

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ACER INC., ACER AMERICA CORPORATION,
ASUSTEK COMPUTER INC., ASUS COMPUTER INTERNATIONAL,
GOOGLE INC., MICROSOFT CORPORATION, and
MICROSOFT MOBILE INC.,
Petitioner,

v.

KONINKLIJKE PHILIPS N.V.,
Patent Owner.

Case IPR2017-00386¹
Patent RE44,913

Before DAVID C. MCKONE, ROBERT J. WEINSCHENK, and
KAMRAN JIVANI, *Administrative Patent Judges*.

JIVANI, *Administrative Patent Judge*.

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

¹ Microsoft Corporation and Microsoft Mobile Inc. (“Microsoft”) filed a petition in IPR2017-01766, and Microsoft has been joined to the instant proceeding.

Under 35 U.S.C. § 316(a)(11), “the final determination in an inter partes review [shall] be issued not later than 1 year after the date on which the Director notices the institution of a review under this chapter, except that the Director . . . may adjust the time periods in this paragraph in the case of joinder under section 315(c).” The Director has delegated the authority to adjust the one-year period to the Board. *See* 37 C.F.R. § 42.100(c). In particular, 37 C.F.R. § 42.100(c) provides:

An inter partes review proceeding shall be administered such that pendency before the Board after institution is normally no more than one year. The time can be . . . adjusted by the Board in the case of joinder.

Acer Inc., Acer America Corporation, ASUSTek Computer Inc., ASUS Computer International, and Google Inc. filed the Petition in this proceeding (Paper 2), and we later joined Microsoft Corporation and Microsoft Mobile Inc. to this proceeding under 35 U.S.C. § 315(c) (Paper 17). In accordance with 37 C.F.R. § 42.100(c), we hereby adjust the time period for a final determination in this proceeding, which involves joinder, to permit us to consider and determine the pending issues. We will issue a final determination by September 28, 2018.

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