

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

IMAGE PROCESSING TECHNOLOGIES, §
LLC, §

Plaintiff, §

v. §

SAMSUNG ELECTRONICS CO., LTD., §
SAMSUNG ELECTRONICS AMERICA, §
INC., §

Defendants. §

§ CIVIL ACTION NO. 2:20-CV-00050-JRG

ORDER

Before the Court is Plaintiff Image Processing Technologies, LLC (“IPT”) and Defendants Samsung Electronics Co., Inc. (“SEC”) and Samsung Electronics America, Inc.’s (“SEA”) (collectively, “Samsung”) (together with IPT, the “Parties”) Joint Motion for Relief Related to the Coronavirus (COVID-19) Outbreak (the “Motion”). (Dkt. No. 7.) As a part thereof, Samsung requests an open-ended continuance of ninety (90) days (“at which time the Court can reassess the status of the crisis and assess the potential need for other action”), due to complications in securing witnesses and corporate representatives to attend trial arising from the Coronavirus outbreak. IPT opposes the Motion as stated in their response. Having considered the Motion, IPT’s response, and the current state of the Coronavirus outbreak,¹ the Court is of the opinion that the Motion should be and hereby is **GRANTED-AS-MODIFIED**.


Accordingly, it is hereby **ORDERED** that trial for the above-captioned case is **CONTINUED** until **June 1, 2020**.² During this time, the Parties are to work diligently to ensure

¹ The Center for Disease Control and Prevention has classified Korea as a “Warning Level 3,” meaning all non-essential travel to the are should be avoided. Dkt. No. 7-4.)

² This is a firm trial setting. The Parties should expect the case to go to trial on this date.

that both Parties are prepared to go to trial with or without the physical presence of witnesses identified in the Motion. To that end, Samsung is directed to take depositions of its Korean witnesses so that they can present those witnesses testimony in the best manner possible. These depositions may be taken through remote connections so that no one needs to travel to or from Korea. Furthermore, this continuance should give Samsung adequate time to select a U.S. corporate representative and fully prepare him/her to serve as its representative for the trial. Finally, Samsung should diligently use the time to prepare their in-house counsel for the time difference and take steps to ensure that real-time court reporting is in place so that they can effectively participate in the trial from Korea with their U.S. attorneys. IPT is expected to work with Samsung to the fullest extent possible to ensure that these issues are dealt with openly and professionally during the continuance granted herein so that this case is ready to go to trial on June 1, 2020, even if the current travel restrictions remain in place.

So ORDERED and SIGNED this 12th day of March, 2020.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE