

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

NOUIS TECHNOLOGIES, INC.,

Plaintiff,

v.

POLARIS INDUSTRIES, INC.;
POLARIS INDUSTRIES, INC.;
POLARIS INDUSTRIES
MANUFACTURING, LLC,

Defendant.

ORDER

14-cv-233-jdp

The parties have filed a purported stipulation to stay this case pending resolution of Polaris's petition for inter partes review, Dkt. 56, contending that the stay will alleviate burdens on the parties and the court. As part of the stipulation, defendants also expressly withdraw their motion to transfer venue. The court will construe this pleading as a joint motion.

As Polaris has only just petitioned for inter partes review, the process will likely take 18 months, longer if either side appeals. The court will not stay this case for such a lengthy and indefinite period, but it will give the parties the relief they request by dismissing this case without prejudice. Either side may move the court to re-open the case after the inter partes review is concluded. Polaris's pending motion to dismiss is denied as moot. If the case is reopened in this court, the parties will be held to the concessions made so far: the parties will not re-litigate issues decided in the inter partes review; and Polaris's challenge to the convenience of this forum is abandoned.

Dated this 6th day of October, 2014.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge