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TRILLER, INC.

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 OAKLAND DIVISION

14 BYTEDANCE INC., TIKTOK INC., AND
15 TIKTOK PTE. LTD.,

16 Plaintiffs,

17 v.

18 TRILLER, INC.,

19 Defendant.
20

Case No. 4:20-cv-07572-JSW

**STIPULATION REGARDING AMENDED
COMPLAINT AND ~~[PROPOSED]~~ ORDER
REGARDING SCHEDULE FOR
BRIEFING ANY FURTHER SECTION 101
MOTION TRILLER FILES**

21 IT IS HEREBY STIPULATED AND AGREED, by and among Plaintiffs ByteDance Inc.,
22 TikTok Inc., and TikTok Pte. Ltd. (“TikTok”) and Defendant Triller, Inc. (“Triller”), by and
23 through their undersigned counsel, pursuant to Civil L.R. 6-2, that TikTok be permitted to file a
24 Second Amended Complaint, and that the following schedule will apply for Triller to answer or
25 otherwise respond to the complaint, including filing any renewed Section 101 challenge, which
26 will permit the parties to maintain the current October 8, 2021 hearing date on calendar for
27 Triller’s Section 101 motion (Dkt. No. 46) and move the parties’ disputes forward on the merits.
28

- 8/25: TikTok to file Second Amended Complaint (“SAC”)
- 9/8: Triller to answer or otherwise respond to the SAC, including any Section 101 motion
- 9/17: TikTok to oppose any Section 101 motion Triller files
- 9/24: Triller to file reply re: any Section 101 motion it files
- 10/8: Hearing on Section 101 motion (unchanged from the current schedule)

The SAC will moot the currently-pending Section 101 motion and obviate the need to brief the issue on the prior schedule set for that motion, but the parties’ agreement will permit the Court to hear Triller’s renewed Section 101 challenge on the currently-scheduled hearing date, and the Court will maintain its standard 14-day period between the time of the filing of the final brief and the noticed hearing date under the Local Rules, and thus the stipulation will not have any impact on the schedule for this case.

The only prior extensions of time in this case were a stipulated extension of time for Triller to answer or otherwise respond to the First Amended Complaint (Dkt. No. 19) and a stipulated extension of the time for TikTok to respond to Triller’s motion to dismiss, which the Court granted (Dkt. No. 38).

Dated: August 24, 2021

Dated: August 24, 2021

FISH & RICHARDSON P.C.

WORKMAN NYDEGGER

/s/ Michael R. Headley

/s/ Brian N. Platt

Michael R. Headley

Brian N. Platt

Attorneys for
BYTEDANCE INC., TIKTOK INC.,
and TIKTOK PTE. LTD

Attorneys for
TRILLER, INC.

1 I hereby attest under penalty of perjury that concurrence in the filing of this document has
2 been obtained from counsel for Triller, Inc.

3 Dated: August 24, 2021

FISH & RICHARDSON P.C.

4
5 By: /s/ Michael R. Headley

6 Michael R. Headley

7 Attorneys for
8 BYTEDANCE INC.
9 TIKTOK INC., and TIKTOK PTE. LTD.

10 **PURSUANT TO THE STIPULATION, IT IS SO ORDERED.**

The Court ADOPTS the parties' proposed briefing schedule and maintains the October 8, 2021 hearing date.

11 The Court DENIES, WITHOUT PREJUDICE, the pending motion for judgment on the pleadings.

12 Dated: August 24, 2021

13 
14 The Hon. Jeffrey S. White
15 UNITED STATES DISTRICT JUDGE