

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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T-MOBILE US, INC., T-MOBILE USA, INC.,  
TELECOMMUNICATION SYSTEMS, INC., ERICSSON INC., and  
TELEFONAKTIEBOLAGET LM ERICSSON  
Petitioner,

v.

TRACBEAM, LLC,  
Patent Owner.

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Case IPR2016-00728, Patent 7,525,484 B2  
Case IPR2016-00729, Patent 7,298,327 B2  
Case IPR2016-00745, Patent 7,764,231 B1

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Before KEVIN F. TURNER, DAVID C. MCKONE,  
BARBARA A. PARVIS, and MATTHEW R. CLEMENTS,  
*Administrative Patent Judges.*

MCKONE, *Administrative Patent Judge.*

ORDER  
Conduct of the Proceeding  
37 C.F.R. § 42.5

IPR2016-00728, Patent 7,525,484 B2  
IPR2016-00729, Patent 7,298,327 B2  
IPR2016-00745, Patent 7,764,231 B1

A conference call for IPR2016-00728, IPR2016-00729, and IPR2016-00745 (“the new proceedings”) was held on April 6, 2016, among Judges Turner, McKone, Parvis, and Clements; counsel for Petitioner (Brian Oaks); and counsel for Patent Owner (Sean Luner).

Petitioner filed petitions in IPR2016-00728 and IPR2016-00729 on March 8, 2016, and in IPR2016-00745 on March 11, 2016. IPR2016-00728, Paper 1; IPR2016-00729, Paper 1; IPR2016-00745, Paper 1.

Simultaneously, Petitioner filed motions to join those proceedings to IPR2015-1708, IPR2015-01712, and IPR2015-01687, respectively.

IPR2016-00728, Paper 3; IPR2016-00729, Paper 3; IPR2016-00745, Paper 3.

Prior to the conference call, Petitioner emailed to the Board proposed schedule changes to IPR2015-01708, IPR2015-01712, and IPR2015-01687 (“the existing trials”), in order to accommodate a unified schedule in the existing trials and the new proceedings, should we grant Petitioner’s motions for joinder. Patent Owner confirmed on the conference call that it agreed to the revised schedule. We authorized the parties to file stipulations in the existing trials agreeing to this schedule, which includes a modification of due date 6, as well as other due dates.<sup>1</sup>

To accommodate a unified schedule, Petitioner also proposed that Patent Owner file preliminary responses in the new proceedings by April 25,

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<sup>1</sup> We also authorized the parties to submit stipulations with the same schedule in IPR2015-01681, IPR2015-01711, and IPR2015-01713 (“the related trials”), three additional trials involving the same parties and related patents.

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2016. Patent Owner confirmed on the conference call that it agreed to a new deadline of April 25, 2016, for these preliminary responses, should Patent Owner choose to file them. We accept the parties' agreement.

We note that the schedule changes result in a compressed schedule approaching the oral arguments in the existing trials and the related trials (and the new proceedings, should we institute, join, and set them on the same schedule). Petitioner and Patent Owner both represented on the conference call that they would work together to spread out the deadlines in the event that we do not institute and join the new proceedings or if we institute and join the new proceedings significantly earlier than July 25, 2016.

It is

ORDERED that the deadline for filing a preliminary response in IPR2016-00728 is changed to April 25, 2016;

FURTHER ORDERED that the deadline for filing a preliminary response in IPR2016-00729 is changed to April 25, 2016; and

FURTHER ORDERED that the deadline for filing a preliminary response in IPR2016-00745 is changed to April 25, 2016.

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IPR2016-00729, Patent 7,298,327 B2  
IPR2016-00745, Patent 7,764,231 B1

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