

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLIED MATERIALS, INC., INTEL CORPORATION,¹ and SAMSUNG
ELECTRONICS CO., LTD.,²
Petitioner,

v.

DEMARAY LLC,
Patent Owner.

IPR2021-00103 (Patent 7,544,276 B2)³
IPR2021-00104 (Patent 7,381,657 B2)

Before CHRISTOPHER L. CRUMBLEY, KRISTINA M. KALAN, and
KIMBERLY McGRAW, *Administrative Patent Judges*.

KALAN, *Administrative Patent Judge*.

ORDER

Adjusting One-Year Pendency Due to Joinder
35 U.S.C. § 316(a)(11); 37 C.F.R. § 42.100(c)

¹ Intel Corporation filed a petition in IPR2021-01030 and has been joined as a petitioner in IPR2021-00103 (IPR2021-00103, Paper 31). Intel also filed a petition in IPR2021-01031 and has been joined as a petitioner in IPR2021-00104 (IPR2021-00104, Paper 38).

² Samsung Electronics Co., Ltd. filed a petition in IPR2021-01090 and has been joined as a petitioner in IPR2021-00103 (IPR2021-00103, Paper 37). Samsung also filed a petition in IPR2021-01091 and has been joined as a petitioner in IPR2021-00104 (IPR2021-00104, Paper 42).

³ This Order addresses issues that are identical in both cases. We exercise our discretion to issue one Order to be filed in each case. The parties are not authorized to use this style heading in any subsequent papers.

IPR2021-00103 (Patent 7,544,276 B2)

IPR2021-00104 (Patent 7,381,657 B2)

On May 11, 2021, the Board instituted an *inter partes* review of claims 1–13 of U.S. Patent No. 7,544,276 B2. IPR2021-00103, Paper 13. On October 29, 2021, the Board joined Intel Corporation as Petitioner from proceeding IPR2021-01030. *Id.*, Paper 31. On November 22, 2021, the Board joined Samsung Electronics Co. as Petitioner from proceeding IPR2021-01090. *Id.*, Paper 37.

On May 11, 2021, the Board instituted an *inter partes* review of claims 1–21 of U.S. Patent No. 7,381,657 B2. IPR2021-00104, Paper 13. On December 10, 2021, the Board joined Intel Corporation as Petitioner from proceeding IPR2021-01031. *Id.*, Paper 38. On December 20, 2021, the Board joined Samsung Electronics Co. as Petitioner from proceeding IPR2021-01091. *Id.*, Paper 42.

Pursuant to 35 U.S.C. § 316(a)(11), “the final determination in an *inter partes* review [shall] be issued not later than 1 year after the date on which the Director notices the institution of a review under this chapter, except that the Director . . . may adjust the time periods in this paragraph in the case of joinder under section 315(c).” The Director has delegated the authority to adjust the one-year period to the Board. *See* 37 C.F.R. § 42.100(c). In particular, 37 C.F.R. § 42.100(c) provides:

An inter partes review proceeding shall be administered such that pendency before the Board after institution is normally no more than one year. The time can be . . . adjusted by the Board in the case of joinder.

In accordance with 37 C.F.R. § 42.100(c), the Board adjusts the time of pendency before the Board in the present proceedings, which involve joinder, to permit the Board to consider and determine the pending issues. The Board shall issue Final Written Decisions in these proceedings no later than June 30, 2022.

IPR2021-00103 (Patent 7,544,276 B2)

IPR2021-00104 (Patent 7,381,657 B2)

It is

ORDERED that the time of pendency in these proceedings, which involve joinder, is adjusted; and

FURTHER ORDERED that the Board shall issue Final Written Decisions in these proceeding no later than June 30, 2022.

IPR2021-00103 (Patent 7,544,276 B2)

IPR2021-00104 (Patent 7,381,657 B2)

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