

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SIRIUS XM RADIO INC.,
Petitioner,

v.

FRAUNHOFER-GESELLSCHAFT ZUR FORDERUNG DER
ANGEWANDTEN E.V.,
Patent Owner.

Case IPR2018-00681 (Patent 7,061,997 B1)
IPR2018-00682 (Patent 6,931,084 B1)
IPR2018-00689 (Patent 6,993,084 B1)
IPR2018-00690 (Patent 6,314,289 B1)

Before JEFFREY S. SMITH, STACEY G. WHITE,
MICHELLE N. WORMMEESTER, and GARTH D. BAER,
Administrative Patent Judges.

BAER, *Administrative Patent Judge.*

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

IPR2018-00681 (Patent 7,061,997 B1)
IPR2018-00682 (Patent 6,931,084 B1)
IPR2018-00689 (Patent 6,993,084 B1)
IPR2018-00690 (Patent 6,314,289 B1)

In each of the above captioned cases, Sirius XM Radio Inc. (“Petitioner”) filed a Request for Rehearing of our decision denying institution of *inter partes* review based on Petitioner’s failure to identify Sirius XM Holdings as a real party in interest (RPI). We invite Fraunhofer-Gesellschaft zur Förderung der angewandten Forschung e.V (“Patent Owner”) to file a response to Petitioner’s rehearing requests. Should it wish to file a response to Petitioner’s rehearing requests, we encourage Patent Owner to address the Board’s Institution Decision in *Google LLC v. Seven Networks, LLC*, Case No. IPR2018-01117, Paper No. 20 (November 19, 2018). In particular, we encourage Patent Owner to address whether the *Google* panel’s framework for determining whether a party is an RPI is correct, and, in any case, whether Sirius XM Holdings meets the RPI criteria set forth in that decision. If it wishes to file a Response, Patent Owner should file the same paper in each of the four cases captioned above. In addition, Patent Owner’s Response should be limited to no more than 10 pages, and should be filed no later than three weeks from the entry date of this order.

SO ORDERED.

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