

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CISCO SYSTEMS, INC.,
Petitioner,

v.

HEWLETT PACKARD ENTERPRISE COMPANY,
Patent Owner.

Case IPR2017-01933
Patent 8,238,412

Before BRYAN F. MOORE, MICHAEL J. FITZPATRICK, and DAVID C.
McKONE, *Administrative Patent Judges*.

MOORE, *Administrative Patent Judge*.

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

The Board has reviewed Patent Owner's Preliminary Response and seeks additional briefing from Petitioner on whether Springpath LLC is a real party-in-interest with Petitioner, as asserted by Patent Owner in its Preliminary Response. *See* Paper 6, 2–11.

Petitioner is authorized to include evidence, but not testimony, as part of its brief, if it chooses to file a brief. The brief, exclusive of any evidence, shall not exceed five (5) pages. No further briefing is authorized at this time.

It is

ORDERED that no later than February 28, 2018, Petitioner is authorized to file a brief not exceeding five (5) pages, exclusive of exhibits, directed solely to the issue of whether Springpath LLC (formerly Springpath Inc.) is a real party-in-interest with Petitioner as raised in Patent Owner's Preliminary Response;

FURTHER ORDERED that Petitioner is authorized to include evidence, but not testimony, with this brief; and

FURTHER ORDERED that no further briefing is authorized at this time.

IPR2017-01933
Patent 8,478,799

PETITIONER:

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