

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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SNAP INC.,  
Petitioner,

v.

BLACKBERRY LIMITED,  
Patent Owner.

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Case IPR2019-00714 (Patent 8,825,084 B2)  
Case IPR2019-00715 (Patent 8,326,327 B2)

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Before MICHAEL R. ZECHER, MIRIAM L. QUINN, and  
AARON W. MOORE, *Administrative Patent Judges*.

QUINN, *Administrative Patent Judge*.

ORDER  
Conduct of the Proceeding—Scheduling Order Update  
*37 C.F.R. § 42.5(a)*

The Scheduling Order in these proceedings set the deadline for Patent Owner's Motion to Amend on November 27, 2019 (DUE DATE 1) and the deadline for Petitioner's Opposition to the Motion on February 19, 2020 (DUE DATE 2). Paper 10 ("Scheduling Order").<sup>1</sup> The Scheduling Order also stated that the parties may stipulate changes to DUE DATES 1 through 3, 5, and 6.

In the 715 Proceeding, Patent Owner filed a Contingent Motion to Amend on DUE DATE 1 according to the Scheduling Order. That Motion seeks the Board's Preliminary Guidance under the current pilot program concerning motions to amend.<sup>2</sup> Since the filing of the Motion, the parties have stipulated to several changes to DUE DATES 2 and 3. The latest stipulation sets DUE DATE 2 to March 10, 2020, resulting in a three-week extension of the initial Scheduling Order deadline. Consequently, the Board's deadline for issuing the Preliminary Guidance has changed accordingly.

Given the time and resources, the Board foresees allocating in issuing the requested Preliminary Guidance, and to allow for the contingency for Patent Owner to file a revised motion to amend, we hereby modify the Scheduling Order to disallow any further stipulations to any upcoming

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<sup>1</sup> We refer to the filings in IPR2019-00715.

<sup>2</sup> See Notice Regarding a New Pilot Program Concerning Motion to Amend Practice and Procedures in Trial Proceedings Under the America Invents Act Before the Patent Trial and Appeal Board, 84 Fed. Reg. 9,497 (Mar. 15, 2019) (providing a patent owner with the option to receive preliminary guidance from the Board on its motion to amend) ("Notice").

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deadlines without panel authorization, which will require good cause shown.

*See* 37 C.F.R. § 42.5(c)(2).

### ORDER

It is hereby ORDERED that the Scheduling Order is modified in both of the captioned proceedings to require panel authorization for any further stipulated modifications to DUE DATES 2, 3, 5 and 6.

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For PETITIONER:

Yar Chaikovsk  
David Okano  
PAUL HASTINGS LLP  
yarchaikovsky@paulhastings.com  
davidokano@paulhastings.com

For PATENT OWNER:

Michael T. Hawkins  
Nicholas Stephens  
Kenneth W. Darby  
Kim Leung  
Craig A. Deutsch  
FISH & RICHARDSON P.C.  
hawkins@fr.com  
nstephens@fr.com  
kdarby@fr.com  
leung@fr.com  
deutsch@fr.com

Ognjen Zivojnovic  
Sam Stake  
Alex Wolinsky  
James M. Glass  
QUINN EMANUEL URQHART, & SULLIVAN, LLP  
ogzivojnovic@quinnemanuel.com  
samstake@quinnemanuel.com  
alexworlinsky@quinnemanuel.com  
jimglass@quinnemanuel.com