

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

BOT M8 LLC, a Delaware limited liability company,

Plaintiff,

v.

SONY CORPORATION OF AMERICA, a New York corporation, SONY CORPORATION, a Japanese corporation, and SONY INTERACTIVE ENTERTAINMENT, LLC, a California limited liability company,

Defendants.

No. C 19-07027 WHA

CASE MANAGEMENT ORDER

After a case management conference, the Court enters the following order pursuant to Rule 16 of the Federal Rules of Civil Procedure (“FRCP”) and Civil Local Rule 16-10:

1. Plaintiff will file an amended complaint specifying, element-by-element, its allegations of infringement by **DECEMBER 5, 2019 AT NOON**.
2. By **FEBRUARY 6, 2020**, plaintiff and defendants shall select and exchange one asserted claim — presumably the strongest case for infringement and the strongest case for noninfringement or invalidity, respectively.
3. A further case management conference shall be held on **FEBRUARY 13, 2020 AT 11:00 A.M.**, during which the parties shall present their selected claim. By **FEBRUARY 6, 2020 AT NOON**, the parties shall file the joint case management statement according to Civil L.R. 16-10(d). Pursuant to the amended case management order that will follow the conference, the parties shall file early motions for summary judgment on their


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respective claim. The outcome of this exchange and motions may (or may not) warrant an injunction or sanctions, depending upon which side prevails. The potential remedies shall be litigated soon after the early motions for summary judgment are decided (depending, of course, on the outcome). In addition to adjudicating the selected claims on their merits and indicating the relative strengths (or weaknesses) of both sides' positions, this procedure will educate the undersigned judge about the technology at issue. If issues of fact preclude summary judgment, trial on the disputed points will follow soon thereafter. Both sides shall please plan their calendars accordingly.

4. Discovery between the parties begins **NOVEMBER 21, 2019**.
5. The remainder of the patents and claims asserted by plaintiff will remain part of the case. The parties are advised to proceed per the Civil Local Rules and Patent Local Rules.

IT IS SO ORDERED.

Dated: November 26, 2019.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE