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**UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

BRAINGUARD TECHNOLOGIES,  
INC.,

Plaintiff,

v.

REVELYST SALES LLC,

Defendant.

Case No. 8:24-cv-2652-JWH-ADS

**ORDER GRANTING STIPULATION  
REGARDING DISMISSAL OF  
CLAIMS RELATED TO U.S. PATENT  
NO. 8,863,319**

Claim Construction Hearing Date:  
Oct. 22, 2025

CASE No. 8:24-cv-2652-JWH-ADS

[PROPOSED] ORDER GRANTING STIPULATION REGARDING DISMISSAL OF CLAMS RELATED TO U.S.  
PATENT No. 8,863,319 (L.R. 7-1)

1 Having considered the Parties' Stipulation Regarding Dismissal of Claims  
2 Related to U.S. Patent No. 8,863,319, and pursuant to Rule 41(a)(2) of the Federal  
3 Rules of Civil Procedure, it is hereby **ORDERED** as follows:

4 1. Plaintiff's claim for infringement of the '319 patent (First Cause of Action  
5 in Plaintiff's Second Amended Complaint for Patent Infringement (D.N. 33)) is  
6 **DISMISSED with prejudice.**

7 2. Defendant's counterclaims for non-infringement, invalidity, and  
8 unenforceability of the '319 patent (Counts I, II, and III in Answer to Second  
9 Amended Complaint for Patent Infringement and Counterclaims (D.N. 35)) are  
10 **DISMISSED without prejudice.**

11 3. Each party shall bear its own costs regarding dismissed claims related to  
12 the '319 patent.


13 4. The deadlines related to the claim construction proceedings in this case  
14 (responsive briefs due Oct. 3, 2025, and hearing on Oct. 22, 2025) are **VACATED.**

15 5. The parties are **DIRECTED** to meet and confer regarding next steps in  
16 the case and to file a Joint Status Report to the Court no later than October 22, 2025.

17 6. A Status Conference is **SET** for October 31, 2025, at 11:00 a.m. in  
18 Courtroom 9D of the Ronald Reagan Federal Building and U.S. Courthouse, 411 W.  
19 4th Street, Santa Ana, California. Counsel for the parties are **DIRECTED** to appear at  
20 that date and time.

21 **IT IS SO ORDERED.**

22  
23 Dated: October 2, 2025

  
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25 Hon. John W. Holcomb  
26 UNITED STATES DISTRICT JUDGE  
27  
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CASE No. 8:24-cv-2652-JWH-ADS

[PROPOSED] ORDER GRANTING STIPULATION REGARDING DISMISSAL OF CLAIMS RELATED TO U.S.  
PATENT NO. 8,863,319 (L.R. 7-1)