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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

REALTEK SEMICONDUCTOR CORP.,
Plaintiff,

v.

MEDIATEK INC.; IPVALUE
MANAGEMENT INC.; and FUTURE LINK
SYSTEMS, LLC,

Defendants.

Case No. 5:23-cv-02774-PCP

**DEFENDANTS' ADMINISTRATIVE
MOTION FOR LEAVE TO FILE AN
ADDITIONAL MOTION FOR
SUMMARY JUDGMENT**

Judge: Hon. P. Casey Pitts

1 Pursuant to Civil Local Rule 7-11, Defendants MediaTek Inc., IPValue Management, Inc.,
 2 and Future Link Systems, LLC (collectively, “Defendants”) respectfully submit this Administrative
 3 Motion for Leave to File an Additional Motion for Summary Judgment. Defendants intend to show
 4 that Realtek’s antitrust and related claims (Counts II, III, V, VI, VII, and IX of the First Amended
 5 Complaint (“FAC”)) are barred by the Federal Circuit’s September 9, 2025, precedential decision
 6 in *Future Link Systems, LLC v. Realtek Semiconductor Corp.*, No. 23-1056 (the “September Federal
 7 Circuit Opinion”) and the Federal Circuit’s June 18, 2025, decision in *Realtek Semiconductor
 8 Corporation v. International Trade Commission*, No. 23-1187 (the “June Federal Circuit Opinion”)
 9 (collectively, the “Federal Circuit Opinions”). An early, targeted motion for summary judgment is
 10 warranted because, if granted, only narrow common law claims would remain—a single count
 11 against MediaTek (Count VIII, tortious interference with prospective economic advantage) and a
 12 single count against Future Link (Count X, breach of contract).

13 Realtek’s antitrust and subsidiary claims depend on Realtek proving that the sham litigation
 14 exception to *Noerr-Pennington* immunity applies to Future Link’s two Western District of Texas
 15 complaints. On March 7, 2025, the Court denied in part Defendants’ motion to dismiss, holding
 16 that the FAC plausibly pled sufficient facts to support Realtek’s allegation that the sham litigation
 17 exception to *Noerr-Pennington* immunity applied as to Counts II, III, V, and VI of the FAC. Dkt.
 18 217 (the “March Order”) at 10–18; *see also* Dkt. 130 at ¶¶280, 287, 302, 308.¹ Realtek’s UCL claim
 19 (Count VII) and its Lanham Act claim (Count IX) also depend on proving its allegations of sham
 20 litigation and were not dismissed. *See, e.g.*, March Order at 26 (“Because Realtek has adequately
 21 pleaded that both MediaTek and the PAE defendants violated federal law . . . , Realtek’s complaint
 22 states a valid UCL claim”), 25 (“As to this limited statement about the alleged sham litigation,
 23 Realtek pleads a Lanham Act claim sufficient to survive a motion to dismiss”).

24 In light of the Federal Circuit Opinions, Defendants intend to show that collateral estoppel
 25

26 ¹ The remainder of Realtek’s antitrust claims were previously dismissed by the Court,
 27 including Realtek’s Counts I and IV. March Order at 33. Count IX (false advertising) was also
 28 dismissed as against MediaTek. *Id.*

1 applies and summarily resolves Counts II, III, V, VI, VII, and IX in Defendants' favor. With respect
 2 to the first Western District of Texas lawsuit, Realtek made a Rule 11 motion that, like here, required
 3 it to show that "an objectively reasonable attorney would not believe, based on some actual evidence
 4 uncovered during the prefilings investigation, that each claim limitation reads on the accused device."
 5 *Antonious v. Spalding & Evenflo Cos.*, 275 F.3d 1066, 1074 (Fed. Cir. 2002) (law cited by Realtek
 6 in its Texas Rule 11 motion). Realtek's motion was denied by the district court, and the Federal
 7 Circuit reviewed that denial. September Federal Circuit Op. at 9–12. The Circuit *affirmed* in all
 8 respects the Texas district court's Rule 11 determination that the complaint was not objectively
 9 baseless, finding that "the district court did not abuse its discretion in concluding that Future Link's
 10 claim of infringement was supported by sufficient factual basis." *Id.* at 12 (quotes and citation
 11 removed) (citing Future Link's claim charts, extensive cited evidence, and study of exemplar
 12 accused products).

13 As for the second Western District of Texas case, Realtek moved under 28 U.S.C. § 1927
 14 for attorneys' fees, which required Realtek to demonstrate that the complaint was "patently
 15 meritless." *See, e.g., Bryant v. Military Department of Mississippi*, 597 F.3d 678, 694 (5th Cir.
 16 2010); *Levine v. Millennium Tr. Co., LLC*, 2013 WL 12157580, at *1 (S.D. Cal. Mar. 20, 2013)
 17 (same). The district court denied Realtek's motion, thereby finding that the case was not patently
 18 meritless, and the Federal Circuit affirmed this ruling. September Federal Circuit Op. at 12–13.
 19 Realtek's claims that the second Western District of Texas action was objectively baseless are thus
 20 collaterally estopped.

21 Moreover, the infringement claims in the second Western District of Texas case were
 22 identical to those asserted by Future Link against Realtek in the International Trade Commission—
 23 a point of proof requiring no additional discovery since the records from those cases (which the
 24 parties have agreed can be used in this case) constitute the relevant evidence. Like in the second
 25 Western District of Texas case, Realtek moved for attorneys' fees at the ITC, and, like in the second
 26 Western District of Texas, the ITC "rejected Realtek's argument that the ITC proceeding lacked any
 27 reasonable basis." March Order at 17; *see also* 19 U.S.C. § 210.4(c)(3) (one of the statutes invoked
 28 by Realtek's briefing; requiring a complaint be supported by sufficient "evidentiary support"). The

1 June Federal Circuit Opinion found the ITC's ruling was unappealable to the Federal Circuit,
 2 making the ITC findings final and conclusive. June Federal Circuit Op. at 2.

3 Given the costs associated with antitrust litigation, which will increase dramatically in the
 4 coming months, Defendants believe that the most efficient use of judicial and party resources is to
 5 brief this discrete issue now in an early summary judgment motion while preserving the ability to
 6 also file a summary judgment motion addressing additional issues later, if necessary. This request
 7 is not being made for purposes of delay or distraction. Because of the significant impact collateral
 8 estoppel will have on the majority of issues in this case, Defendants believe the requested targeted
 9 motion will help streamline issues moving forward. Defendants therefore request the Court grant
 10 Defendants an exception to its one summary judgment motion per party rule.

11 Prior to filing this motion, Defendants consulted with Realtek regarding whether it would
 12 stipulate to the request. Realtek declined, stating it did not believe an early summary judgment
 13 motion was warranted. Pursuant to Local Rule 7-11(a), the attached declaration of Adam Wolfson
 14 describes Defendants' efforts and why a stipulation could not be obtained.

15 A proposed order granting the relief requested herein is attached.

16
 17 Dated: September 17, 2025

Respectfully submitted,

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/s/ Adam B. Wolfson

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27 *Attorneys for Defendants IPValue Management, Inc.*
28 *and Future Link Systems, LLC*

ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1

Pursuant to Civil Local Rule 5-1(i)(3) of the Northern District of California, I attest that concurrence in the filing of the document has been obtained from each of the other signatories to this document.

Executed on September 17, 2025

/s/ Adam B. Wolfson

Adam B. Wolfson

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

REALTEK SEMICONDUCTOR CORP.,
Plaintiff,

Case No. 5:23-cv-02774-PCP

V.

MEDIATEK INC.; IPVALUE
MANAGEMENT INC.; and FUTURE LINK
SYSTEMS, LLC,

**[PROPOSED] ORDER GRANTING
DEFENDANTS' ADMINISTRATIVE
MOTION FOR LEAVE TO FILE AN
ADDITIONAL MOTION FOR
SUMMARY JUDGMENT**

Judge: Hon. P. Casey Pitts

Defendants.

1 Before the Court is Defendants' September 17, 2025 Administrative Motion for Leave to
2 File an Additional Motion for Summary Judgment.

3 Because Defendants' contemplated motion will address discrete legal issues and
4 developments subsequent to the Court's ruling on Defendants' motions to dismiss, the Court grants
5 leave for Defendants to file a joint motion for summary judgment beyond the single such motion
6 generally permitted by the Court's standing order. The motion shall be briefed in accordance with
7 the applicable Local Rules.

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9 IT IS SO ORDERED.

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11 DATED _____

12 P. CASEY PITTS
United States District Judge

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

REALTEK SEMICONDUCTOR CORP.,

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v.

MEDIATEK INC.; IPVALUE
MANAGEMENT INC.; and FUTURE LINK
SYSTEMS, LLC,

Defendants.

Case No. 5:23-cv-02774-PCP

**DECLARATION OF ADAM WOLFSON
IN SUPPORT OF DEFENDANTS'
ADMINISTRATIVE MOTION FOR
LEAVE TO FILE AN ADDITIONAL
MOTION FOR SUMMARY
JUDGMENT**

Judge: Hon. P. Casey Pitts

1 I, Adam B. Wolfson, declare as follows:

2 1. I am an attorney licensed to practice in the State of California, and a member of the
3 Bar of this Court. I am a partner at the law firm Quinn Emanuel Urquhart & Sullivan, LLP, and
4 counsel of record for Defendant MediaTek, Inc. (“MediaTek”) in this case. I am familiar with the
5 facts set forth herein and, if called as a witness, I could and would testify competently to those facts
6 under oath. I submit this declaration in support of Defendants’ Administrative Motion for Leave to
7 File an Additional Motion for Summary Judgment.

8 2. On September 15, 2025, my colleague contacted counsel for Plaintiff Realtek
9 Semiconductor Corp. (“Realtek”), on behalf of all Defendants to request consent to file a stipulation
10 regarding Defendants’ contemplated request for leave to file a summary judgment motion.

11 3. On September 16, 2025, counsel for Realtek indicated that they would oppose and
12 would not stipulate to Defendants’ request for leave.

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14 I declare under the penalty of perjury under the laws of the United States of America that
15 the foregoing is true and correct to the best of my knowledge and that this Declaration was executed
16 on September 17, 2025 at Los Angeles, California.

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18 By: /s/ Adam B. Wolfson
19 Adam B. Wolfson
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