

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

PHILIPS NORTH AMERICA LLC,

Plaintiff,

v.

FITBIT LLC,

Defendant.

Civil Action No. 1:19-cv-11586-FDS

NOTICE REGARDING ORDER OF FEDERAL CIRCUIT

During oral argument on Philips's motion to dismiss and enter judgment (Dkt. 418), the parties provided a status update that Defendant Fitbit, LLC ("Fitbit") had filed a motion to dismiss the appeal at the Court of Appeals for the Federal Circuit. As a further update, the Federal Circuit issued an order on November 1, 2023 staying further briefing on Fitbit's motion. A copy of the order is attached.

Respectfully Submitted,

Dated: November 2, 2023

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing document was filed with the Court through the ECF system and that a copy will be electronically served on registered participants as identified on the Notice of Electronic Filing.

By: /s/ John W. Custer

John W. Custer