

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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APPLE INC.,  
Petitioner,

v.

KOSS CORP.,  
Patent Owner.

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IPR2021-00679; Patent 10,506,325 B1  
IPR2021-00686; Patent 10,491,982 B1  
IPR2021-00693; Patent 10,469,934 B2

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Before KARL D. EASTHOM, PATRICK R. SCANLON, DAVID C.  
McKONE, GREGG I. ANDERSON, and NORMAN H. BEAMER,  
*Administrative Patent Judges*.<sup>1</sup>

McKONE, Administrative Patent Judge.

ORDER  
Dismissing Motion for Additional Discovery  
*37 C.F.R. § 42.51(b)(i)*

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<sup>1</sup> This represents overlapping panels of judges in three cases. It is not an expanded panel.

IPR2021-00679; Patent 10,506,325 B1  
IPR2021-00686; Patent 10,491,982 B1  
IPR2021-00693; Patent 10,469,934 B2

Pursuant to our authorization, Patent Owner filed Motions for Additional Discovery in each of the above captioned proceedings. IPR2021-00679, Paper 13; IPR2021-00686, Paper 11; IPR2021-00693, Paper 10.<sup>2</sup> Since the filing of the Motions, but before Petitioner responded to the Motions, we denied institution in each of these proceedings. IPR2021-00679, Paper 14; IPR2021-00686, Paper 12; IPR2021-00693, Paper 11. Accordingly, Patent Owner's Motions for Additional Discovery are moot and we dismiss them.

### ORDER

In consideration of the foregoing, it is hereby

ORDERED that Patent Owner's Motions for Additional Discovery (IPR2021-00679, Paper 13; IPR2021-00686, Paper 11; IPR2021-00693, Paper 10) are dismissed as moot.

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<sup>2</sup> Patent Owner experienced technical issues in filing its Motions in IPR2021-00686 and IPR2021-00693. However, the Motions were served properly and we authorized Patent Owner to re-file the Motions. *See, e.g.*, IPR2021-00686, Ex. 2050. We note also that Patent Owner was authorized to file a motion for additional discovery in IPR2021-00626, but we denied institution in that proceeding before Patent Owner sought to re-file that motion, which was subject to the same technical issues. Patent Owner also has filed Motions for Additional Discovery in IPR2021-00592 and IPR2021-00600, neither of which are affected by this Order.

IPR2021-00679; Patent 10,506,325 B1  
IPR2021-00686; Patent 10,491,982 B1  
IPR2021-00693; Patent 10,469,934 B2

PETITIONER:

Walter Renner  
Roberto Devoto  
FISH & RICHARDSON P.C.  
axf-ptab@fr.com  
devoto@fr.com

PATENT OWNER:

Mark Knedeisen  
Lauren Murray  
Brian Bozzo  
K&L GATES LLP  
mark.knadeisen@klgates.com  
lauren.murray@klgates.com  
brian.bozzo@klgates.com