

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD,
Petitioner,

v.

DSS TECHNOLOGY MANAGEMENT, INC.,
Patent Owner.

Case IPR2014-01493
Patent 5,652,084

Before, JACQUELINE WRIGHT BONILLA, JO-ANNE M. KOKOSKI, and
KRISTINA M. KALAN *Administrative Patent Judges*.

BONILLA, *Administrative Patent Judge*.

ORDER
Authorizing Petitioner to File a Motion for Joinder
37 C.F.R. § 42.122(b)

We instituted trial in a different proceeding, IPR2014-01030, on December 31, 2014. IPR2014-01030, Paper 7 (“Dec. to Inst.”). IPR2014-01030 concerns the same patent at issue here, namely, U.S. Pat. No. 5,652,084. On January 27, 2015, counsel for Petitioner Samsung Electronics Co., Ltd. (“Samsung”) requested that it attend an initial conference call scheduled in IPR2014-01030, and asked that we address its request for authorization to file a motion to join as a party to IPR2014-01030. We authorized Samsung to participate in the call, and indicated that we would address its request to file a motion for joinder during the call.

On January 28, 2015, an initial conference call was conducted among counsel for Petitioner Taiwan Semiconductor Manufacturing Company, Ltd. (“TSMC”) in IPR2014-01030, counsel for Patent Owner DSS Technology Management, Inc. (“Patent Owner”), counsel for Samsung, and Judges Franklin, Bonilla, Kokoski, and Kalan. The purpose of the call was to determine if the parties have any issues concerning the Scheduling Order (Paper 8) in IPR2014-01030 and to discuss any motions contemplated by the parties, including Samsung’s proposed motion for joinder in the current case.

Samsung requests authorization to file a motion to join as a party to IPR2014-01030. In the event of joinder, Samsung agrees to limit its Petition to grounds upon which we instituted trial in IPR2014-01030. Dec. to Inst. 19. Samsung agrees to consolidated filings and discovery with TSMC, and to rely on the same expert as TSMC, Dr. Richard Blanchard. Samsung requests that it and TSMC conduct cross-examination of any witnesses produced by Patent Owner, and redirect of any witnesses produced by Petitioners, within the same timeframe normally allotted by the rules for one party. In addition, Samsung requests that, in

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the event of joinder, we proceed as outlined in the Scheduling Order in IPR2014-01030 (Paper 8).

During the call, neither TSMC nor Patent Owner objected to Samsung's requests as discussed above. We authorized Samsung to file a motion for joinder, presenting the information discussed above, by Friday, January 30, 2015.

Accordingly, it is

ORDERED that Samsung is authorized to file a motion for joinder, as discussed above.

PETITIONER:

Christopher Marando
Christopher.marando@weil.com

Brian Ferguson
Brian.ferguson@weil.com

PATENT OWNER:

Andriy Lytvyn
andriy.lytvyn@smithhopen.com

Anton Hopen
anton.hopen@smithhopen.com