

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

Ocean Semiconductor LLC,

Plaintiff

v.

Silicon Laboratories Inc.,

Defendant.

Civil Action No.: 6:20-cv-1214-
ADA

JURY TRIAL DEMANDED

PATENT CASE

JOINT CASE READINESS STATUS REPORT

Plaintiff Ocean Semiconductor LLC (“Ocean” or “Plaintiff”) and Defendant Silicon Laboratories Inc. (“Silicon Labs”) hereby provide the following status report in advance of the initial Case Management Conference (CMC).

FILING AND EXTENSIONS

Plaintiff’s Complaint (Dkt. 1) was filed on December 31, 2020. There has been one extension for a total of forty-five days.

RESPONSE TO THE COMPLAINT

Silicon Labs has not filed an Answer. Instead, Silicon Labs filed a Motion to Dismiss for Failure to State a Claim (Dkt. 14) on March 12, 2021. Silicon Labs’ Motion to Dismiss requests that the Court dismiss Ocean’s (i) infringement claims under 35 U.S.C. § 271(g) for U.S. Patent Nos. 8,676,538 (the “538 patent”), 6,725,402 (the “402 patent”), 6,907,305 (the “305 patent”), and 6,968,248 (the “248 patent”); (ii) induced infringement claims for all asserted patents; (iii) willful infringement claims for all asserted patents; (iv) infringement claims concerning tools and

fabs not identified in the Complaint; (v) infringement allegations relating to claim 1 of 6,660,651 (the “651 patent”); and (vi) infringement claims against all accused products for all asserted patents. Ocean filed its Response to the Motion to Dismiss (Dkt. 16) on March 25, 2021, and Silicon Labs filed its Reply (Dkt. 17) on April 1, 2021. On April 8, 2021, Ocean filed an Unopposed Motion for Leave to File Sur-Reply in Opposition to Defendant Silicon Labs’ Motion to Dismiss for Failure to State a Claim (Dkt. 18).

PENDING MOTIONS

Currently pending before this Court are Silicon Labs’ Motion to Dismiss for Failure to State a Claim (Dkt. 14) and Ocean’s Unopposed Motion for Leave to File a Sur-Reply In Opposition to Silicon Laboratories Inc.’s Motion to Dismiss for Failure to State a Claim (Dkt. 18). The briefing for both of these motions is completed and they are ready for resolution.

RELATED CASES IN THIS JUDICIAL DISTRICT

1. *Ocean Semiconductor LLC v Mediatek Inc. and Mediatek USA Inc.*, Civil Action No. 6:20-cv-1210-ADA (W.D. Tex.)
2. *Ocean Semiconductor LLC v. NVIDIA Corporaton*, Civil Action No.: 6:20-cv-1211-ADA (W.D. Tex.)
3. *Ocean Semiconductor LLC v. NXP Semiconductors N.V., NXP B.V. and NXP USA, Inc.*, Civil Action No.: 6:20-cv-1212-ADA (W.D. Tex.)
4. *Ocean Semiconductor LLC v. Renesas Electronics Corporation and Renesas Electronics America, Inc.*, Civil Action No.: 6:20-cv-1213-ADA (W.D. Tex.)
5. *Ocean Semiconductor LLC v. STMicroelectronics, Inc.*, Civil Action No.: 6:20-cv-1215-ADA (W.D. Tex.)
6. *Ocean Semiconductor LLC v. Western Digital Technologies, Inc.*, Civil Action No.: 6:20-cv-1216-ADA (W.D. Tex.)

IPR, CBM, AND OTHER PGR FILINGS

Defendant Western Digital Technologies (“WDT”) in *Ocean Semiconductor LLC v. Western Digital Technologies* (Civil Action No.: 6:20-cv-1216-ADA) filed an *inter partes* review petition in IPR2021-00864 on April 29, 2021, challenging the validity of U.S. Patent No. 6,660,651. The ’651 patent has also been asserted in this action. A final written decision in IPR2021-00864 is expected in or around November 2023.

NUMBER OF ASSERTED PATENTS AND CLAIMS

In the Complaint, Plaintiff has identified seven patents and a total of seven claims as allegedly infringed by Silicon Labs. Plaintiff will set forth all asserted patents and claims in its preliminary infringement contentions.

APPOINTMENT OF TECHNICAL ADVISER

Plaintiff does not intend to request, nor anticipates a need for, a technical adviser at this juncture. Silicon Labs does not object to the appointment of a technical adviser if the Court would find one beneficial, including to assist with claim construction.

MEET AND CONFER STATUS

Plaintiff and Silicon Labs met and conferred.

Silicon Labs may seek an intra-district transfer to the Austin Division of the Western District of Texas. Otherwise, the parties have no pre-Markman issues to raise at the case management conference other than those already identified in the pending motions (Dkt. 14 and Dkt. 18).

Dated: May 4, 2021

Respectfully Submitted,

/s/ Alex Chan

Timothy Devlin

tdevlin@devlinlawfirm.com

Henrik D. Parker

hparker@devlinlawfirm.com

Alex Chan

State Bar No. 24108051

achan@devlinlawfirm.com

DEVLIN LAW FIRM LLC

1526 Gilpin Avenue

Wilmington, Delaware 19806

Telephone: (302) 449-9010

Facsimile: (302) 353-4251

Attorneys for Plaintiff,

Ocean Semiconductor LLC

/s/ Eric C. Green

Marc B. Collier (SBN 00792418)

marc.collier@nortonrosefulbright.com

Eric C. Green (SBN 24069824)

eric.green@nortonrosefulbright.com

NORTON ROSE FULBRIGHT US LLP

98 San Jacinto Boulevard, Suite 1100

Austin, Texas 78701

Tel: (512) 474-5201

Fax: (512) 536-4598

Richard S. Zembek (SBN 00797726)

richard.zembek@nortonrosefulbright.com

NORTON ROSE FULBRIGHT US LLP

1301 McKinney, Suite 5100

Houston, Texas 77010-3095

Tel: (713) 651-5151

Fax: (713) 651-5246

**COUNSEL FOR DEFENDANT SILICON
LABORATORIES INC.**

CERTIFICATE OF SERVICE

I hereby certify that on May 4, 2021, a true and correct copy of the above and foregoing document has been served on all counsel of record via the Court's CM/ECF system.

/s/ Alex Chan

Alex Chan