

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FRIENDFINDER NETWORKS INC., STREAMRAY INC., WMM, LLC,
WMM HOLDINGS, LLC, AND MULTI MEDIA, LLC,

v.

WAG ACQUISITION, LLC,
Patent Owner.

Case IPR2017-00784
Patent 8,364,839 B2
Case IPR2017-00786
Patent 8,122,141 B2¹

GLENN J. PERRY, TREVOR M. JEFFERSON, BRIAN J. McNAMARA,
and PATRICK M. BOUCHER, *Administrative Patent Judges*.

McNAMARA, *Administrative Patent Judge*.

CONDUCT OF THE PROCEEDING
37 C.F.R. § 42.5

¹ This Order addresses issues that are identical in related cases. Therefore, we exercise our discretion to issue one order to be filed in each case. The parties, however, are not authorized to use this style heading in any subsequent papers.

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On December 27, 2016, we instituted *inter partes* review in *WebPower, Inc. v. WAG Acquisition LLC*, Case IPR2016-01239, which concerns U.S. Patent No. 8,364,839 B2 (“the ’839 Patent”) and in *WebPower, Inc. v. WAG Acquisition LLC*, Case IPR2016-01238, which concerns U.S. Patent 8,122,141 B2 (“the ’141 Patent”).

In IPR2017-00784, FriendFinder Networks Inc., Streamray Inc., WMM, LLC, WMM Holdings, LLC, and Multi Media, LLC (“FriendFinder”) filed a Petition asserting substantially the same grounds against the ’839 Patent as those on which we instituted trial in IPR2016-01239. In IPR2017-00786 FriendFinder filed a Petition asserting substantially the same grounds against the ’141 Patent as those on which we instituted trial in IPR2016-01238. The Petitions have been accorded a filing date of January 27, 2017. FriendFinder has also moved to join IPR2017-00784 to IPR2016-01239 and IPR2017-00786 to IPR2016-01238.

Similar petitions and motions for joinder have been filed by Duodecad IT Services Luxembourg S.À R.L., Accretive Technology Group, Inc., ICF Technology, Inc., and Riser Apps LLC (“Duodecad”) and accorded a filing date of January 27, 2017. Duodecad moved to join IPR2017-00785 with IPR2016-01239 and to join IPR2017-00820 with IPR2016-01238.

During a telephone conference held on February 6, 2017, WAG Acquisition, LLC (“Patent Owner”) stated that it plans to oppose all motions for joinder. During the conference, we discussed a briefing schedule to accommodate a decision on the joinder motions without significantly affecting the schedules in IPR2016-01238 and IPR2016-01239. It was agreed that Patent Owner would file its opposition by February 20, 2017 and that FriendFinder and Duodecad would file its reply within five days. As

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February 25, 2017 is a Saturday, the reply is due by Monday, February 27, 2017.

In consideration of the above it is

ORDERED that Patent Owner's Opposition to the Motions for Joinder by FriendFinder and Duodecad must be filed not later than February 20, 2017; and

FURTHER ORDERED that a Reply to Patent Owner's Opposition must be filed by FriendFinder and Duodecad not later than February 27, 2017.

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