

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ZTE (USA) INC., HTC CORPORATION, HTC AMERICA, INC.,
SAMSUNG ELECTRONICS CO., LTD., and
SAMSUNG ELECTRONICS AMERICA, INC.,
Petitioners,

v.

EVOLVED WIRELESS LLC,
Patent Owner.

Case IPR2016-00757¹
Patent 7,881,236 B2

Before WILLIAM V. SAINDON, PATRICK M. BOUCHER, and
TERRENCE W. McMILLIN, *Administrative Patent Judges*

McMILLIN, *Administrative Patent Judge*

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

¹ IPR2016-01345 has been consolidated with this proceeding.

A Final Written Decision (Paper 42) was issued in these consolidated proceedings on November 30, 2017. In the Final Written Decision, claims 1–10, 12, and 13 of US Patent No. 7,881,236 B2 were held to be unpatentable. On December 29, 2017, Patent Owner filed a Request for Rehearing Pursuant to 37 C.F.R. §42.71(d) (Paper 43, “Request”).

Due to the particular fact-specific nature of Patent Owner’s request and the particular circumstances of this case, the panel believes full briefing would be useful. Accordingly, Petitioners are authorized to file an opposition to the Request. Petitioners’ opposition shall be limited to 15 pages. The page limit does not include a caption and title, a table of contents, a table of authorities, a certificate of service, or an appendix of exhibits.

Petitioners are requested to file a single, combined opposition to the Request on behalf of all the Petitioners. If Petitioners are unable or unwilling to file a single, combined opposition to the Request, any Petitioners who are unable or unwilling to file a single, combined request shall notify the Board by email with an explanation and shall indicate the relief requested.

Patent Owner is authorized to file a reply in support of the Request. Patent Owner’s reply shall be limited to 5 pages. The page limit does not include a caption and title, a table of contents, a table of authorities, a certificate of service, or an appendix of exhibits.

Therefore, it is

ORDERED that Petitioners are authorized to file an opposition to Patent Owner’s Request for Rehearing (Paper 43) in accordance with this Order on or before January 19, 2018; and

IPR2016-00757
Patent 7,881,236 B2

FURTHER ORDERED that Patent Owner is authorized to file a reply in accordance with this Order on or before January 26, 2018.

IPR2016-00757
Patent 7,881,236 B2

PETITIONERS:

For ZTE petitioners:
Charles M. McMahon
cmcMahon@mwe.com
Hersh H. Mehta
hmehta@mwe.com

For HTC petitioners:
Stephen S. Korniczky
skorniczky@sheppardmullin.com
Martin Bader
mbader@sheppardmullin.com
Ericka J. Schulz
eschulz@sheppardmullin.com

For Samsung petitioners:
James M. Glass
jimglass@quinnemanuel.com
Kevin P.B. Johnson,
kevinjohnson@quinnemanuel.com
Todd M. Briggs
toddbriggs@quinnemanuel.com
John T. McKee
johnmckee@quinnemanuel.com

PATENT OWNER:

Cyrus Morton
Ryan Schultz
cmorton@robinskaplan.com
rschultz@robinskaplan.com