

ORDER denying 214 Motion for Attorney Fees. This case is not an exceptional patent case warranting fee shifting. 35 U.S.C. 285; Octane Fitness, LLC v. ICON Health & Fitness, Inc., 134 S. Ct. 1749, 1756 (2014). It does not stand out from other patent cases, even where summary judgment is granted to one side or the other. I cannot say that Casper lacked good faith in making the allegations of its complaint, even though ultimately dismissed after merits discovery. Casper did not cause an excess of proceedings, and its slowness to produce timely, full discovery was remedied without undue loss of time or incurring of expense. (HEREBY ORDERED by Judge Alvin K. Hellerstein)(Text Only Order) (Hellerstein, Alvin) (Entered: 10/12/2018)

As of October 15, 2018, PACER did not contain a publicly available document associated with this docket entry. The text of the docket entry is shown above.

Serta Simmons Bedding, LLC et al v. Casper Sleep Inc.
1-17-cv-07468 (NYSD), 10/12/2018, docket entry 217