

THE HONORABLE JAMES L. ROBERT

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SRC LABS, LLC, & SAINT REGIS  
MOHAWK TRIBE,

Plaintiffs,

v.

AMAZON WEB SERVICES, INC.,  
AMAZON.COM, INC.,  
& VADATA INC.,

Defendants.

Case No.: 2:18-cv-00317-JLR

**JOINT RESPONSE TO ORDER TO  
SHOW CAUSE**

**JURY TRIAL DEMANDED**

JOINT RESPONSE TO  
ORDER TO SHOW CAUSE  
CASE No. 2:18-cv-00317-JLR

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1 Plaintiffs SRC Labs, LLC and Saint Regis Mohawk Tribe (collectively, “SRC”) and de-  
 2 fendants Amazon Web Services, Inc., Amazon.com, Inc., and VADATA Inc. (collectively, “Am-  
 3 azon”) (collectively, the “parties”), by and through their counsel of record, hereby respond to the  
 4 Court’s November 20, 2018 Order to Show Cause (Dkt. No. 119) (the “Order”). In the Order,  
 5 the Court explained that it stayed *SRC Labs, LLC v. Microsoft Corporation*, No. C18-0321JLR  
 6 (W.D. Wash.) (the “Microsoft Litigation”) pending resolution of Microsoft’s ten *inter partes* re-  
 7 view (“IPR”) petitions relating to each of the patents at issue in that case. The Court noted that  
 8 certain of Microsoft’s ten petitions relate to U.S. Patent Nos. 6,434,687 (the “’687 patent”),  
 9 7,225,324 (the “’324 patent”), and 7,620,800 (the “’800 patent”), also at issue in this case. The  
 10 Court further noted that the Microsoft Litigation and this case have been consolidated for purposes  
 11 of the *Markman* hearing and *Markman*-related pretrial matters. The Court therefore ordered the  
 12 parties to show cause why this case should not be stayed pending resolution of Microsoft’s IPR  
 13 petitions relating to the three patents also at issue in this case.

14 In light of the Court’s order staying the Microsoft Litigation, the parties agree that the  
 15 Court should stay this case as well. SRC currently asserts four patents against Amazon. SRC no  
 16 longer asserts against Amazon the ’687 patent, which was originally asserted in the complaint.  
 17 As shown in the table below, each of the currently asserted patents in this case is being challenged  
 18 in pending IPR proceedings:

19 Asserted Patent	IPR Case No(s).	Petition(s) Filing Date	Petitioner
20 7,225,324	IPR2018-01601; IPR2018-01602; IPR2018-01603	September 5, 2018	Microsoft
21 7,620,800	IPR2018-01605; IPR2018-01606; IPR2018-01607	September 6, 2018	Microsoft
22 7,149,867	IPR2019-00103	October 19, 2018	Amazon
23 9,153,311	IPR2018-01395	July 13, 2018	Xilinx, Inc.

24 In the interest of efficiency, the parties respectfully submit that this case should be stayed  
 25 at least until the resolution of each of the eight pending IPR petitions relating to the currently  
 26 asserted patents in this case, including those filed by Amazon and Xilinx, or until the date the stay  
 27 is lifted in the Microsoft Litigation, whichever is later. For the reasons set forth in the Court’s

1 Order staying the Microsoft Litigation, such a stay will simplify the issues and trial. Amazon  
2 anticipates that depending on the outcomes of the pending IPRs, a stay may need to continue until  
3 the final dispositions of the IPR proceedings, including appeals and any remands.

4 The parties additionally propose filing a joint status report within seven (7) days of the  
5 Patent and Trademark Office having entered a decision on each of these eight petitions or by May  
6 1, 2019, whichever occurs first.

7 Dated: November 27, 2018

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*Counsel for Plaintiffs SRC Labs, LLC & Saint  
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23 Dated: November 27, 2018

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*Counsel for Defendants Amazon Web Services, Inc., Amazon.com, Inc., & VADATA, Inc.*

**CERTIFICATE OF SERVICE**

I, Jessica M. Kaempf, hereby certify that on November 27, 2018, I caused the foregoing **JOINT RESPONSE TO ORDER TO SHOW CAUSE** to be served on the following parties as indicated below:

<p><b>Carmen E. Bremer</b>  Bremer Law Group PLLC  1700 Seventh Avenue, Suite 2100  Seattle, WA 98101</p> <p><i>Counsel for Plaintiffs</i>  SRC LABS, LLC AND  SAINT REGIS MOHAWK TRIBE</p>	<p><input type="checkbox"/> By United States Mail  <input type="checkbox"/> By Legal Messenger  <input checked="" type="checkbox"/> <b>By Electronic CM/ECF</b>  <input type="checkbox"/> By Overnight Express Mail  <input type="checkbox"/> By Facsimile  <input type="checkbox"/> By Email  carmen.bremer@bremerlaw-group.com</p>
<p><b>Michael W. Shore</b>  <b>Alfonso G. Chan</b>  <b>Christopher L. Evans</b>  <b>Andrew M. Howard</b>  Shore Chan DePumpo LLP  901 Main Street, Suite 3300  Dallas, TX 75202</p> <p><i>Counsel for Plaintiffs</i>  SRC LABS, LLC AND  SAINT REGIS MOHAWK TRIBE</p>	<p><input type="checkbox"/> By United States Mail  <input type="checkbox"/> By Legal Messenger  <input checked="" type="checkbox"/> <b>By Electronic CM/ECF</b>  <input type="checkbox"/> By Overnight Express Mail  <input type="checkbox"/> By Facsimile  <input type="checkbox"/> By Email  mshore@shorechan.com  achan@shorechan.com  cevans@shorechan.com  ahoward@shorechan.com</p>

Dated: November 27, 2018

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