

OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT
Northern District of California

CIVIL MINUTES

Date: January 25, 2018 **Time:** 10:38-11:06 **Judge:** EDWARD M. CHEN

Case No.: [C17-03182 EMC](#) **Case Name:** Riverbed Technology v. Realtime Data

C17-06397 EMC Realtime Data v. Netgear

C17-6701 EMC Realtime v. Barracuda Networks

Attorney for Plaintiff: Russ Emerson for Riverbed
Paul Kroeger for Realtime

Attorney for Defendant: Paul Kroeger for Realtime
Michael Woods for Netgear
Ryan Kent for Barracuda

Deputy Clerk: Betty Lee

Court Reporter: N/A

PROCEEDINGS

Further CMC

SUMMARY

Defendant Barracuda Networks filed a motion to stay on 1/24/18. Counsel reported that the Patent Trial and Appeal Board ("PTAB") currently has instituted IPR proceedings against three of the four patents-in-suit, and with respect to that fourth patent-in-suit, the PTAB will decide whether to institute trial on a pending petition by March 18, 2018. The PTAB's decisions could narrow the claims at issue in this case. For the reasons stated on the record, the Court granted defendant Barracuda's motion to stay except for resolution of the adequacy of infringement contentions which shall proceed. The 3/1/18 motion hearing is vacated. All three cases are stayed until the next CMC. The Court granted defendant Realtime's request to delay the deadline for invalidity contentions for 3 months. Parties shall meet and confer to determine what can be done constructively to advance the cases without imposing unnecessary burden. The Court is inclined to allow some portion of the litigation to proceed. Settlement conference is set before Magistrate Judge Beeler for 2/8/18. Further CMC set for 6/14/18 at 10:30 a.m. An updated joint CMC statement shall be filed by 6/7/18.