

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

**ZTE CORPORATION AND ZTE (USA) INC.,
and
MICROSOFT CORPORATION,
Petitioners**

v.

**IPR LICENSING, INC.,
Patent Owner.**

Case IPR2014-00525¹
U.S. Patent No.: 8,380,244

Before SALLY C. MEDLEY, MIRIAM L. QUINN, and
BEVERLY M. BUNTING, Administrative Patent Judges.

JOINT STIPULATION TO MODIFY THE SCHEDULING ORDER

¹ Case IPR2015-00074 has been joined with this proceeding.

ZTE Corporation and ZTE (USA) Inc. (“ZTE”) and Microsoft Corporation (“Microsoft”) (collectively “Petitioners”) and IPR Licensing, Inc. (“InterDigital” or “Patent Owner”), by and through their respective counsel of record, hereby stipulate as follows:

1. On September 17, 2014, the Patent Trial and Appeal Board issued a Scheduling Order in the *Inter Partes* Review of U.S. Patent No. 8,380,244 (IPR2014-00525) setting forth “due dates for the parties to take action after institution of the proceeding.” Paper No. 20.
2. The Scheduling Order further states that the “parties may stipulate to different dates for DUE DATES 1 through 5.” *Id.*
3. To accommodate post-trial briefing in a related case and the Thanksgiving holiday, the parties stipulated to amended due dates in a Joint Stipulation filed on September 17, 2014 amending DUE DATES 1 through 4. Paper No. 21.
4. To accommodate a mutually agreeable date for the deposition of Petitioners’ expert (Dr. Bims) and the potential joinder of Microsoft’s petition in IPR2015-00074, the parties agreed to newly amended due dates and filed a Joint Stipulation on December 9, 2015 amending DUE DATES 1 through 4. Paper No. 24.

5. On December 19, 2014, Patent Owner cross-examined Petitioners' expert, and on DUE DATE 1, Patent Owner filed its Patent Owner Response. Paper 25.
6. In order to accommodate Patent Owner's expert's (Dr. Stark) deposition on a mutually agreeable date, the parties agreed to hold Dr. Stark's deposition on Saturday, February 28, 2015 and extend DUE DATE 2 to March 17, 2015. ZTE filed its Notice of Deposition of Dr. Stark on February 13, 2015 in compliance with the rules. Paper 27.
7. On Thursday, February 26, counsel for InterDigital informed ZTE that one of its attorneys became ill and the deposition could not go forward on Saturday, February 28 as scheduled. Accordingly, the parties agreed to postpone the deposition to a mutually agreeable date and extend DUE DATE 2 accordingly. The parties are seeking a mutually agreeable date so that Dr. Stark's deposition may occur on or before March 27th.
8. On Wednesday, March 4, 2015, the Board issued its decision to join IPR2015-00074 with this proceeding. *See* IPR2015-00074, Paper 21. As part of its decision, the Board did not amend the Scheduling Order for the instant case, IPR2014-00525. *Id.*

9. Once the parties determine a mutually agreeable date for Dr. Stark's deposition, Petitioners will file a new Notice of Deposition. In the meantime, the parties have agreed to extend DUE DATE 2 to April 7, 2015 and DUE DATE 3 to April 24, 2015.
10. These newly amended DUE DATES supersede all previously stipulated DUE DATES 2 through 4.
11. This stipulation does not affect or otherwise modify the dates for DUE DATES 5, 6 and 7 listed in the Scheduling Order.

Patent Owner and Petitioners hereby stipulate to newly amended DUE DATES 2 and 3 and lists the previously stipulated DUE DATE 4:

Document	Stipulated Due Date
DUE DATE 2 (a) Petitioners' Reply to Patent Owner's Response to Petition (b) Petitioners' Opposition to Patent Owner's Motion to Amend the Patent	April 7, 2015
DUE DATE 3 Patent Owners' Reply to Petitioners' Opposition to Patent Owner's Motion to Amend the Patent	April 24, 2015

Document	Stipulated Due Date
DUE DATE 4 (a) Motions for an Observation on Cross-Examination Testimony of a Reply Witness (b) Motions to Exclude Evidence and Request Oral Argument	April 24, 2015

Dated: March 6, 2015

Respectfully submitted,

/s/ Charles M. McMahon

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