

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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SAMSUNG ELECTRONICS CO., LTD., SAMSUNG ELECTRONICS  
AMERICA, INC., SAMSUNG TELECOMMUNICATIONS AMERICA, LLC,  
CISCO SYSTEMS, INC., and AVAYA, INC.,  
Petitioner,

v.

STRAIGHT PATH IP GROUP, INC.,  
Patent Owner.

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Case IPR2014-01366<sup>1</sup> (Patent 6,108,704 C1)  
Case IPR2014-01367<sup>2</sup> (Patent 6,009,469 C1)  
Case IPR2014-01368<sup>3</sup> (Patent 6,131,121 C1)

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Before KALYAN K. DESHPANDE, TRENTON A. WARD, and  
BART A. GERSTENBLITH, *Administrative Patent Judges*.

DESHPANDE, *Administrative Patent Judge*.

ORDER  
Authorization to File Additional Briefing  
*37 C.F.R. § 42.5*

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<sup>1</sup> IPR2015-01011 has been joined with this proceeding.

<sup>2</sup> IPR2015-01007 has been joined with this proceeding.

<sup>3</sup> IPR2015-01006 has been joined with this proceeding.

IPR2014-01366 (Patent 6,108,704 C1)

IPR2014-01367 (Patent 6,009,469 C1)

IPR2014-01368 (Patent 6,131,121 C1)

The Board held a conference call with Petitioner and Patent Owner on December 15, 2015. A transcript of that call has been entered into the record. Paper 41. Petitioner requests authorization to submit additional briefing, from both Petitioner and Patent Owner, in light of the decision by the United States Court of Appeals for the Federal Circuit in *Straight Path IP Group, Inc. v. Sipnet EU S.R.O.*, 806 F.3d 1356 (Fed. Cir. 2015). Petitioner specifically requests additional briefing to explain how, if at all, the decision impacts the Board's final written decision on unpatentability in this matter. Patent Owner opposes Petitioner's request to file additional briefing, asserting that arguments regarding the claim construction of "is connected" were advocated throughout these proceedings and have already been addressed fully. Patent Owner requests that if additional briefing is authorized, citations should be provided to where in the record these arguments have been originally raised.

We grant Petitioner's request to file additional briefing in order to assist the Board in determining the impact of the Federal Circuit's decision on these proceedings. Petitioner's additional briefing is to not exceed seven pages, and shall not include any new evidence or any new argument. Rather, Petitioner should limit the briefing to explain the impact of the Federal Circuit decision on these proceedings. We further require Petitioner to provide citations in this additional briefing to those portions of the previously existing record where the argument or evidence was originally introduced. We also authorize Patent Owner to file a reply to Petitioner's additional briefing. Patent Owner's reply shall not exceed seven pages, and shall also not include any new evidence or arguments. We also require Patent Owner to provide citations in the reply to those portions of the previously existing record where the arguments or evidence were originally introduced.

IPR2014-01366 (Patent 6,108,704 C1)

IPR2014-01367 (Patent 6,009,469 C1)

IPR2014-01368 (Patent 6,131,121 C1)

Petitioner's additional briefing shall be submitted by Tuesday, January 12, 2016. Patent Owner's briefing shall be submitted by Tuesday, January 19, 2016. Petitioner's request for authorization to file a sur-reply is denied.

*Order*

It is

ORDERED that Petitioner's request to file additional briefing is granted;

FURTHER ORDERED that Petitioner's additional briefing shall not exceed seven pages, shall not include any new evidence or argument, and is due no later than January 12, 2016; and

FURTHER ORDERED that Patent Owner is authorized to file a reply to Petitioner's additional briefing, where Patent Owner's reply shall not exceed seven pages, shall not include any new evidence or argument, and is due no later than January 19, 2016.

IPR2014-01366 (Patent 6,108,704 C1)

IPR2014-01367 (Patent 6,009,469 C1)

IPR2014-01368 (Patent 6,131,121 C1)

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