

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION

ALIVECOR, INC.,

Plaintiff,

v.

Civil Action No. 6:20-cv-1112

APPLE INC.

Defendant.

ORDER STAYING CASE PENDING INSTITUTION OF AND/OR FINAL DETERMINATION IN PARALLEL ITC MATTER

Having considered Defendant Apple Inc.'s ("Apple") and Plaintiff AliveCor, Inc.'s ("AliveCor") (together, "the Parties") Joint Motion to Stay Case Pending Institution of and/or Final Determination in Parallel ITC Matter, and finding good cause appearing, the Court hereby GRANTS the motion to stay the above-captioned action.

It is ORDERED that this case is STAYED pending the ITC's institution decision for the matter presently titled *In the Matter of Certain Wearable Electronic Devices with ECG Capability and Components Thereof*, DN 3545 (the "ITC Matter").

It is further ORDERED that if the ITC institutes the ITC Matter, this case will remain STAYED until the determination of the ITC Matter becomes final, pursuant to 28 U.S.C. § 1659(a), and the Commission proceedings are no longer subject to judicial review. *See In re Princo Corp.*, 478 F.3d 1345, 1355 (Fed. Cir. 2007).

SO ORDERED.

DATE: May 6, 2021



Honorable Alan D Albright
United States District Judge