

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC, ZTE (USA), INC.,
SAMSUNG ELECTRONICS CO., LTD.,
LG ELECTRONICS INC., HUAWEI DEVICE USA, INC.,
HUAWEI DEVICE CO. LTD., HUAWEI TECHNOLOGIES CO. LTD.,
HUAWEI DEVICE (DONGGUAN) CO. LTD.,
HUAWEI INVESTMENT & HOLDING CO. LTD.,
HUAWEI TECH. INVESTMENT CO. LTD., and
HUAWEI DEVICE (HONG KONG) CO. LTD.,
Petitioner,

v.

CYWEE GROUP LTD,
Patent Owner.

Case IPR2018-01257 (Patent 8,552,978 B2)
Case IPR2018-01258 (Patent 8,441,438 B2)

Before PATRICK M. BOUCHER, KAMRAN JIVANI, and
CHRISTOPHER L. OGDEN, *Administrative Patent Judges*.

BOUCHER, *Administrative Patent Judge*.

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

IPR2018-01257 (Patent 8,552,978 B2)

IPR2018-01258 (Patent 8,441,438 B2)

A conference call was held with Patent Owner and the Google Petitioner in these proceedings on July 8, 2019, to discuss Patent Owner's request for authorization to file a Motion to Terminate the proceedings because of Petitioner's alleged failure to identify all real parties in interest. Patent Owner advances theories under both 35 U.S.C. § 312(a)(2), which requires that "the petition identifies all real parties in interest," and § 315(b) which precludes institution of *inter partes* review if the petition "is filed more than 1 year after the date on which the petitioner, real party in interest, or privy of the petitioner is served with a complaint alleging infringement of the patent." A court reporter retained by Patent Owner was present on the call, and Patent Owner will file a copy of the transcript when it is available.

During the call, we authorized filing of Patent Owner's proposed Motion, and directed the parties to meet and confer to propose a briefing schedule, which the parties jointly filed on July 11, 2019. Paper 34. We adopt the parties' jointly proposed schedule.

Accordingly, it is

ORDERED that Patent Owner is authorized to file a Motion to Terminate these proceedings by July 19, 2019;

FURTHER ORDERED that Petitioner is authorized to file an Opposition to the Motion by August 9, 2019;

FURTHER ORDERED that Patent Owner is authorized to file a Reply to the Opposition by August 30, 2019; and

FURTHER ORDERED that the briefs shall comply with the page limits set forth for motions, oppositions, and replies in 37 C.F.R. § 42.24.

IPR2018-01257 (Patent 8,552,978 B2)

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