

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SILICON LABORATORIES, INC.,
Petitioner,

v.

CRESTA TECHNOLOGY CORPORATION and CR CRESPE LLC,
Patent Owner.

Cases¹
IPR2015-00615 (Patent 7,075,585 B2)
IPR2015-00626 (Patent 7,265,792 B2)

Before PHILLIP J. KAUFFMAN, GREGG I. ANDERSON,
and PATRICK M. BOUCHER *Administrative Patent Judges*.

ANDERSON, *Administrative Patent Judge*.

ORDER
Conduct of the Proceedings
37 C.F.R. § 42.5(a)(1)

¹ This order applies to both cases. The parties are not authorized to use this style heading in subsequent papers.

INTRODUCTION

Pursuant to authorization of the Board (Paper 52²), Cresta Technology Corporation (“Cresta”)³ filed a Motion to Add CR CRESPE LLC (“CR CRESPE”) as patent owner (Paper 56, “Motion” or “Mot.”). Silicon Laboratories, Inc. (“Petitioner”) does not oppose the Motion. Mot. 1. For the reasons stated below, the Motion is granted.

On March 18, 2016, Cresta filed for bankruptcy in the Northern District of California, Bankruptcy Petitioner No. 16-50808. Mot. 1 (citing Paper 35). On May 19, 2016, the duly appointed Chapter 7 Trustee of the Bankruptcy estate assigned the entire right, title and interest to US Patent Nos. 7,075,585 and 7,265,792 to CR CRESPE. *Id.* (citing Ex. 2039).

DISCUSSION

The mandatory notice of our rules requires that the real party-in-interest be identified for “the party,” i.e., either petitioner or patent owner. 37 C.F.R. § 42.8(b)(1). Cresta has filed a Third Supplemental Notice identifying CR CRESPE and Fortress Credit Advisors LLC of Delaware and Fortress Investment Group LLC of Delaware as additional real parties-in-interest (the “Fortress Entities”). Paper 54, 1.

Now that it has been assigned all the rights to the patents at issue here, CR CRESPE is a real party-in-interest. While the Motion does not specifically state why the Fortress Entities are also real parties-in-interest,

² All citations are to papers filed in IPR2015-00615 unless otherwise stated.

³ While Cresta no longer owns an interest in the challenged patents, it was the original Patent Owner and no one has asked they be dismissed, terminated, or removed as a party.

IPR2015-00615 (Patent 7,075,585 B2)

IPR2015-00626 (Patent 7,265,792 B2)

we generally accept a party's identification of real parties in interest. *See* Changes to Implement *Inter Partes* Review Proceedings, Post-Grant Review Proceedings, and Transitional Program for Covered Business Method Patents; Final Rule, 77 Fed. Reg. 48,680, 48,695 (Aug. 14, 2012).

Following that same rationale, we see no reason not to accept Cresta's representation that the Fortress Entities are additional real parties-in-interest. We also note that Petitioner has no objection to the Motion. Additionally, in order to insure that estoppel results from the trial, both parties have a motive to include all real parties-in-interest.

ORDER

ORDERED that CR CRESPE is added as a patent owner and the caption of both IPR2015-00615 and IPR2015-00626 is amended as shown above to reflect the addition of CR CRESPE.

PETITIONER:

Peter Ayers

Brian Mangum

John Shumaker

peter@leehayes.com

brianm@leehayes.com

jshumaker@leehayes.com

PATENT OWNER:

Michael Fleming

Benjamin Haber

mfleming@irell.com

bhaber@irell.com

Mihai Murgulescu

mihaihm2000@gmail.com