

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BUNGIE, INC.,
Petitioner,

v.

ACCELERATION BAY, LLC,
Patent Owner.

Case IPR2016-00963
Patent 6,829,634 B1

Before LYNNE E. PETTIGREW and WILLIAM M. FINK,
Administrative Patent Judges.

FINK, *Administrative Patent Judge.*

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

On April 29, 2016, Bungie, Inc. (“Petitioner”) filed a Petition requesting an *inter partes* review of claim 1–18 of U.S. Patent No. 6,829,634 B1 (Ex. 1001, “the ’634 patent”). Paper 2 (“Pet.”). On the same day, Petitioner filed a Motion for Joinder pursuant to 35 U.S.C. § 315(c), seeking to join this proceeding with *Activision Blizzard, Inc., et al. v. Acceleration Bay, LLC*, Case IPR2015-01964 (“the 1964 IPR”). Paper 3 (“Mot.”). In the 1964 IPR, we instituted *inter partes* review of claims 1–18 of the ’634 patent. *See 1964 IPR*, slip op. at 1 (PTAB March 31, 2016) (Paper 10); Pet. 1; Mot. 1–2. Petitioner represents that counsel for Petitioner, Activision *et al.*, in the 1964 IPR does not oppose joinder. Mot. 2. Petitioner also represents that the instant petition is a “practical copy of the Activision *et al.* IPR petition with respect to the instituted grounds.” *Id.* at 1.

Patent Owner, Acceleration Bay, LLC, if it wishes, may file an opposition to Petitioner’s Motion for Joinder, limited to 15 pages, no later than May 25, 2016.

Patent Owner may file a preliminary response to the Petition no later than May 25, 2016. **This is a shortened time for filing a preliminary response.** Patent Owner may, in the alternative, file an election to waive the preliminary response to expedite the proceeding.

ORDER

Accordingly, it is:

ORDERED that Patent Owner is authorized to file an opposition to Petitioner’s Motion for Joinder of this proceeding with *Activision Blizzard, Inc., et al. v. Acceleration Bay, LLC*, Case IPR2015-01964, limited to 15 pages, no later than May 25, 2016; and

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FURTHER ORDERED that Patent Owner may file a preliminary response to the Petition, or file an election to waive the preliminary response, no later than May 25, 2016.

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