

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

**CIVIL MINUTES**

**Date:** December 22, 2020

**Time:** 3:08-3:55=  
47 Minutes

**Judge:** EDWARD M. CHEN

**Case No.:** 19-cv-00410-EMC  
Related to:12-cv-04498-EMC  
20-cv-06541-EMC

**Case Name:** Asetek Danmark A/S v. Coolit Systems Inc  
Asetek Holdings, Inc et al v. Coolit Systems Inc  
Asetek Danmark A/S v. Corsair Gaming, Inc. et al

**Attorney for Plaintiff:** Rob McCauley, Arpita Bhattacharyyn

**Attorney for Defendant:** Reuben Chen, Heidi Keefe

**Deputy Clerk:** Angella Meuleman

**Court Reporter:** Marla Knox

**PROCEEDINGS HELD BY ZOOM WEBINAR**

[186] Motion to Amend;  
Further Case Management Conference held.

**ORDER AND SUMMARY**

Parties stated appearances and proffered argument.

Court set trial date of **February 28, 2022 at 8:30AM**. Court further Court warned parties about uncertainty of trial scheduling in light of the backlog due to the pandemic and the possibility of trailing.

The Court consolidates the case at bar (C-19-00410-EMC) with the related case of *Asetek Danmark A/S v. Corsair Gaming, Inc. et al* (C-20-6541-EMC). All future filings shall be filed under C-19-00410-EMC. The Court ruled that the consolidated action shall encompass all the claims at issue in the *Corsair* action (including patents at issue therein) as well as CoolIT's new design. The Court indicated its strong interest in judicial economy and the avoidance of successive lawsuits. As to the new design, the Court also noted that the question of whether it constitutes a non-infringing alternative is likely to put the new design at issue, in any event, in the existing case. In view of the Court's decision to consolidate the cases and to permit the pleadings (including any counterclaims) to address the accused products and subject patents in the *Corsair* action, as well as the CoolIT new design at issue, Defendant CoolIT's motion to Amend/Correct its Answer (Docket No. 186) and CoolIT's motion to stay the *Corsair* action (Docket No. 186) are **denied as moot**.

The parties are **directed** to meet and confer regarding case management for pre-trial and trial, including the filing of a consolidated complaint. The parties should stipulate to a date by which the consolidated complaint will be filed, as well as a date by which the response (including any counterclaim) will be filed. The *Corsair* motion hearing scheduled for January 7, 2021, on Defendant Corsair's Motion to Dismiss or Stay (Docket No. 20), is **vacated as moot**.

The parties are further directed to also meet and confer and stipulate to the pre-trial limitations they previously agreed to during their meet and confers (Docket No. 186-6), which will expedite these proceedings and save litigation costs. For instance, the parties previously agreed to, *inter alia*, expedited contentions for the '601 and '196 patents, with no new infringement theories by Asetek and no new prior art by CoolIT (*i.e.*, CoolIT will be limited to the universe of prior art references previously used in CoolIT's invalidity contentions), as well as no claim construction for the '601 and '196 patents; no new infringement or invalidity contentions or claim construction for the '354 or '355 patents; and limits on the number of claims and claims per patent to be tried. The parties shall also stipulate to case management restrictions on CoolIT's new design, *e.g.*, by setting a date by which the product will be finalized for purposes of this litigation and setting limitations on any claim construction, if truly needed.

Finally, the Court **denies**, for reasons stated on the record, Plaintiff Asetek's Motion for Relief from Judge Beeler's Order Granting CoolIT's Motion for Leave to Amend its Infringement Contentions. Docket No. 189.

The Court encourages the parties to continue exploring settlement negotiations and alternative dispute resolution in light of the uncertainties of trial, particularly under the consequential circumstances presented by the pandemic.