoie.com  
13 llu@perkinscoie.com  
14 kcanavera@perkinscoie.com

15 Date: January 29, 2020

3 **BROOKS KUSHMAN P.C.**

4 /s/ John P. Rondini  
5 Marc Lorelli (Admitted *pro hac vice*)  
6 mlorelli@brookskushman.com  
7 John P. Rondini (Admitted *pro hac vice*)  
8 jrondini@brookskushman.com  
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17 Fax: (213) 622-3053  
18 wthomson@brookskushman.com

19 Date: January 29, 2020

20 \* Pursuant to Local Rule 5-4.3.4(a)(2), the filing party attests that TCL's counsel  
21 concurs in the content of this stipulation and has authorized its filing with his  
22 electronic signature.  
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24 JOINT STIPULATION RE PARTIES.