

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LENOVO HOLDING COMPANY, INC., LENOVO (UNITED STATES)
INC., AND MOTOROLA MOBILITY LLC,
Petitioner,

v.

DODOTS LICENSING SOLUTIONS LLC,
Patent Owner.

IPR2019-01278 (Patent 8,020,083 B1)
IPR2019-01279 (Patent 8,510,407 B1)¹

Before JAMES A. WORTH, AMBER L. HAGY, and SHARON FENICK,
Administrative Patent Judges.

FENICK, *Administrative Patent Judge.*

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

Patent Owner filed, on behalf of both Patent Owner and Petitioner, a
Notice of Joint Stipulation to modify certain due dates in each of the above-

¹ This Order applies to each of the listed cases. The parties are not
authorized to use this caption for subsequent papers.

IPR2019-01278 (Patent 8,020,083 B1)

IPR2019-01279 (Patent 8,510,407 B1)

identified proceedings (IPR2019-01278, Paper 17; IPR2019-01279, Paper 16) (“Notices”).

In the Scheduling Order for each of the proceedings, we indicated that “[t]he parties may stipulate different dates for . . . the portion of DUE DATE 3 related to Patent Owner’s sur-reply” but that “[t]he parties may not stipulate to a different date for the portion of DUE DATE 3 related to Patent Owner’s reply to an opposition to amend (or Patent Owner’s revised motion to amend) without prior authorization from the Board.” IPR2019-01278, Paper 9, 6; IPR2019-01279, Paper 8, 6. The Notices purport to stipulate to a change in the date for the portion of DUE DATE 3 related to Patent Owner’s reply to an opposition to amend (or Patent Owner’s revised motion to amend.) IPR2019-01278, Paper 17, 2–3; IPR2019-01279, Paper 16, 2–3. However, as no authorization to move the due date for Patent Owner’s reply to an opposition to amend (or Patent Owner’s revised motion to amend) has been requested or granted in either proceeding, this due date cannot be changed by stipulation in either proceeding.

We note that the filed Notice of Joint Stipulation in IPR2019-01278 moved DUE DATE 1 to May 6, 2020. IPR2019-01278, Paper 17, 2–3. Because this order issues on the original DUE DATE 1 in that proceeding, we move DUE DATE 1 as per the Parties’ apparent agreement. We further note that the filed Notice of Joint Stipulation in IPR2019-01279 moved DUE DATE 1 to April 27, 2020. IPR2019-01278, Paper 17, 2–3. Because this order issues after the original DUE DATE 1 in that proceeding, we move DUE DATE 1 as per the Parties’ apparent agreement. However, with respect to the balance of the stipulated changes to the Scheduling Orders in IPR2019-01278 and IPR2019-01279, we reset the due dates to the original

IPR2019-01278 (Patent 8,020,083 B1)

IPR2019-01279 (Patent 8,510,407 B1)

due dates from the respective Scheduling Order in each case, as it is unclear to what extent the agreement between the parties relied on the change to the due date for Patent Owner's reply to an opposition to amend (or Patent Owner's revised motion to amend). IPR2019-01278, Paper 9, 6; IPR2019-01279, Paper 8, 6.

The parties are directed to meet and confer and to file, in each case, within seven days of this order, a revised joint stipulation on due dates pursuant to the requirements of the Scheduling Order issued in each case. "In stipulating to move any due dates in the scheduling order, the parties must be cognizant that the Board requires approximately 4 weeks after the filing of an opposition to the MTA (or the due date for the opposition, if none is filed) for the Board to issue its preliminary guidance, if requested by patent owner." *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. 9497, 9500 (Mar. 15, 2019); see IPR2019-01278, Paper 9, 6; IPR2019-01279, Paper 8, 6. In order to move the due date for the Patent Owner's reply to an opposition to amend (or Patent Owner's revised motion to amend) in either case, we reiterate that authorization from the Board would be required.

It is

ORDERED that the due dates for the filings by the parties in IPR2019-01278 are the due dates set forth in the Scheduling Order (Paper 9) in that proceeding, with the exception of DUE DATE 1, which is changed to May 6, 2020;

FURTHER ORDERED that the due dates for the filings by the parties in IPR2019-01279 are the due dates as set forth in the Scheduling Order

IPR2019-01278 (Patent 8,020,083 B1)

IPR2019-01279 (Patent 8,510,407 B1)

(Paper 8) in that proceeding, with the exception of DUE DATE 1, which is changed to April 27, 2020;

FURTHER ORDERED that the parties meet and confer to determine any joint stipulation to modify due dates in conformance with the Scheduling Order in each of IPR2019-01278 and IPR2019-01279, and file any notice of the stipulation, in each proceeding, specifically identifying the proposed changed due dates, within seven days of this order.

IPR2019-01278 (Patent 8,020,083 B1)

IPR2019-01279 (Patent 8,510,407 B1)

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