

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

SIPCO, LLC, and IP CO, LLC
(d/b/a INTUS IQ),

Plaintiffs,

v.

EMERSON ELECTRIC CO., EMERSON
PROCESS MANAGEMENT LLLP,
FISHER-ROSEMOUNT SYSTEMS, INC.,
ROSEMOUNT INC., BP, p.l.c., BP
AMERICA, INC., and BP AMERICA
PRODUCTION COMPANY,

Defendants.

Civil Action No. 6:15-cv-907-RWS-KNM

**UNOPPOSED MOTION TO ENLARGE THE TIME FOR PLAINTIFFS TO FILE AN
OPPOSITION TO BP, P.L.C.'S MOTION TO DISMISS**

Plaintiffs, SIPCO, LLC and IP CO, LLC (“Plaintiffs” or “SIPCO”), respectfully move the Court for an Order enlarging the time for SIPCO to file an opposition to BP, p.l.c.’s Motion to Dismiss for Failure to State a Claim and for Misjoinder (“Motion to Dismiss”)(Dkt. No. 87) from June 13, 2016, to June 27, 2016. Defendants, Emerson Electric Co., Emerson Process Management LLLP, Fisher-Rosemount Systems, Inc., Rosemount, Inc., BP America, Inc., BP America Production Company and BP, p.l.c.¹ (together, “Defendants”) do not oppose this motion. This is SIPCO’s first request for an enlargement of time to file an opposition to the

¹ BP, p.l.c., the entity that filed the instant Motion to Dismiss (Dkt. No. 87), has not filed an Answer to the Amended Complaint.

Motion to Dismiss. For the reasons set forth below, SIPCO respectfully requests the Court to Grant this unopposed motion.

1. This case involves U.S. Patent Nos.: 7,697,492; 6,437,692; 6,914,893; 6,249,516; 7,468,661; 8,000,314; 8,233,471; 8,625,496; 8,754,780; 8,908,842 and 8,013,732 (together “the Patents-in-Suit”).

2. Through its Amended Complaint (Dkt. No. 19), SIPCO seeks a judgment, *inter alia*, that the Defendants infringe the Patents-in-Suit.

3. Through their respective Answers (Dkt. Nos. 30, 49 and 52), Defendants deny that SIPCO is entitled to the relief sought in the Amended Complaint.

4. BP, p.l.c. filed the Motion to Dismiss on May 25, 2016.

5. Because of pre-planned attorney vacations and planned time off over the intervening Memorial Day holiday weekend, counsel for SIPCO requested and received Defendants’ assent to a two week extension of the deadline to file an opposition to BP, p.l.c.’s Motion to Dismiss.

6. This is the first request SIPCO has made to extend the deadline to file an opposition to the Motion to Dismiss. This request is not an attempt to delay, but rather to further the interests of justice.

7. A Proposed Order is attached to this joint motion as Exhibit A.

Wherefore, for the reasons set forth herein, SIPCO respectfully requests the Court to Grant this Motion and extend SIPCO’s due date from June 13, 2016 to June 27, 2016 as set forth in the Proposed Order, attached hereto.

Dated: June 8, 2016

/s/ Paul J. Cronin by permission Claire A. Henry

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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served on all counsel of record
by email on this 8th day of June, 2016.

/s/ Claire Abernathy Henry

Claire Abernathy Henry