

No. 2026-1338

**In the United States Court of Appeals
for the Federal Circuit**

BAYERISCHE MOTOREN WERKE AKTIENGESELLSCHAFT,

Plaintiff-Appellee,

v.

ONESTA IP, LLC,

Defendant-Appellant.

On Appeal from the United States District Court for the
Western District of Texas (No. 6:25-cv-00581-ADA)
(The Hon. Alan D. Albright)

**APPELLANT ONESTA IP, LLC'S RESPONSE TO BMW AG'S
MOTION TO DISMISS THE APPEAL AS MOOT**

JASON D. CASSADY
AUSTIN CURRY
DANIEL R. PEARSON
AISHA MAHMOOD HALEY
CALDWELL CASSADY CURRY PC
2121 N. PEARL ST., STE. 1200
DALLAS, TX 75201

*Counsel for Defendant-Appellant
Onesta IP, LLC*

MARCH 13, 2026

**UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT**

CERTIFICATE OF INTEREST

Case Number 2026-1338

Short Case Caption BMW v. Onesta IP, LLC

Filing Party/Entity Onesta IP, LLC

Instructions:

1. Complete each section of the form and select none or N/A if appropriate.
2. Please enter only one item per box; attach additional pages as needed, and check the box to indicate such pages are attached.
3. In answering Sections 2 and 3, be specific as to which represented entities the answers apply; lack of specificity may result in non-compliance.
4. Please do not duplicate entries within Section 5.
5. Counsel must file an amended Certificate of Interest within seven days after any information on this form changes. Fed. Cir. R. 47.4(c).

I certify the following information and any attached sheets are accurate and complete to the best of my knowledge.

Date: 03/13/2026

Signature: /s/ Daniel R. Pearson

Name: Daniel R. Pearson

<p>1. Represented Entities. Fed. Cir. R. 47.4(a)(1).</p>	<p>2. Real Party in Interest. Fed. Cir. R. 47.4(a)(2).</p>	<p>3. Parent Corporations and Stockholders. Fed. Cir. R. 47.4(a)(3).</p>
<p>Provide the full names of all entities represented by undersigned counsel in this case.</p>	<p>Provide the full names of all real parties in interest for the entities. Do not list the real parties if they are the same as the entities.</p> <p><input checked="" type="checkbox"/> None/Not Applicable</p>	<p>Provide the full names of all parent corporations for the entities and all publicly held companies that own 10% or more stock in the entities.</p> <p><input checked="" type="checkbox"/> None/Not Applicable</p>
<p>Onesta IP, LLC</p>		

Additional pages attached

4. Legal Representatives. List all law firms, partners, and associates that (a) appeared for the entities in the originating court or agency or (b) are expected to appear in this court for the entities. Do not include those who have already entered an appearance in this court. Fed. Cir. R. 47.4(a)(4).

None/Not Applicable Additional pages attached

Mark D. Siegmund (Cherry Johnson Siegmund James PLLC)	Lionel M. Lavenue (Finnegan, Henderson, Farabow, Garrett & Dunner, LLP)	J. Derek McCorquindale (Finnegan, Henderson, Farabow, Garrett & Dunner, LLP)
Matthew C. Berntsen (Finnegan, Henderson, Farabow, Garrett & Dunner, LLP)	Joseph M. Myles (Finnegan, Henderson, Farabow, Garrett & Dunner, LLP)	

5. Related Cases. Other than the originating case(s) for this case, are there related or prior cases that meet the criteria under Fed. Cir. R. 47.5(a)?

Yes (file separate notice; see below) No N/A (amicus/movant)

If yes, concurrently file a separate Notice of Related Case Information that complies with Fed. Cir. R. 47.5(b). **Please do not duplicate information.** This separate Notice must only be filed with the first Certificate of Interest or, subsequently, if information changes during the pendency of the appeal. Fed. Cir. R. 47.5(b).

6. Organizational Victims and Bankruptcy Cases. Provide any information required under Fed. R. App. P. 26.1(b) (organizational victims in criminal cases) and 26.1(c) (bankruptcy case debtors and trustees). Fed. Cir. R. 47.4(a)(6).

None/Not Applicable Additional pages attached

**APPELLANT ONESTA IP, LLC'S RESPONSE TO BMW AG'S
MOTION TO DISMISS THE APPEAL AS MOOT**

BMW's motion to dismiss was legally wrong and premature when filed.¹ BMW argued that under *Serta*, because Onesta had agreed to dismiss the German infringement cases in the future, the entire appeal was moot as of the date the term sheet was agreed. ECF No. 10-15. This ignores the true nature of the injunction—which included a timing element that BMW has consistently attempted to obscure. *Compare* ECF No. 12 at 2 (“Appelle opposes, arguing among other things that the injunction ‘has yet to take effect’ and that the District Court has not ‘enter[ed] its final judgment on injunctive relief.’”) *with BMW v. Onesta IP, LLC*, Case No. 6:25-cv-00581 (“-581 Dkt.”), Dkt. No. 31 (W.D. Tex. Jan 15, 2026) (“[T]he Court’s oral order granting BMW’s Motion for Anti-Suit Injunction and ordering Onesta to terminate its German lawsuits asserting United States patents took immediate effect.”) *and with* -581 Dkt. No. 32 (BMW’s motion for contempt) *and with* ECF No. 15.

¹ BMW refused to give counsel for Onesta time to confer with its client over the relief sought in BMW’s motion, which is ironic, since BMW’s motion was legally wrong because it was filed *too soon*. Ex. A at 4-6.

Irrespective of whether there was an ongoing controversy, under *Serta*, regarding whether the German cases must ultimately be dismissed, when BMW filed its motion to dismiss there was, plainly, a live controversy sufficient to support appellate jurisdiction regarding the separate issue of the *timing* of that dismissal. That is, had Onesta been forced to dismiss the German cases according to the timeline of the injunction, Onesta would have suffered an injury in fact because it would have been denied the procedural and substantive protections it negotiated in agreeing to the schedule to dismiss the German cases.

Nonetheless, following the formal execution of Onesta's agreement with Qualcomm, Onesta withdrew its German actions. -581 Dkt. No. 55. Thus, this appeal should now be dismissed.

I. The Appeal Should Be Dismissed And Each Side Should Bear Its Own Costs.

On March 12, 2026, following the dismissal of the German actions, Onesta reached out to BMW to see if BMW would agree to a Form 18 stipulation to dismiss the case. Because BMW did not seek taxable costs under Rule 39 in its motion to dismiss, in its first draft of Form 18 Onesta selected "each side shall bear their own costs." This also seemed reasonable to Onesta because the timeline of this appeal has been so

short that Onesta is not aware of any taxable costs that BMW could have incurred.

On March 13, 2026, BMW rejected this proposed stipulation unless Onesta agreed to have the taxable costs allocated against it. Because Onesta is not aware of any taxable costs BMW could have incurred, and in order to reduce disputes, Onesta immediately reached out to BMW to see whether there was even a dispute, that is, whether BMW believes it has incurred any taxable costs. BMW responded stating that “BMW is not aware of taxable appellate costs” but still insisted that the Form indicate that costs shall be allocated to Onesta under the default operation of Rule 39. In order to prevent any future disputes, Onesta sent back a revised version of Form 18 that stated “Costs shall be allocated against the appellant pursuant to Fed. R. App. P. 39. BMW has no taxable costs associated with this appeal.” BMW rejected this language, stating BMW “reserve[s] the right to any taxable costs, and we will not waive that right.” *See* Ex. A at 1-3 (all correspondence discussed above).

Again, BMW did not seek any taxable costs in its motion to dismiss. *See* ECF No. 29. BMW is not aware that it has any taxable costs, nor

could it have any based on the brief duration of this appeal. *See* Ex. A. BMW has a practice of taking inconsistent positions and unnecessarily complicating the disputes in multiple fora of its litigation with Onesta. *Compare* ECF No. 12 at 2 *with* -581 Dkt. No. 31 *and* ECF No. 15; *see also* -581 Dkt. No. 54 at 8-10; *see also* ECF No. 29 (prematurely and unnecessarily filing motion to dismiss).

Accordingly, Onesta respectfully requests that this Court dismiss this appeal with each side bearing its own costs. This will not prejudice BMW because it has no costs. Ex. A. This will benefit the parties and the Court because it will reduce potential future disputes that BMW now attempts to “reserve.” Ex. A. It is in the interest of justice that no further work is done on this appeal.

Dated: March 13, 2026

Respectfully submitted,

By: /s/ Daniel R. Pearson

Jason D. Cassady
Austin Curry
Daniel R. Pearson
Aisha Mahmood Haley
CALDWELL CASSADY CURRY PC
2121 N. Pearl St., Ste. 1200
Dallas, TX 75201

Attorneys for Appellant
Onesta IP, LLC

DECLARATION OF DANIEL R. PEARSON

I, Daniel R. Pearson, declare as follows:

1. I am an attorney admitted to practice before this Court and a principal with the law firm Caldwell Cassady Curry PC. I am counsel for Appellant Onesta IP, LLC. I have personal knowledge of the facts in this declaration, and if called and sworn as a witness, could testify competently thereto. I make this declaration in support of Appellant's motion for a 35-day extension of time to file its Rule 8 motion.

2. The document attached as Exhibit A is a true and correct copy of correspondence between counsel for Onesta and counsel for BMW dated March 3, 2026 to March 13, 2026.

I declare under penalty of perjury under 28 U.S.C. § 1746 that the foregoing is true and correct.

Dated: March 13, 2026

By: /s/ Daniel R. Pearson
Daniel R. Pearson

**UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT**

CERTIFICATE OF COMPLIANCE WITH TYPE-VOLUME LIMITATIONS

Case Number: 2026-1338

Short Case Caption: BMW v. Onesta IP, LLC

Instructions: When computing a word, line, or page count, you may exclude any items listed as exempted under Fed. R. App. P. 5(c), Fed. R. App. P. 21(d), Fed. R. App. P. 27(d)(2), Fed. R. App. P. 32(f), or Fed. Cir. R. 32(b)(2).

The foregoing filing complies with the relevant type-volume limitation of the Federal Rules of Appellate Procedure and Federal Circuit Rules because it meets one of the following:

- the filing has been prepared using a proportionally-spaced typeface and includes 775 words.
- the filing has been prepared using a monospaced typeface and includes _____ lines of text.
- the filing contains _____ pages / _____ words / _____ lines of text, which does not exceed the maximum authorized by this court's order (ECF No. _____).

Date: 03/13/2026

Signature: /s/ Daniel R. Pearson

Name: Daniel R. Pearson

CERTIFICATE OF SERVICE

I hereby certify that, on March 13, 2026, all counsel of record who have appeared in this case are being served with a copy of the foregoing via the Court's CM/ECF system.

By: /s/ Daniel R. Pearson
Daniel R. Pearson

Exhibit A

From: [Lavenue, Lionel](mailto:lavenue.lionel@finnegan.com)
To: [Daniel Pearson](mailto:dpearson@caldwellcc.com); [McCorquindale, J. Derek](mailto:McCorquindale.J.Derek@finnegan.com)
Cc: [Onesta-BMW](mailto:Onesta-BMW@calwellcc.com); [BMW-OnestaIP](mailto:BMW-OnestaIP@finnegan.com); [Mark Siegmund](mailto:MSiegmund@cjsjlaw.com)
Subject: RE: Activity in Case 6:25-cv-00581-ADA Bayerische Motoren Werke Aktiengesellschaft v. Onesta IP, LLC Order
Date: Friday, March 13, 2026 10:52:49 AM

External sender <lionel.lavenue@finnegan.com>
Make sure you trust this sender before taking any actions.

Daniel,

We will only agree to the standard language:

Costs shall be allocated against the appellant pursuant to Fed. R. App. P. 39.

We reserve the right to any taxable costs, and we will not waive that right.

Regards,

Lionel

From: Daniel Pearson <dpearson@caldwellcc.com>
Sent: Friday, March 13, 2026 11:50 AM
To: Lavenue, Lionel <lionel.lavenue@finnegan.com>; McCorquindale, J. Derek <Derek.McCorquindale@finnegan.com>
Cc: Onesta-BMW <Onesta-BMW@calwellcc.com>; BMW-OnestaIP <BMW-OnestaIP@finnegan.com>; Mark Siegmund <MSiegmund@cjsjlaw.com>
Subject: RE: Activity in Case 6:25-cv-00581-ADA Bayerische Motoren Werke Aktiengesellschaft v. Onesta IP, LLC Order

Lionel,

Please see a revised Form 18 that memorializes your email below, stating “Costs shall be allocated against the appellant pursuant to Fed. R. App. P. 39. BMW has no taxable costs associated with this appeal.”

Please confirm we have BMW’s permission to file, and who should file on BMW’s behalf.

Thanks,
Daniel

From: Lavenue, Lionel <lionel.lavenue@finnegan.com>

Sent: Friday, March 13, 2026 10:35 AM

To: Daniel Pearson <dpearson@caldwellcc.com>; McCorquindale, J. Derek <Derek.McCorquindale@finnegan.com>

Cc: Onesta-BMW <Onesta-BMW@caldwellcc.com>; BMW-OnestaIP <BMW-OnestaIP@finnegan.com>; Mark Siegmund <MSiegmund@cjsjlaw.com>

Subject: RE: Activity in Case 6:25-cv-00581-ADA Bayerische Motoren Werke Aktiengesellschaft v. Onesta IP, LLC Order

External sender <lionel.lavenue@finnegan.com>

Make sure you trust this sender before taking any actions.

Daniel,

Thank you - BMW is not aware of taxable appellate costs.

But, BMW's point is that it does not agree to revise the default Rule 39 allocation - by affirmatively stating that each side shall bear its own costs.

Accordingly, BMW's position remains that the Form 18 should state: "Other: Costs shall be allocated against the appellant pursuant to Fed. R. App. P. 39."

Regards,

Lionel

From: Daniel Pearson <dpearson@caldwellcc.com>

Sent: Friday, March 13, 2026 10:46 AM

To: Lavenue, Lionel <lionel.lavenue@finnegan.com>; McCorquindale, J. Derek <Derek.McCorquindale@finnegan.com>

Cc: Onesta-BMW <Onesta-BMW@caldwellcc.com>; BMW-OnestaIP <BMW-OnestaIP@finnegan.com>; Mark Siegmund <MSiegmund@cjsjlaw.com>

Subject: RE: Activity in Case 6:25-cv-00581-ADA Bayerische Motoren Werke Aktiengesellschaft v. Onesta IP, LLC Order

Lionel,

Thanks for the response. BMW did not seek any award of costs in its motion to dismiss. Nonetheless, I'm not sure we have a dispute here. So that I can confer with my client on this change, does BMW have any costs that it would be seeking under FRAP 39(e)-(f)? It seems like the answer should be no, but I'd like your position on that.

Thanks,
Daniel

From: Lavenue, Lionel <lionel.lavenue@finnegan.com>

Sent: Friday, March 13, 2026 9:32 AM

To: Daniel Pearson <dpearson@caldwellcc.com>; McCorquindale, J. Derek <Derek.McCorquindale@finnegan.com>

Cc: Onesta-BMW <Onesta-BMW@caldwellcc.com>; BMW-OnestaIP <BMW-OnestaIP@finnegan.com>; Mark Siegmund <MSiegmund@cjsjlaw.com>

Subject: Activity in Case 6:25-cv-00581-ADA Bayerische Motoren Werke Aktiengesellschaft v. Onesta IP, LLC Order

External sender <lionel.lavenue@finnegan.com>

Make sure you trust this sender before taking any actions.

Daniel,

BMW agrees to the proposed joint dismissal only with the following change to the Form 18 language regarding costs:

Please revise the checked costs provision to state:

“Other: Costs shall be allocated against the appellant pursuant to Fed. R. App. P. 39.”

The current Form 18 states that each side shall bear its own costs, which BMW does not accept. If Onesta agrees to the above revision, please circulate an updated Form 18, and BMW will join the dismissal.

Regards,

Lionel

From: Daniel Pearson <dpearson@caldwellcc.com>

Sent: Thursday, March 12, 2026 3:54 PM

To: McCorquindale, J. Derek <Derek.McCorquindale@finnegan.com>

Cc: Lavenue, Lionel <lionel.lavenue@finnegan.com>; Onesta-BMW <Onesta-BMW@caldwellcc.com>; BMW-OnestaIP <BMW-OnestaIP@finnegan.com>; Mark Siegmund <MSiegmund@cjsjlaw.com>

Subject: RE: Activity in Case 6:25-cv-00581-ADA Bayerische Motoren Werke Aktiengesellschaft v. Onesta IP, LLC Order

Counsel,

Earlier today, Onesta’s German infringement actions were withdrawn due to the finalization and formal execution of the agreement with Qualcomm. Please advise as to whether BMW will join the attached stipulation of dismissal. If yes, we’ll get it on file.

Thanks,
Daniel

From: Daniel Pearson <dpearson@caldwellcc.com>
Sent: Tuesday, March 3, 2026 9:05 PM
To: J. Derek McCorquindale <Derek.McCorquindale@finnegan.com>
Cc: Lionel Lavenue <lionel.lavenue@finnegan.com>; Onesta-BMW <Onesta-BMW@caldwellcc.com>;
BMW-OnestaIP <BMW-OnestaIP@finnegan.com>; Mark Siegmund <MSiegmund@cjsjlaw.com>
Subject: Re: Activity in Case 6:25-cv-00581-ADA Bayerische Motoren Werke Aktiengesellschaft v. Onesta IP, LLC Order

Derek,

That doesn't answer my questions, including why you believe you need expedited briefing, but I'll be sure to note that you refused me the opportunity tonight confer with my client.

Best,
Daniel

On Mar 3, 2026, at 8:51 PM, McCorquindale, J. Derek
<Derek.McCorquindale@finnegan.com> wrote:

Warning: Unusual sender <derek.mccorquindale@finnegan.com>
You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

Daniel,

We explained our intent to file this motion and our basis for seeking dismissal in our response to your motion a week ago. See Dkt. 25 at 3 (Feb. 25, 2026) (“Unless Onesta promptly moves to dismiss this appeal, BMW AG will file a dispositive motion to that effect in the coming days.”). The scope of the DJ and the scope of the appeal are different. See Dkt. 25 at 3-4 & n.1. The appeal addresses only the anti-suit injunction, which requires termination of the Munich U.S patent cases. See *id.* Your sworn statements in the district court moot the appeal. See *id.* (citing *Serta Simmons Bedding, LLC v. Casper Sleep Inc.*, 950 F.3d 849, 853 (Fed. Cir. 2020) (“We conclude that a binding settlement agreement generally moots the action even

if the agreement requires future performance.”); *U.S. Bancorp Mortg. Co. v. Bonner Mall P’ship*, 513 U.S. 18, 25 (1994) (“Where mootness results from settlement, however, the losing party has voluntarily forfeited his legal remedy by the ordinary processes of appeal or certiorari, thereby surrendering his claim to the equitable remedy of vacatur. The judgment is not unreviewable, but simply unreviewed by his own choice.”)).

We will mark you as opposed and writing in opposition.

Regards,

Derek

J. Derek McCorquindale

Partner | [Bio](#)

Finnegan, Henderson, Farabow, Garrett & Dunner, LLP
1875 Explorer Street, Suite 800, Reston, VA 20190-6023

571.203.2768 | derek.mccorquindale@finnegan.com | www.finnegan.com

Washington, DC • Atlanta • Boston • Palo Alto • Reston • London • Munich • Shanghai • Taipei
• Tokyo

From: Daniel Pearson <dpearson@caldwellcc.com>

Sent: Tuesday, March 3, 2026 8:32 PM

To: McCorquindale, J. Derek <Derek.McCorquindale@finnegan.com>; Lavenue, Lionel <lionel.lavenue@finnegan.com>

Cc: Onesta-BMW <Onesta-BMW@caldwellcc.com>; BMW-OnestaIP <BMW-OnestaIP@finnegan.com>; Mark Siegmund <MSiegmund@cjsjlaw.com>

Subject: RE: Activity in Case 6:25-cv-00581-ADA Bayerische Motoren Werke Aktiengesellschaft v. Onesta IP, LLC Order

Derek,

I need some more information so that I can discuss with my client whether we oppose.

BMW just told the district court that there is subject matter jurisdiction over the DJ action because BMW believes it has an apprehension of suit. It’s undisputed that the German cases are not yet dismissed. Are you going to inform the Federal Circuit that BMW disagrees that its’ DJ action is moot? What are the grounds for dismissal, and what’s the basis for the request for expedited briefing?

Again, I’d like the opportunity to discuss this with my client once I understand your

request. It's already after 8PM Eastern time. Assuming you promptly provide this information, I will get back to you by noon central tomorrow.

Thanks,
Daniel

From: McCorquindale, J. Derek <Derek.McCorquindale@finnegan.com>
Sent: Tuesday, March 3, 2026 7:20 PM
To: Daniel Pearson <dpearson@caldwellcc.com>; Lavenue, Lionel <lionel.lavenue@finnegan.com>
Cc: Onesta-BMW <Onesta-BMW@caldwellcc.com>; BMW-OnestaIP <BMW-OnestaIP@finnegan.com>; Mark Siegmund <MSiegmund@cjsjlaw.com>
Subject: RE: Activity in Case 6:25-cv-00581-ADA Bayerische Motoren Werke Aktiengesellschaft v. Onesta IP, LLC Order

Warning: Unusual sender <derek.mccorquindale@finnegan.com>
You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

Daniel,

As stated in our response to your most recent extension request, we are filing our motion to dismiss the appeal and will request an expedited briefing schedule. Given your statements in reply, we understand you oppose. We will file with that understanding later tonight unless we hear otherwise before 10:30pm Eastern.

Regards,
Derek

J. Derek McCorquindale

Partner | [Bio](#)

Finnegan, Henderson, Farabow, Garrett & Dunner, LLP
1875 Explorer Street, Suite 800, Reston, VA 20190-6023
571.203.2768 | derek.mccorquindale@finnegan.com | www.finnegan.com

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From: Daniel Pearson <dpearson@caldwellcc.com>
Sent: Sunday, February 22, 2026 6:47 PM
To: Lavenue, Lionel <lionel.lavenue@finnegan.com>
Cc: Onesta-BMW <Onesta-BMW@caldwellcc.com>; BMW-OnestaIP <BMW-OnestaIP@finnegan.com>; Mark Siegmund <MSiegmund@cjsjlaw.com>
Subject: Re: Activity in Case 6:25-cv-00581-ADA Bayerische Motoren Werke Aktiengesellschaft v. Onesta IP, LLC Order

Lionel,

We have been informed that the proceedings in Germany have all been formally suspended. With that development, please let us know whether BMW maintains its opposition to any stay or extension in the appeal, which Onesta intends to re-urge until March 27, 2026, in view of the Order.

Thanks,
Daniel

On Feb 15, 2026, at 7:58 PM, Lavenue, Lionel
<lionel.lavenue@finnegan.com> wrote:

External sender <lionel.lavenue@finnegan.com>
Make sure you trust this sender before taking any actions.

Daniel,

To confirm, BMW opposes both requested extensions:

- (1) the requested two-week extension related to the Rule 8 motion, and
- (2) the requested additional 45-day extension of Onesta's Answer deadline in the district court.

Any extension of the Rule 8 deadline is inconsistent with the emergency nature of the issue and the emergency briefing.

On the Answer deadline in the WDTX, Onesta has already received a 45-day extension, and any further extension is not justified.

Of note, Onesta's managing director, Bill Marino, has contacted BMW on these issue, and I confirm that BMW maintains these positions.

As to the path forward, for the parties, and as we noted last Friday, the WDTX involves BMW, and Onesta needs to address its wrongdoing as to BMW.

Thus, unless Onesta has a proposal to BMW that addresses its wrongdoing as to BMW, BMW plans to continue all aspects of the WDTX case to a timely conclusion and to seek full recovery of all fees and costs.

Regards,

Lionel

From: Lavenue, Lionel <lionel.lavenue@finnegan.com>
Sent: Friday, February 13, 2026 9:20 PM
To: Daniel Pearson <dpearson@caldwellcc.com>
Cc: Onesta-BMW <Onesta-BMW@caldwellcc.com>; BMW-OnestaIP <BMW-OnestaIP@finnegan.com>; Mark Siegmund <msiegmund@cjsjlaw.com>
Subject: RE: Activity in Case 6:25-cv-00581-ADA Bayerische Motoren Werke Aktiengesellschaft v. Onesta IP, LLC Order

Daniel,

I will confirm on Monday, but please expect that the answer will be “opposed” as to both requested extensions.

As for any extension regarding Onesta’s deadline for its emergency motion, any extension would be inconsistent with the emergency nature of that issue/briefing.

As for Onesta’s deadline to respond to the Complaint in the WDTX, Onesta has already had a 45-day extension of time, and any further extension of time would not be justified.

As for Onesta’s allegations regarding any issues regarding Qualcomm or a Qualcomm settlement, the WDTX involves BMW, and Onesta needs to address its wrongdoing as to BMW.

Thus, unless Onesta has a proposal to BMW on solving the wrongdoing against BMW, BMW plans to continue the WDTX case to a timely conclusion, and to seek full recovery of all fees and costs.

Regards,

Lionel

From: Daniel Pearson <dpearson@caldwellcc.com>
Sent: Friday, February 13, 2026 4:41 PM
To: Lavenue, Lionel <lionel.lavenue@finnegan.com>
Cc: Onesta-BMW <Onesta-BMW@caldwellcc.com>; BMW-OnestaIP <BMW-OnestaIP@finnegan.com>; Mark Siegmund <msiegmund@cjsjlaw.com>
Subject: RE: Activity in Case 6:25-cv-00581-ADA Bayerische Motoren Werke Aktiengesellschaft v. Onesta IP, LLC Order

Lionel,

Additionally to the extension request related to the appellate Rule 8 motion, please also let us know whether BMW agrees to another 45-day extension to Onesta's Answer deadline in district court. I know you and Jason discussed this earlier in the week, but I wanted to make sure that request didn't get lost.

Thanks,
Daniel

From: Daniel Pearson <dpearson@caldwellcc.com>
Sent: Friday, February 13, 2026 3:04 PM
To: Lavenue, Lionel <lionel.lavenue@finnegan.com>
Cc: Onesta-BMW <Onesta-BMW@caldwellcc.com>; BMW-OnestaIP <bmw-onestaip@finnegan.com>; Mark Siegmund <msiegmund@cjsjlaw.com>
Subject: FW: Activity in Case 6:25-cv-00581-ADA Bayerische Motoren Werke Aktiengesellschaft v. Onesta IP, LLC Order

Lionel,

In view of the parties' negotiations surrounding the effect of the Qualcomm settlement, please let us know whether BMW would agree to a two-week extension of Onesta's deadline to file its Rule 8 motion at the Federal Circuit.

Thanks,
Daniel

From: TXW_USDC_Notice@txwd.uscourts.gov
<TXW_USDC_Notice@txwd.uscourts.gov>
Sent: Friday, February 13, 2026 10:33 AM
To: cmecf_notices@txwd.uscourts.gov

Subject: Activity in Case 6:25-cv-00581-ADA Bayerische Motoren Werke Aktiengesellschaft v. Onesta IP, LLC Order

External sender <txw_usdc_notice@txwd.uscourts.gov>
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U.S. District Court [LIVE]

Western District of Texas

Notice of Electronic Filing

The following transaction was entered on 2/13/2026 at 10:32 AM CST and filed on 2/13/2026

Case Name: Bayerische Motoren Werke Aktiengesellschaft v. Onesta IP, LLC

Case Number: [6:25-cv-00581-ADA](#)

Filer:

Document Number: [50](#)

Docket Text:

[ORDER GRANTING ANTI-SUIT INJUNCTION. Signed by Judge Alan D Albright. \(cav\)](#)

6:25-cv-00581-ADA Notice has been electronically mailed to:

Aaron Lee Parker aaron.parker@finnegan.com

Aisha Mahmood Haley ahaley@caldwellcc.com,
Paralegals@caldwellcc.com

Austin Curry acurry@caldwellcc.com,
2213687420@filings.docketbird.com, Paralegals@caldwellcc.com

Daniel R. Pearson dpearson@caldwellcc.com,
Paralegals@caldwellcc.com

David Thomas Faurie david.faurie@finnegan.com

J. Derek Mccorquindale derek.mccorquindale@finnegan.com

Jason D. Cassady jcassady@caldwellcc.com,
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