

Honorable Marsha J. Pechman

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UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

INTERVAL LICENSING LLC,

Plaintiff,

v.

AOL, INC.,

Defendant.

Case No. 2:11-CV-00716-MJP

Lead Case No. 2:10-CV-01385-MJP

**DEFENDANTS' JOINT RENEWED
MOTION TO STAY PROCEEDINGS
PENDING REEXAMINATIONS**

Note on Motion Calendar:
June 7, 2011

INTERVAL LICENSING LLC,

Plaintiff,

v.

APPLE, INC.,

Defendant.

CASE NO. C11-708-MJP

LEAD CASE NO. C10-1385-MJP

INTERVAL LICENSING LLC,

Plaintiff,

v.

EBAY INC.,

Defendant.

CASE NO. C11-709-MJP

LEAD CASE NO. C10-1385-MJP

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INTERVAL LICENSING LLC,

Plaintiff,

v.

FACEBOOK, INC.,

Defendant.

CASE NO. C11-710-MJP

LEAD CASE NO. C10-1385-MJP

INTERVAL LICENSING LLC,

Plaintiff,

v.

GOOGLE INC.,

Defendant.

CASE NO. C11-711-MJP

LEAD CASE NO. C10-1385-MJP

INTERVAL LICENSING LLC,

Plaintiff,

v.

NETFLIX, INC.,

Defendant.

CASE NO. C11-712-MJP

LEAD CASE NO. C10-1385-MJP

INTERVAL LICENSING LLC,

Plaintiff,

v.

OFFICE DEPOT, INC.,

Defendant.

CASE NO. C11-713-MJP

LEAD CASE NO. C10-1385-MJP

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INTERVAL LICENSING LLC,

Plaintiff,

v.

OFFICEMAX, INC.,

Defendant.

CASE NO. C11-714-MJP

LEAD CASE NO. C10-1385-MJP

INTERVAL LICENSING LLC,

Plaintiff,

v.

STAPLES, INC.,

Defendant.

CASE NO. C11-715-MJP

LEAD CASE NO. C10-1385-MJP

INTERVAL LICENSING LLC,

Plaintiff,

v.

YAHOO! INC.,

Defendant.

CASE NO. C11-716-MJP

LEAD CASE NO. C10-1385-MJP

INTERVAL LICENSING LLC,

Plaintiff,

v.

YOUTUBE, INC.,

Defendant.

CASE NO. C11-717-MJP

LEAD CASE NO. C10-1385-MJP

1 Defendants AOL, Inc., Apple, Inc., eBay, Inc., Facebook, Inc., Google Inc., Netflix, Inc.,
2 Office Depot, Inc., OfficeMax Inc., Staples, Inc., Yahoo! Inc., and YouTube, LLC (collectively,
3 the “Defendants”), through their undersigned counsel, respectfully renew their Joint Motion to
4 Stay Proceedings Pending Reexaminations (Dkt. 198). The Defendants respectfully renew their
5 request that the Court stay each of the above-captioned cases pending resolution of
6 reexamination proceedings before the United States Patent and Trademark Office (“PTO”)
7 concerning each of the respective patents in suit. Specifically, as indicated in the parties’
8 Updated Status Report Regarding Petitions For Reexamination (Dkt. 243), the PTO has ordered
9 reexamination of all four of the patents involved in this litigation (United States Patents No.
10 6,263,507 (“the ’507 patent”), No. 6,034,652 (“the ’652 patent”), No. 6,788,314 (“the ’314
11 patent”), and No. 6,757,682 (“the ’682 patent”). Opening claim construction briefs are due in
12 approximately one week on June 16, 2011 and a claim construction hearing is currently
13 scheduled for July 22, 2011.

14 The Defendants' Joint Motion to Stay, renewed herein, was fully briefed as of April 1,
15 2011 (Dkt. 198, 199, 206-209, 211) (All prior docket entries for this Motion are in the Lead Case
16 No. 2:10-CV-01385-MJP). A proposed order was provided to the Court as Dkt. 198-1.

17 The PTO decisions ordering reexamination for each of the patents-in-suit and Office
18 Actions from the PTO for the ‘314 and ‘682 patents (the only patents for which office actions
19 have issued) are attached as:

- 20 • Exhibit 1 (‘507 patent order regarding reexamination),
- 21 • Exhibit 2 (‘682 patent order regarding reexamination and non-final office action),
- 22 • Exhibit 3 (‘652 patent order regarding reexamination) and
- 23 • Exhibit 4 (‘314 patent order regarding reexamination and non-final office action).
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FROMMER LAWRENCE & HAUG LLP

Dated: June 7, 2011

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CERTIFICATE OF SERVICE

I, Mark P. Walters, hereby certify that on June 7, 2011, I caused the foregoing

DEFENDANTS' JOINT RENEWED MOTION TO STAY PROCEEDINGS PENDING

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