

1 COUNSEL LISTED ON SIGNATURE PAGE

2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
SANTA ANA DIVISION

UNIVERSAL ELECTRONICS, INC., ) Case No. 8:13-cv-00984 AG (JPRx)

Plaintiff, )

vs. )

UNIVERSAL REMOTE CONTROL, )  
INC., et al., )

Defendants. )

**JOINT STATEMENT OF THE  
PARTIES PURSUANT TO ORDER  
STAYING ACTION (ECF NO. 88)  
AND JOINT REQUEST TO  
CONTINUE STATUS  
CONFERENCE FROM JANUARY  
26, 2015 TO MARCH 9, 2015;  
DECLARATION OF MARK A.  
FINKELSTEIN**

Pursuant to the Court’s Order Staying Action Pending Petitions for *Inter Partes* Review of All Asserted Claims (ECF No. 88) (the “Stay Order”), Plaintiff and Counterclaim-Defendant Universal Electronics, Inc. (“UEI”) and Defendants and Counterclaimants Universal Remote Control, Inc. (“URC”), Ohsung Electronics Co., Ltd., and Ohsung Electronics U.S.A., Inc. (collectively, “Ohsung”) (all collectively, “Defendants”), met and conferred on January 15, 2015. Pursuant to the Stay Order and the parties’ meet and confer, the parties hereby provide the following joint statement and jointly request that the Status Conference currently scheduled for

1 January 26, 2015, at 9:00 a.m. be continued to March 9, 2015, at 9:00 a.m., for the  
2 reasons provided below.

3 **A. Status of PTO *Inter Partes* Review Proceedings Involving the Patents-**  
4 **In-Suit**

5 Pursuant to the Stay Order, the parties report that all asserted claims of the ten  
6 UEI patents-in-suit were subject to ten petitions for *inter partes* review (“IPR”) filed  
7 with the U.S. Patent and Trademark Office (“PTO”). As the following chart  
8 demonstrates, the PTO Patent & Trademark Appeal Board (“PTAB”) instituted review  
9 with respect to all asserted claims in five of the asserted patents; instituted review with  
10 respect to some, but not all, asserted claims in two of the asserted patents; and did not  
11 institute any review with respect to the asserted claims of the remaining three patents.

12 <b>Asserted Patent</b>	<b>IPR Docket No.</b>	<b>Decision on Petition</b>
13 5,228,077 to Darbee 14 (expired)	IPR2014-01102	Instituted (all asserted claims)
15 5,552,917 to Darbee 16 (expired)	IPR2014-01103	Instituted (all asserted claims)
17 5,414,761 to Darbee 18 (expired)	IPR2014-01104	Instituted (all asserted claims)
19 5,255,313 to Darbee 20 (expired)	IPR2014-01106	Instituted (all asserted claims)
21 7,831,930 to Dresti	IPR2014-01109	Instituted (all asserted claims)
22 7,126,468 to Arling	IPR2014-01084	Instituted (instituted as to claims 27, 28, 33, 35, 45, and 49; not 23 instituted as to claims 1, 2, 11, 29, and 46)
24 8,243,207 to Arling	IPR2014-01146	Instituted (instituted as to claims 25 13–15; not instituted as to 26 claim 12)
27 7,589,642 to Mui	IPR2014-01082	Not instituted

1	6,407,779 to Herz	IPR2014-01111	Not instituted
2	RE39059 to Foster	IPR2014-01112	Not instituted

3  
4 **B. Parties' Statements Regarding Case Management**

5 **1. Statement of Plaintiff UEI**

6 On January 9, 2015, the PTAB rendered its final decision on the petitions for  
7 IPR. UEI intends to seek rehearing with respect to at least one of the IPR decisions.

8 UEI and its new counsel are still evaluating the IPR decisions and, depending  
9 on the outcome of its rehearing request(s), may drop certain patents from this lawsuit,  
10 may seek to amend its complaint in other ways, or may stipulate to a further stay of  
11 this proceeding. To preserve judicial resources while UEI completes its analysis and  
12 awaits a ruling on its rehearing request(s), UEI requests that the Status Conference be  
13 continued until March 9, 2015. At that time, UEI expects to be in a position to inform  
14 the Court regarding its views on the case management including, without limitation,  
15 whether there is any need to continue the stay.

16 **2. Statement of Defendants URC and Ohsung**

17 Defendants have no objection to rescheduling the January 26, 2015 Status  
18 Conference to permit UEI and its new counsel additional time and for purposes of  
19 efficiency. Specifically, Defendants agree that the January 26, 2015 Status  
20 Conference should be rescheduled for March 9, 2015. At this rescheduled Status  
21 Conference, Defendants expect that the parties will be in a position to discuss the  
22 scope of the stay, any petitions for rehearing filed by UEI with respect to the IPRs,  
23 and the status of any such petitions.

24 **C. Date for Further Case Management Conference**

25 Pursuant to the Stay Order, the parties propose that any further Case  
26 Management Conference should be held on April 27, 2015, after the parties have  
27 received instructions from the Court at the rescheduled Status Conference on the  
28 scope of the stay and other general case management issues. The parties agree that no

1 later than seven (7) days prior to the Case Management Conference, the parties shall  
2 jointly file a Case Management Conference Statement. For avoidance of doubt, the  
3 parties understand that, pursuant to the Stay Order, the action remains stayed at least  
4 until the Case Management Conference has been held.

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

By: /s/ Mark A. Finkelstein

Mark A. Finkelstein (SBN  
173851)  
JONES DAY  
3161 Michelson Drive, Suite 800  
Irvine, CA 92612-4408  
Tel: (949) 851-3939  
Fax: (949) 553-78539  
mafinkelstein@jonesday.com

Theodore M. Grossman (*pro hac  
vice*)

David B. Cochran (*pro hac vice*)

Thomas R. Goots (*pro hac vice*)

JONES DAY  
North Point  
901 Lakeside Avenue  
Cleveland, OH 44114-1190  
tgrossman@jonesday.com  
dcochran@jonesday.com  
trgoots@jonesday.com

Attorneys for Plaintiff-  
Counterclaim Defendant  
UNIVERSAL ELECTRONICS,  
INC.

By: /s/Peter H. Kang

Peter H. Kang (Bar No. 158101)  
[pkang@sidley.com](mailto:pkang@sidley.com)  
SIDLEY AUSTIN LLP  
1001 Page Mill Road  
Building 1  
Palo Alto, California 94304  
Telephone: (650) 565-7000  
Facsimile: (650) 565-7100

Samuel R. Miller (Bar No. 66871)  
[srmillier@sidley.com](mailto:srmillier@sidley.com)

Teague I. Donahey (Bar No. 197531)

[tdonahey@sidley.com](mailto:tdonahey@sidley.com)

SIDLEY AUSTIN LLP  
555 California Street  
Suite 2000  
San Francisco, California 94104  
Telephone: (415) 772-1200  
Facsimile: (415) 772-7400

Theodore W. Chandler (Bar No.  
219456)

[tchandler@sidley.com](mailto:tchandler@sidley.com)  
SIDLEY AUSTIN LLP  
555 West Fifth Street, Suite 4000  
Los Angeles, California 90013  
Telephone: (213) 896-6000  
Facsimile: (213) 896-6600

Attorneys for Defendants  
UNIVERSAL REMOTE CONTROL,  
INC., OHSUNG ELECTRONICS CO.,  
LTD., and OHSUNG ELECTRONICS  
U.S.A., INC.

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.