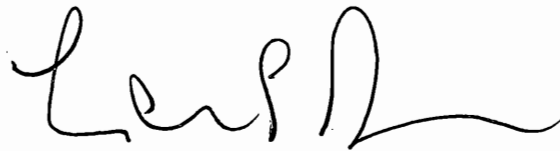


discovery and litigation has occurred (*see generally* D.I. 195 at 3-4, 11-13), two district judges in two different Districts have presided (*see* D.I. 167), and in which trial is scheduled and will begin just ten months from now. Further delay would prejudice Plaintiff (which the Court recognizes does not compete with Defendant and has licensed the patents-in-suit) – a non-dispositive but also not irrelevant factor.

Defendant's concerns about the work that remains to be done (*see, e.g.*, D.I. 187 at 4; D.I. 200 at 6), and additional discovery that might be necessitated should Plaintiff be permitted to add willful infringement to this case, can be addressed in the context of other motions (*e.g.*, Plaintiff's pending motion to amend) and might justify other relief, but do not justify the requested stay (even assuming, *arguendo*, that the timing of the IPR petition and the timing of the request for a stay support Defendant).

January 8, 2018
Wilmington, Delaware



HONORABLE LEONARD P. STARK
UNITED STATES DISTRICT COURT