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14 **IN THE UNITED STATES DISTRICT COURT**
15 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
16 **SAN JOSE DIVISION**

18 INARI MEDICAL, INC.,
19 Plaintiff,
20 v.
21 IMPERATIVE CARE, INC.,
22 Defendant.
23

Civil Action No. 5:24-cv-03117-EKL-SVKx

**JOINT STIPULATION TO CONTINUE
THE STAY OF LITIGATION PENDING
IPR DECISIONS AND VACATE
UPCOMING CASE MANAGEMENT
CONFERENCE**

Hon. Eumi K. Lee

Imperative Care v. Inari Medical
IPR2025-00728
Imperative Care Ex. 1040

1 Plaintiff Inari Medical, Inc. (“Inari”) and Defendant Imperative Care, Inc.
2 (“Imperative Care”) (collectively “the Parties”) hereby submit this joint stipulation to
3 continue the stay of the litigation pending the issuance of the next IPR decision and to reset
4 the upcoming case management conference for early May.

5 This is a patent infringement case where Inari asserts eleven patents from the three
6 patent families against Imperative Care. On September 29, 2025, the Court issued an Order
7 Granting in Part Imperative Care’s Motion to Stay (ECF No. 137). In that Order, the Court
8 stayed the action in its entirety until February 4, 2026, and scheduled a further case
9 management conference for January 28, 2026, at 1:30 p.m. via Zoom video. The Court also
10 ordered the parties to file a joint case management statement by January 21, 2026 that (1)
11 provides an update regarding the status of all pending IPR proceedings as to the patents
12 asserted by Inari in this action, (2) identifies and discusses the significance of any new IPR
13 petitions that were filed, and any institution decisions that have issued, during the pendency
14 of the stay, and (3) addresses whether the stay should be extended or lifted.

15 Consistent with the Court’s Order, the Parties have provided an update on the status of
16 all the pending IPR proceedings below.

17 The Parties have also met and conferred regarding the stay. Inari has proposed
18 continuing the stay until after the Patent Trial and Appeal Board (“PTAB”) has issued a Final
19 Written Decision in IPR2025-00156 relating to U.S. Patent No. 11,697,012. The PTAB is
20 statutorily required to issue a Final Written Decision in that IPR by April 22, 2026.

21 While Imperative Care submits that the stay should remain in effect until after
22 resolution of all the pending IPRs, Imperative Care does not oppose Inari’s proposal to
23 continue the stay until after the next Final Written Decision, at which point the Parties will
24 again update the Court regarding the status of the IPRs and address whether the stay should
25 be extended.

26 Thus, with the Court’s permission, the Parties agree to the following:

- 27 • The case management conference scheduled for January 28, 2026 is vacated.
- 28

- 1 • A further case management conference is set for May 6, 2026 (or a date
2 convenient for the Court).
- 3 • This action is STAYED in its entirety until the date of the next case management
4 conference.
- 5 • The parties shall file a joint case management statement by April 29, 2026, not to
6 exceed ten pages. In the statement, the parties shall provide an update regarding
7 the status of all pending IPR proceedings as to the patents asserted by Inari in this
8 action. The parties shall identify and discuss the significance of any institution
9 decisions and final written decisions that have issued during the pendency of the
10 stay. The parties shall also address whether the stay should be extended.

11 **UPDATE REGARDING STATUS OF PENDING IPRS**

12 Inari asserts eleven patents against Imperative Care in this lawsuit.¹ See Third Am.
13 Compl., ECF No. 112. Inari also previously asserted, but withdrew, infringement claims
14 involving a twelfth patent (U.S. Patent No. 11,697,011, the '011 Patent). See Compl., ECF
15 No. 1; Second. Am. Compl., ECF No. 68.

16 Imperative Care has filed IPR petitions challenging the validity of all twelve patents.
17 As shown in the table below, the PTAB has instituted eight IPRs on the '011 Patent, '012
18 Patent, '005 Patent, '921 Patent, '291 Patent, 11-'333 Patent, '910 Patent, and '580 Patent.
19 The PTAB has denied institution of one IPR (the '691 Patent). The Parties are awaiting
20 institution decisions for three IPRs covering the '384 Patent, '669 Patent, and 12-'333
21 Patent.

22 The PTAB issued a final written decision for the (withdrawn) '011 Patent on January
23 16, 2026. In the Final Written Decision, the PTAB found all claims (Claims 1-9) of the '011
24 Patent unpatentable.

25
26 ¹ The asserted patents asserted include U.S. Patent Nos. 11,697,012 ('012 Patent); 11,744,691
27 ('691 Patent); 11,554,005 ('005 Patent); 11,844,921 ('921 Patent); 11,865,291 ('291 Patent);
28 11,969,333 (11-'333 Patent); 11,974,910 ('910 Patent); 12,016,580 ('580 Patent); 12,109,384
('384 Patent); 12,156,669 ('669 Patent); and 12,239,333 (12-'333 Patent). See ECF No. 112.

Patent No. & IPR No.	IPR Filing Date	Institution Decision	Oral Argument Date	Final Written Decision Deadline
'011 Patent (IPR2024-01157)	July 8, 2024	<u>Instituted:</u> Jan. 23, 2025	<u>Heard:</u> Oct. 29, 2025	Jan. 16, 2026 All Claims Unpatentable
'691 Patent IPR2024-10257	Aug. 12, 2024	<u>Not Instituted:</u> Feb. 7, 2025	N/A	N/A
'012 Patent (IPR2025-00156)	Nov. 8, 2024	<u>Instituted:</u> Apr. 22, 2025	<u>Heard:</u> Jan. 20, 2026	<u>Expected by:</u> Apr. 22, 2026
'005 Patent (IPR2025-00289)	Dec. 13, 2024	<u>Instituted:</u> June 18, 2025	<u>Hearing date:</u> Mar. 25, 2026	<u>Expected by:</u> June 18, 2026
'921 Patent (IPR2025-00729)	Mar. 13, 2025	<u>Instituted:</u> Oct. 10, 2025	<u>Hearing date:</u> July 23, 2026	<u>Expected by:</u> Oct. 10, 2026
'291 Patent (IPR2025-00989)	May 9, 2025	<u>Instituted:</u> Oct. 23, 2025	<u>Hearing date:</u> July 23, 2026	<u>Expected by:</u> Oct. 23, 2026
11-'333 Patent (IPR2025-01021)	May 19, 2025	<u>Instituted:</u> Dec. 11, 2025	<u>Hearing date:</u> Sept. 10, 2026	<u>Expected by:</u> Dec. 11, 2026
'910 Patent (IPR2025-01025)	May 20, 2025	<u>Instituted:</u> Dec. 11, 2025	<u>Hearing date:</u> Sept. 10, 2026	<u>Expected by:</u> Dec. 11, 2026
'580 Patent (IPR2025-01264)	July 8, 2025	<u>Instituted:</u> Dec. 11, 2025	<u>Hearing date:</u> Sept. 10, 2026	<u>Expected by:</u> Dec. 11, 2026
'384 Patent (IPR2025-01562)	Sept. 19, 2025	<u>Expected:</u> Mar. 26, 2026	N/A	N/A
'669 Patent (IPR2026-00169)	Dec. 16, 2025	<u>Expected:</u> June 17, 2026	N/A	N/A
12-'333 (IPR2026-00215)	Jan. 16, 2026	<u>Expected:</u> ***	N/A	N/A

1 **SO STIPULATED.**

2 Respectfully Submitted,

3 KNOBBE, MARTENS, OLSON & BEAR, LLP

4

5 Dated: January 21, 2026

By: /s/ Joshua J. Stowell

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Joshua J. Stowell

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Joseph R. Re

Nicholas A. Belair

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Attorneys for Defendant

Imperative Care, Inc.

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10 Dated: January 21, 2026

By: /s/ Ramsey M. Al-Salam (With Permission)

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FILER’S ATTESTATION

Pursuant to Local Rule 5-1(i)(3) regarding signatures, I hereby attest that concurrence in the filing of this document has been obtained from all signatories above.

Dated: January 21, 2026 By: /s/Joshua J. Stowell

Joshua J. Stowell
Joseph R. Re
Nicholas A. Belair

*Attorneys for Defendant
Imperative Care, Inc.*