

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.,
Petitioner,

v.

PROMOS TECHNOLOGIES, INC.,
Patent Owner.

IPR2019-00779 (Patent 6,163,492)
IPR2019-00780 (Patent 6,163,492)
IPR2019-00781 (Patent 6,163,492)
IPR2019-00782 (Patent 5,934,974)
IPR2019-00783 (Patent 6,099,386)
IPR2019-00784 (Patent 6,469,559)
IPR2019-00785 (Patent 6,597,201)¹

Before KEVIN F. TURNER, JO-ANNE M. KOKOSKI,
JOHN A. HUDALLA, JULIA HEANEY, and MATTHEW J. McNEILL,
*Administrative Patent Judges.*²

TURNER, *Administrative Patent Judge.*

ORDER

¹ This Order addresses issues that are identical in all seven cases. We, therefore, exercise our discretion to issue one Order to be filed in each case.

² This is not an Order from an expanded panel of the Board. Rather, the five judges are paneled in various groups of three in the subject cases.

IPR2019-00779 through -00785

Patents 5,934,974; 6,099,386; 6,163,492; 6,469,559; 6,597,201

Per a request from the parties, we held a conference call regarding all of the cited cases on March 19, 2020. Counsels for both Petitioner and Patent Owner were in attendance, along with Judges Turner, Kokoski, Hudalla, Heaney, and McNeill. The parties sought to have a two month extension of due dates in the cited proceedings in view of the situation surrounding COVID-19 and difficulty of scheduling needed depositions.

Relevant data are provided in the Table below:

| Proceeding | Patent No. | Institution Date | Scheduling Order | Oral Hearing Date |
|---------------|------------|------------------|------------------|-------------------|
| IPR2019-00779 | 6,163,492 | Sep. 11, 2019 | Paper 8 | Jun. 9, 2020 |
| IPR2019-00780 | 6,163,492 | Sep. 11, 2019 | Paper 7 | Jun. 9, 2020 |
| IPR2019-00781 | 6,163,492 | Sep. 11, 2019 | Paper 8 | Jun. 9, 2020 |
| IPR2019-00782 | 5,934,974 | Sep. 18, 2019 | Paper 8 | Jun. 16, 2020 |
| IPR2019-00783 | 6,009,386 | Sep. 20, 2019 | Paper 9 | Jun. 16, 2020 |
| IPR2019-00784 | 6,469,559 | Oct. 1, 2019 | Paper 8 | Jun. 23, 2020 |
| IPR2019-00785 | 6,597,201 | Sep. 30, 2019 | Paper 8 | Jun. 23, 2020 |

The panels understand that many of the original Due Dates for the above proceedings have been revised through joint stipulation by the parties.

During the conference call, the panels agreed to a one month extension of Due Dates in all of the cited proceedings, with the provision that dates may be extended further by request of the parties, given the uncertainty surrounding COVID-19. The parties shall jointly propose a revised schedule for each case reflecting a one month extension (approximately) of Due Dates in each proceeding. The proposed extension may include Due Dates 4, 7, and 8, which are not normally subject to extension. At their option, the parties may file their proposed schedules as a single consolidated paper or in individual papers for each case. The proposed revised schedules shall be filed on or before March 25, 2020. Any

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Patents 5,934,974; 6,099,386; 6,163,492; 6,469,559; 6,597,201

subsequent, joint request by the parties for a further extension should be initiated via email to Trials@uspto.gov.

The panels also suggested the “clustering” of oral hearing dates and indicated that the separate panels have availability for such consolidated and/or clustered oral hearings, July 8–10, 2020. The goal of clustering would be to allow the parties to consolidate the times that the parties and the panels would have to attend to those oral hearings. The parties indicated that the venue for any requested oral hearings would likely be USPTO headquarters in Alexandria. To assist in clustering of oral hearings, such hearings are normally heard in 9:00AM–Noon and 1:00–4:00PM [Eastern Time] sessions on weekdays.

ORDER

It is

ORDERED that the parties shall jointly file their proposed revised schedules in each of the cited proceedings on or before March 25, 2020.

IPR2019-00779 through -00785

Patents 5,934,974; 6,099,386; 6,163,492; 6,469,559; 6,597,201

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