

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TWITTER, INC.,
Petitioner,

v.

YOUTOO TECHNOLOGIES, LLC,
Patent Owner.

IPR2017-00829 (Patent 9,083,997 B2)
IPR2017-00830 (Patent 9,083,997 B2)
IPR2017-01131 (Patent 8,464,304 B2)
IPR2017-01133 (Patent 8,601,506 B2)¹

Before SALLY C. MEDLEY, CHARLES J. BOUDREAU, and
JESSICA C. KAISER, *Administrative Patent Judges*.

KAISER, *Administrative Patent Judge*.

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

¹ This Order will be entered in each case. The parties are not authorized to use this caption style.

IPR2017-00829 (Patent 9,083,997 B2)
IPR2017-00830 (Patent 9,083,997 B2)
IPR2017-01131 (Patent 8,464,304 B2)
IPR2017-01133 (Patent 8,601,506 B2)

Pursuant to the authorization in our December 7, 2017, Order (Paper 20),² Patent Owner filed a Motion for Stay. Paper 21. Patent Owner filed for Chapter 7 bankruptcy in the Western District of Oklahoma on November 30, 2017, and Patent Owner asserts that an automatic stay pursuant to 11 U.S.C. § 362(a) applies to these proceedings. *Id.* at 3. Petitioner opposes the motion, and asserts that these proceedings are excluded from the automatic stay. Paper 22. There is no indication, however, that Petitioner has sought relief from the automatic stay from the bankruptcy court. On December 20, 2017, Patent Owner also provided a status report on the bankruptcy proceedings, indicating that a bankruptcy trustee has been appointed and that the first meeting of creditors is scheduled for January 2, 2018. Ex. 3002.

Given the parties' dispute as to whether the automatic stay applies to these proceedings, and to provide Petitioner an opportunity to seek relief from the automatic stay (or a determination that it does not apply) by the bankruptcy court, DUE DATE 1 in the Scheduling Order is hereby revised to February 5, 2018. Due dates following DUE DATE 1 will be reset in a future order.

² We refer to the paper and exhibit numbers in IPR2017-00829.

IPR2017-00829 (Patent 9,083,997 B2)
IPR2017-00830 (Patent 9,083,997 B2)
IPR2017-01131 (Patent 8,464,304 B2)
IPR2017-01133 (Patent 8,601,506 B2)

For the foregoing reasons, it is

ORDERED that DUE DATE 1 in the Scheduling Order for each of the above-referenced cases is hereby revised to February 5, 2018, and due dates following DUE DATE 1 will be reset in a future order; and

FURTHER ORDERED that Patent Owner shall provide the Board with a status report on the bankruptcy proceedings by email on or before January 17, 2018.

IPR2017-00829 (Patent 9,083,997 B2)
IPR2017-00830 (Patent 9,083,997 B2)
IPR2017-01131 (Patent 8,464,304 B2)
IPR2017-01133 (Patent 8,601,506 B2)

PETITIONER:

David McCombs
Gregory Huh
Theodore Foster
Raghav Bajaj
HAYNES AND BOONE, LLP
David.mccombs.ipr@haynesboone.com
Gregory.huh.ipr@haynesboone.com
Ipr.theo.foster@haynesboone.com
Raghav.bajaj.ipr@haynesboone.com

PATENT OWNER:

Scott McKeown
ROPES & GRAY LLP
scott.mckeown@ropes.gray.com

Spencer C. Patterson
GRABLE MARTIN FULTON PLLC s
patterson@gchub.com

Stephen L. Levine
CARRINGTON, COLEMAN, SLOMAN & BLUMENTHAL, L.L.P.
slevine@ccsb.com