

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

PHILIPS ELECTRONICS NORTH)
AMERICA CORPORATION and)
U.S. PHILIPS CORPORATION,)
)
Plaintiffs,)
)
v.) Civil Action No. 02-123-KAJ
)
CONTEC CORPORATION, COMPO)
MICRO TECH, INC., SEOBY)
ELECTRONICS CO., LTD., REMOTE)
SOLUTION CO., LTD., F/K/A HANGO)
ELECTRONICS CO., LTD., HANGO)
REMOTE SOLUTION, INC.,)
)
Defendants.)

MEMORANDUM ORDER

On July 12, 2004, I issued a Memorandum Opinion and Order (Docket Item ["D.I."] 440, 441) resolving six disputed issues between the plaintiffs, Philips Electronics North America Corporation and U.S. Philips Corporation (collectively, "Philips"), and the defendant, Compo Micro Tech, Inc. ("CMT"), concerning the form of judgment to be entered in this case. As part of the permanent injunction in the form of judgment, CMT would be ordered to remove the infringing scan programming method from its remote controls. (*Id.*) Philips then filed a final form of judgment, in accordance with the guidance given in the Memorandum Opinion and Order, and noted that "counsel for [CMT] agree with the form of the Judgment, with the exception that CMT believes a stay of the injunction is appropriate at this time." (D.I. 442 at 1.) The next day, CMT filed a

letter seeking a “stay [of] the effective date of the injunction for 30 days after entry of Judgment.”¹ (D.I. 443 at 1.)

The parties had been given an opportunity to submit their respective positions on the form of judgment and permanent injunction to be entered. CMT stated its request for a stay of the judgment. (See D.I. 432 at 7.) Now, in its letter of July 22, 2004, CMT has again raised the issue of staying the injunction. (See D.I. 443 at 2-3 (CMT stating that it is prepared to make a formal motion to the court seeking stay of the injunction portion of the judgment and requesting a briefing schedule).) I will permit CMT to file such a motion no later than Thursday, July 29, 2004, with a supporting memorandum not to exceed 5 double-spaced pages. Philips’ answer, of the same length, will be due on Tuesday, August 3, 2004, and CMT’s reply, again of the same length, will be due on Thursday, August 5, 2004. The final form of judgment and permanent injunction submitted by Philips on July 21, 2004 will be entered today, with the effect of the injunction being stayed until my ruling on the question of a further stay, following the aforesaid briefing.

IT IS SO ORDERED.

Kent A. Jordan
UNITED STATES DISTRICT JUDGE

Wilmington, Delaware
July 26, 2004

¹CMT’s motion to stay enforcement of the judgment pending post-trial motions was granted, with the condition that CMT post a bond in the amount of \$5,976,802 by August 11, 2004 in order to obtain the stay. (D.I. 440, 442.)