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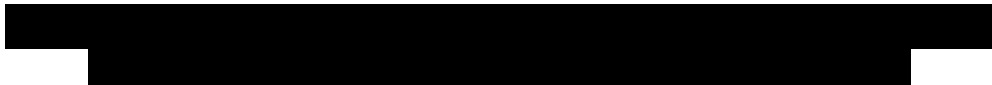


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[REDACTED]

Plaintiffs Japan Display Inc. (“JDI”) and Panasonic Liquid Crystal Display Co., Ltd. (“PLD”) (collectively, “Plaintiffs”) respectfully move the Court to reconsider its Order issued on November 18, 2021 (Dkt. 202, “Order”), requiring Plaintiffs to narrow the asserted patents and claims in these consolidated cases to no more than 7 patents and 20 claims by November 22, 2021, and no more than 4 patents and 12 claims by December 20, 2021.

I. INTRODUCTION

Under the Court’s Order, what began as 15 patents asserted in 3 separate cases would ultimately be reduced to just 4 patents—barely more than 1 patent per case. Until now, the Court’s and the parties’ discussions concerning the final narrowing of these cases has been confined to status conferences and status reports. Thus, the Court has not had an opportunity to consider facts concerning the unique issues presented by the asserted patents that necessitate keeping more than 4 patents. Indeed, consistent with Plaintiffs’ recent proposal to the Court (*see* Dkt. 189 at 2), Plaintiffs contend that **8 patents** is the minimum in order to avoid a violation of Plaintiffs’ due process rights. [REDACTED]

[REDACTED] from Defendant Tianma Microelectronics Co. Ltd. (“Tianma”) for its infringement, Plaintiffs must be allowed to assert at least 8 patents. The 8 patents selected by Plaintiffs provide the optimal combination of reducing the number of patents while maintaining Plaintiffs’ due process rights by allowing them to [REDACTED]. Specifically, Plaintiffs request that the Court permit Plaintiffs to continue asserting these 8 patents against Tianma: U.S. Patent Nos. 7,936,429 (“the ’429 Patent”); 8,218,118 (“the ’118 Patent”); 8,218,119 (“the ’119 Patent”); 9,793,299 (“the ’229 Patent”); 8,830,409 (“the ’409 Patent”); 7,385,665 (“the ’665 Patent”); 7,636,142 (“the ’142 Patent”); and 9,939,698 (“the ’698 Patent”).

Tianma knows that [REDACTED], a reduction in the number of asserted patents will have a substantial and material impact on the overall damages in these consolidated cases. Plaintiffs presume that it is for that reason that Tianma has been so aggressive in seeking



to narrow these cases. In the latest status report, Tianma proposed that Plaintiffs ultimately be limited to just 3 patents—effectively 1 patent for each of the 3 cases. The Court’s limitation of Plaintiffs’ cases to just 4 total patents is a boon for Tianma. However, it should not be the Court’s role to aid Tianma in reducing its potential damages liability.

Plaintiffs respect the Court’s need to manage its docket and ensure efficient administration and management of its cases, and Plaintiffs also agree that narrowing these cases—to a certain point—is beneficial to all. But the Court’s discretion in that regard must give way to due process considerations. Plaintiffs brought 3 cases against Tianma alleging that Tianma infringed 15 patents, and Plaintiffs are entitled to seek adequate compensation for Tianma’s infringement. Denying Plaintiffs that right solely on the basis of narrowing the cases would be a violation of due process. Therefore, Plaintiffs respectfully request that the Court reconsider its Order and allow Plaintiffs to assert 8 patents against Tianma.

II. FACTUAL BACKGROUND

On August 31, 2020, Plaintiffs filed a complaint in Case No. 2:20-cv-00283 (“-283 Case”) against Tianma asserting 9 patents against Tianma’s TFT LCD products. On the same date, JDI filed complaints in separate Case Nos. 2:20-cv-00284 (“-284 Case”) and 2:20-cv-00285 (“-285 Case”) against Tianma asserting an additional 3 patents per case against Tianma’s TFT LCD products. On April 20, 2021, the Court granted the parties’ joint motion (Dkt. 52) to consolidate the -284 and -285 Cases with the -283 Case “for all pretrial issues,” but the Court specifically stated that “[i]ndividual cases remain active for trial.” Dkt. 57 at 1–2. To date, there has been no order by the Court consolidating these cases for trial.

On September 22, 2021, Tianma filed an Opposed Motion to Limit Number of Asserted Claims. Dkt. 149. Plaintiffs filed their opposition on October 1, 2021. Dkt. 155. On October 12, 2021, the Court granted-as-modified Tianma’s motion and instructed Plaintiffs to narrow the asserted claims to no more than 8 claims from each patent and no more than 35 total claims by October 25, 2021. Dkt. 166 at 3. On October 25, 2021, Plaintiffs elected 35 claims from 13 patents, in compliance with the Court’s order. *See* Dkt. 172. The following day, at a status

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