

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICRON TECHNOLOGY, INC. and
MICRON MEMORY JAPAN, INC.,
Petitioners,

v.

MASSACHUSETTS INSTITUTE OF TECHNOLOGY,
Patent Owner.

IPR2015-01087
Patent 6,057,221 C1

Before KALYAN K. DESHPANDE, BRIAN J. McNAMARA, and
DANIEL J. GALLIGAN, *Administrative Patent Judges*.

GALLIGAN, *Administrative Patent Judge*.

ORDER AUTHORIZING REQUEST FOR ADVERSE JUDGMENT
Conduct of Proceeding
37 C.F.R. §§ 42.5, 42.73

On December 14, 2015, counsel for Patent Owner contacted the Board to request authorization to file a request for adverse judgment on the challenged claims of U.S. Patent 6,057,221 C1 ('221 Patent), which are all of the claims that emerged from reexamination pursuant to Reexamination Request No. 90/011,607. On December 16, 2015, a conference call was held to discuss Patent Owner's request. Rose Prey and Michael Turner appeared on behalf of Petitioners. Steven Pollinger and Ramzi Khazen appeared on behalf of Patent Owner.

Mr. Pollinger represented that Patent Owner understands that, as a consequence of adverse judgment being entered, all of the claims of the '221 Patent will be cancelled. In order to end this proceeding, Patent Owner's Request for Adverse Judgment should request cancellation of all the involved claims. 37 C.F.R. § 42.73(b)(2). Mr. Pollinger stated that Patent Owner also plans to move for dismissal of the underlying district court litigation. Counsel for Petitioners stated that Petitioners do not oppose the request.

Accordingly, it is:

ORDERED that Patent Owner is authorized to file a Request for Adverse Judgment, requesting cancellation of all the involved claims of the '221 Patent pursuant to 37 C.F.R. 42.73 within five calendar days from the entry of this Order.

Case IPR2015-01087
Patent 6,057,221 C1

PETITIONERS (via electronic transmission):

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