

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NANOCO TECHNOLOGIES LTD.,

Plaintiffs,

v.

SAMSUNG ELECTRONICS CO., LTD, et al,

Defendants.

Civil Action No. 2:20-cv-00038-JRG

**UNOPPOSED MOTION FOR EXTENSION OF TIME TO MOVE, ANSWER OR
OTHERWISE RESPOND TO PLAINTIFF'S COMPLAINT AND
WAIVER OF FOREIGN SERVICE REQUIREMENT**

Samsung Electronics Co., Ltd., Samsung Display Co., Ltd., Samsung Advanced Institute of Technology, Samsung Electronics America, Inc., and Samsung Electronics Co., Ltd. Visual Display Division, Defendants herein, without waiving any defenses described or referred to in Rule 12 F.R.C.P., move the Court to extend the time within which Defendants are required to move, answer or otherwise respond to Plaintiff's Complaint for Patent Infringement. In support of their Motion, Defendants state as follows:

1. On February 14, 2020, Plaintiff filed its Complaint alleging patent infringement against Samsung Electronics Co., Ltd., Samsung Display Co., Ltd., Samsung Advanced Institute of Technology, Samsung Electronics America, Inc., and Samsung Electronics Co., Ltd. Visual Display Division.

2. Defendant Samsung Electronics America, Inc. was served with Plaintiff's Complaint on May 12, 2020, making its answer date June 2, 2020.

3. Defendants request an extension of time for Samsung Electronics Co., Ltd., Samsung Display Co., Ltd., Samsung Advanced Institute of Technology, Samsung Electronics

America, Inc., and Samsung Electronics Co., Ltd. Visual Display Division to move, answer or otherwise respond to the complaint until August 31, 2020 (90-day extension from Samsung Electronics America, Inc.'s original answer deadline), in exchange for the Korean entities Samsung Electronics Co., Ltd.'s and Samsung Display Co., Ltd.'s agreement to waive formal service of process pursuant to The Hague and consent to service in the action.¹

4. Defendants' agreement with Plaintiff should not be construed as a waiver of any other rights or defenses, including, for instance, Defendants' right to file counterclaims, affirmative defenses, or to otherwise challenge the validity of the subject patents.

5. Plaintiff does not oppose this request.

WHEREFORE, Samsung Electronics Co., Ltd., Samsung Display Co., Ltd., Samsung Advanced Institute of Technology, Samsung Electronics America, Inc., and Samsung Electronics Co., Ltd. Visual Display Division respectfully request that the time in which they are required to move, answer or otherwise respond to Plaintiff's Complaint for Patent Infringement be extended up to and through August 31, 2020.

Dated: May 28, 2020

Respectfully submitted,

/s/ Melissa R. Smith
Melissa R. Smith
State Bar No. 24001351
GILLAM & SMITH, LLP
303 South Washington Avenue
Marshall, Texas 75670
Telephone: (903) 934-8450
Facsimile: (903) 934-9257
Email: melissa@gillamsmithlaw.com

¹ The named defendants Samsung Advanced Institute of Technology ("SAIT") and Samsung Electronics Co., Ltd. Visual Display Division ("SEC Visual Display") are business divisions of Samsung Electronics Co., Ltd. Plaintiff has agreed to file a Stipulation and Notice of Dismissal that will dismiss SAIT and SEC Visual Display from the lawsuit and have the names removed from the case caption.

Attorney for Defendants

CERTIFICATE OF SERVICE

The undersigned hereby certifies that counsel of record who are deemed to have consented to electronic services are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this the 28th day of May, 2020.

/s/ Melissa R. Smith
Melissa R. Smith