

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

VIDEOLABS, INC. and)	
VL COLLECTIVE IP LLC.,)	
)	
Plaintiffs,)	
)	C.A. No. 23-1136 (JHS)
v.)	
)	JURY TRIAL DEMANDED
ROKU, INC.,)	
)	
Defendant.)	

DEFENDANT ROKU INC.’S MOTION TO STAY

Defendant Roku, Inc. (“Roku”) respectfully moves to stay this action pending the conclusion of: (1) the following *inter partes* review proceedings (and any subsequent appellate proceedings) currently pending before the Patent Trial and Appeal Board: IPR2023-00628, IPR2023-00630, IPR2023-00891, IPR2024-01023, IPR2024-01024, IPR2024-01025, and IPR2024-01026, which relate to five of the seven asserted patents¹; and (2) the conclusion of the appeal from IPR2022-01086 relating to the ’794 patent that is currently pending before the United States Court of Appeals for the Federal Circuit, Docket No. 2024-1890 (Fed. Cir.).²

The grounds for this motion are set forth more fully in the accompanying Opening Brief and the materials and information cited therein.

¹ The Asserted Patents are: U.S. Patent Nos. 7,233,790 (the “’790 patent”), 7,440,559 (the “’559 patent”), 7,769,238 (the “’238 patent”), 7,970,059 (the “’059 patent”), 8,291,236 (the “’236 patent”), 8,605,794 (the “’794 patent”), and 8,667,304 (the “’304 patent”).

² On the same day Roku filed this motion, the Court issued stay orders in the co-pending *Meta* and *Netflix* cases, and set a teleconference for July 25, 2024 to discuss a stay in this case. Roku was in the process of finalizing its motion to stay papers when the Court issued its July 18 Orders. Roku respectfully submits this motion to assist the Court in understanding Roku’s position, and will be prepared to discuss its motion with the Court at the July 25 teleconference.

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/s/ Jennifer Ying

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Attorneys for Defendant Roku, Inc.

July 18, 2024

RULE 7.1.1 CERTIFICATE

I hereby certify that counsel for Defendant discussed the subject of the foregoing motion with counsel for Plaintiffs and that Plaintiffs oppose the relief sought by this motion.

/s/ Jennifer Ying

Jennifer Ying (#5550)

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v.)	C.A. No. 23-1136 (JHS)
)	
ROKU, INC.,)	
)	
Defendant.)	

[PROPOSED] ORDER

Upon consideration of Defendant Roku, Inc.’s Motion to Stay (“Motion”) and any opposition thereto, IT IS HEREBY ORDERED THAT:

1. Roku’s Motion is GRANTED.
2. The case is stayed pending the conclusion (including any appeals) of the following *inter partes* review (“IPR”) proceedings: IPR2023-00628, IPR2023-00630, IPR2023-00891, IPR2024-01023, IPR2024-01024, IPR2024-01025, and IPR2024-01026, which relate to five of the seven asserted patents³; and (2) the conclusion of the appeal from IPR2022-01086 relating to the ’794 patent that is currently pending before the United States Court of Appeals for the Federal Circuit, Docket No. 2024-1890 (Fed. Cir.).
3. Within 30 days after the issuance of the last final, non-appealable decision in the above-referenced proceedings, the parties shall submit a joint status report advising on the status of the case.

³ The Asserted Patents are: U.S. Patent Nos. 7,233,790 (the “’790 patent”), 7,440,559 (the “’559 patent”), 7,769,238 (the “’238 patent”), 7,970,059 (the “’059 patent”), 8,291,236 (the “’236 patent”), 8,605,794 (the “’794 patent”), and 8,667,304 (the “’304 patent”).

SO ORDERED, this ____ day of _____, 2024.

United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on July 18, 2024, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on July 18, 2024, upon the following in the manner indicated:

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