

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner,

v.

PARTHENON UNIFIED MEMORY ARCHITECTURE,
Patent Owner.

Case IPR2016-01114 (Patent 7,777,753)
Case IPR2016-01118 (Patent 7,321,368)
Case IPR2016-01121 (Patent 5,960,464)
Case IPR2016-01134 (Patent 7,542,045)
Case IPR2016-01135 (Patent 5,812,789)¹

Before MICHAEL R. ZECHER, JAMES B. ARPIN,
MATTHEW R. CLEMENTS, and SUSAN L. MITCHELL,
Administrative Patent Judges.

CLEMENTS, *Administrative Patent Judge.*

ORDER
Conduct of the Proceedings
37 C.F.R. § 42.5(a)

¹ This Order addresses issues that are identical in all five cases. We, therefore, exercise our discretion to issue one Order to be filed in each case. The parties are not authorized to use this style heading for any subsequent papers without prior approval of the Board.

IPR2016-01114 (Patent 7,777,753); IPR2016-01118 (Patent 7,321,368)
IPR2016-01121 (Patent 5,960,464); IPR2016-01134 (Patent 7,542,045)
IPR2016-01135 (Patent 5,812,789)

An initial conference call in the above proceeding was held on January 9, 2017, between respective counsel for the parties, and Judges Zecher, Arpin, Clements, and Mitchell.

Prior to the call, neither party filed a proposed motions list. On the call, each party confirmed that, at this time, it does not anticipate filing any motions not already authorized by our Rules or in the Scheduling Order.

Each party also confirmed that it does not have any issue with Due Dates 1–6 as currently set, but Petitioner raised the possibility of accelerating Due Dates 1–7 in order to synchronize these cases with *Apple Inc. v. Parthenon Unified Memory Architecture*, Case IPR2016-00923 (addressing U.S. Patent No. 5,812,789), and *Apple Inc. v. Parthenon Unified Memory Architecture*, Case IPR2016-00924 (addressing U.S. Patent No. 5,960,464). Patent Owner informed us that Petitioner had not raised this possibility with Patent Owner prior to the call. We instructed the parties to meet and confer.² To the extent the parties can agree to changes to Due Dates 1–5, they simply may file a Notice of Stipulation to changes to Due Dates 1–5, as provided in the Scheduling Order. If the parties agree to proposed changes to Due Dates 6 and 7, they should request a call with the panel to discuss changing those dates.

For now, with respect to Due Date 7, each party confirmed that it has no conflict with scheduling the oral argument, if requested, on September 5,

² For future reference, the parties shall meet and confer prior to raising any issue during a conference call with the Board. Failure to do so may result in summary denial of the request. Repeated failure to meet and confer may result in sanctions.

IPR2016-01114 (Patent 7,777,753); IPR2016-01118 (Patent 7,321,368)
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2017. Also, both parties expressed a preference for conducting the hearing in Alexandria, Virginia, followed by San Jose, California, followed by Denver, Colorado. The panel has determined that a hearing room in Alexandria, Virginia, is available on September 5, 2017. Thus, pending receipt of timely party requests for a hearing, it appears at this time that we will be able to accommodate the parties' preference to conduct the hearing in Alexandria, Virginia.

ORDER

Accordingly, it is

ORDERED that Due Date 7 is set to September 5, 2017.

IPR2016-01114 (Patent 7,777,753); IPR2016-01118 (Patent 7,321,368)
IPR2016-01121 (Patent 5,960,464); IPR2016-01134 (Patent 7,542,045)
IPR2016-01135 (Patent 5,812,789)

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