

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

MEC RESOURCES, LLC,

Plaintiff,

v.

KEMET ELECTRONICS
CORPORATION,

Defendant.

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Civil Action No. 3:18-CV-2771-N

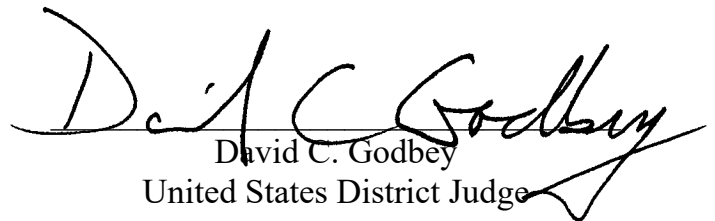
ORDER

This Order addresses Kemet Electronics Corporation’s (“Kemet”) Motion to Stay Litigation Pending Inter Partes Review [17]. MEC Resources, LLC (“MEC”) sued Kemet for patent infringement in October 2018. Three months later, Kemet filed a petition for *inter partes* review (“IPR”) challenging the validity of all claims of the patent in suit. Kemet now asks the Court to stay the case pending resolution of the IPR. For the reasons stated below, the Court grants the motion.

In deciding whether to stay litigation pending IPR, the Court considers three factors: (1) whether a stay will unduly prejudice or present clear tactical disadvantage to the nonmoving party, (2) whether a stay will simplify the issues in question and the trial of the case, and (3) whether discovery is complete and whether a trial date has been set. *Employment Law Compliance, Inc. v. Compli, Inc.*, 2014 WL 3739770, at *1 (N.D. Tex. May 27, 2014) (citing *BarTex Research, LLC v. FedEx Corp.*, 611 F. Supp. 2d 647, 649–650 (E.D. Tex. 2009)). Each of the three factors supports granting a stay.

The Patent Trial and Appeal Board (“PTAB”) must deny or grant institution of Kemet’s IPR by August 25, 2019. If instituted, the PTAB’s decision on patentability will likely narrow and simplify the issues in this case. And if not instituted, then the stay will be short in duration, lasting only a few months. Moreover, the case is in its early stages. The parties are still in the claim construction process, no trial date has been set, and the parties have engaged in only limited discovery. Finally, a stay will not unduly prejudice MEC or put it at a tactical disadvantage. MEC does not compete with Kemet and relief is limited to monetary damages. Accordingly, the Court grants the motion to stay.

Signed May 6, 2019.


David C. Godbey
United States District Judge