

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LG DISPLAY CO., LTD.,
Petitioner,

v.

SOLAS OLED, LTD.,
Patent Owner.

IPR2020-01055
Patent 7,907,137 B2

Before SALLY C. MEDLEY, JOHN A. HUDALLA, and JULIA HEANEY,
Administrative Patent Judges.

HUDALLA, *Administrative Patent Judge.*

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

On September 30, 2020, Petitioner emailed the Board requesting authorization to file a five-page reply addressing Patent Owner's arguments based on, *inter alia*, *Apple Inc. v. Fintiv, Inc.*, IPR2020-00019 (PTAB Mar. 20, 2020) (precedential) ("*Fintiv*") in Patent Owner's Preliminary

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Response. Petitioner contends good cause exists to authorize such a reply because Petitioner could not meaningfully address, predict, or rebut Patent Owner's arguments, or the facts as they currently stand, when Petitioner filed its Petition.

Patent Owner opposes Petitioner's request because *Fintiv* was designated precedential before the Petition was filed, and because Petitioner already addressed discretionary denial in the Petition.

We determine that it would be helpful to have further briefing on the application of *Fintiv* factors to the facts of this case. Accordingly, we authorize the filing of a reply and sur-reply as set forth below.

ORDER

It is

ORDERED the Petitioner is authorized to file a reply, limited to five pages and to Patent Owner's application of *Fintiv* factors to the factual circumstances of this case;

FURTHER ORDERED that Patent Owner is authorized to file a sur-reply, limited to five pages and to the arguments and assertions in Petitioner's reply; and

FURTHER ORDERED that Petitioner's reply is due one week from the date of this Order, and Patent Owner's sur-reply is due one week from the filing of Petitioner's reply.

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