## UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

PHILIPS NORTH AMERICA LLC,	)
Plaintiff,	) ) Civil Action No.
v.	) 19-11586-FDS
FITBIT LLC,	)
Defendant.	) )

## ORDER ON RENEWED MOTION TO DISMISS AND ENTER FINAL JUDGMENT

## SAYLOR, C.J.

Plaintiff Philips North America has filed a Renewed Motion to Dismiss and Enter Final Judgment, which is unopposed by Defendant Fitbit, Inc.

In light of the motion, and in accordance with the April 6, 2023 affirmance by the Federal Circuit of the PTAB's Final Written Decision in IPR202-00783 finding all asserted claims of U.S. Patent No. 7,088,233 (the "'233 Patent") unpatentable, the Court hereby dismisses with prejudice all claims of the '233 Patent and dismisses without prejudice all counterclaims of the '233 Patent.

Furthermore, in light of the motion, and in accordance with this Court's rulings at Docket Nos. 212, 401, and 414, the Court hereby enters final judgment of invalidity as to the asserted claims of U.S. Patent No. 6,013,007 and invalidity as to the asserted claims of U.S. Patent No. 8,277,377 and dismisses without prejudice any counterclaims remaining in this matter. Plaintiff's motion for leave to amend its infringement contentions is DENIED.



So Ordered.

/s/ F. Dennis Saylor IV

F. Dennis Saylor IV

Dated: January 12, 2024 Chief Judge, United States District Court

