

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SONY CORPORATION OF AMERICA,
Petitioner,

v.

NETWORK-1 TECHNOLOGIES, INC.,
Patent Owner.

Case CBM2015-00078
Patent 6,218,930 B1

Before JONI Y. CHANG, JUSTIN T. ARBES, and GLENN J. PERRY,
Administrative Patent Judges.

ARBES, *Administrative Patent Judge.*

DECISION

Petitioner's Notice of Basis for Request for Relief
37 C.F.R. §§ 42.21, 42.71

Petitioner filed a Request for Rehearing (Paper 8, “Req. Reh’g”) of our Decision (Paper 7, “Dec.”) not to institute a covered business method patent review of claims 6 and 8–23 of U.S. Patent No. 6,218,930 B1 (Ex. 1001, “the ’930 patent”). Petitioner’s Request for Rehearing was denied. Paper 9. Petitioner subsequently filed a “Notice of Basis for Request for Relief in the Form of a Rehearing by an Enlarged Panel” again requesting rehearing of the Decision and requesting rehearing by an expanded panel. Paper 10, 1 (“Notice”).

Pursuant to 37 C.F.R. § 42.71(d), “[a] party dissatisfied with a decision may file a *single* request for rehearing without prior authorization from the Board.”¹ Petitioner’s Notice amounts to a second request for rehearing and was not authorized by the Board. As to Petitioner’s request for rehearing by an expanded panel, a panel does not have authority to expand a panel; only the Chief Judge, acting on behalf of the Director, may act to expand a panel. *See* Standard Operating Procedure 1, rev. 14 § III (PTAB May 8, 2015). In this case, the suggestion to expand the panel has been referred to the Acting Chief Judge and considered, but is not adopted.

In consideration of the foregoing, it is hereby:

ORDERED that Petitioner’s request for relief in the form of a second rehearing of the Decision not to institute a covered business method patent review is *denied*.

¹ *See* Amendments to the Rules of Practice for Trials Before the Patent Trial and Appeal Board, 80 Fed. Reg. 28,561, 28,563 (May 19, 2015) (“To clarify that a party may file only a single request for rehearing as of right, the Office amends 37 CFR 42.71(d) to add ‘single’ before ‘request for rehearing’ in the first sentence.”).

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