

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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SAMSUNG ELECTRONICS CO., LTD.,  
Petitioner,

v.

PROMOS TECHNOLOGIES, INC.,  
Patent Owner.

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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)<sup>1</sup>

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

TURNER, *Administrative Patent Judge.*

ORDER

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<sup>1</sup> 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.

<sup>2</sup> 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

The parties previously requested a two-month extension of due dates in the above proceedings in view of the situation surrounding COVID-19 and difficulty of scheduling needed depositions. We granted a one-month extension of time (*see, e.g.*, IPR2019-00779, Paper 16), which the parties implemented by filing a proposed revised schedule in each proceeding (*see, e.g.*, IPR2019-00779, Paper 17). Based on the parties' proposals, which we adopt, the updated oral hearing dates are shown in the Table below:

Proceeding	Patent No.	Institution Date	Proposed Revised SO	Oral Hearing Date
IPR2019-00779	6,163,492	Sep. 11, 2019	Paper 17	July 8, 2020
IPR2019-00780	6,163,492	Sep. 11, 2019	Paper 17	July 8, 2020
IPR2019-00781	6,163,492	Sep. 11, 2019	Paper 17	July 8, 2020
IPR2019-00782	5,934,974	Sep. 18, 2019	Paper 15	July 9, 2020
IPR2019-00783	6,009,386	Sep. 20, 2019	Paper 16	July 9, 2020
IPR2019-00784	6,469,559	Oct. 1, 2019	Paper 13	July 10, 2020
IPR2019-00785	6,597,201	Sep. 30, 2019	Paper 13	July 10, 2020

Subsequently, the parties requested another 30-day extension of due dates based on the same rationale. The panels appreciate the continuing extraordinary circumstances surrounding COVID-19, but determine that the availability of video and/or telephonic depositions can be utilized to accommodate the depositions that the parties have contemplated in the seven proceedings. Although video and/or telephonic depositions are not optimal, the panels believe that such techniques will allow both sides to adequately evaluate testimony in these proceedings. If there is a specific unavailability of a declarant or party (due to illness, for example), the panels can address that situation in particular.

In addition, per the Scheduling Orders issued in each proceeding, the parties will have the ability to move certain due dates upon joint agreement, although later dates, such as the oral hearing dates (July 8–10, 2020), will

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

not be subject to further alteration. Updated Scheduling Orders are being issued concurrently, confirming the Due Dates proposed by the parties.

If there are additional factors that have not been communicated to the Board, the panels are willing to further consider those additional factors. The panels are also open to a telephone conference with the parties, if further discussion would be helpful.

#### ORDER

It is

ORDERED that the proceeding will be governed by the revised Scheduling Orders issued in the above-cited proceedings.

IPR2019-00779 through -00785

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

PETITIONER:

Naveen Modi

Joseph E. Palys

Chetan R. Bansal

Paul M. Anderson

PAUL HASTINGS LLP

[Samsung-ProMOS3-IPR@paulhastings.com](mailto:Samsung-ProMOS3-IPR@paulhastings.com)

[naveenmodi@paulhastings.com](mailto:naveenmodi@paulhastings.com)

[josephpalys@paulhastings.com](mailto:josephpalys@paulhastings.com)

[chetanbansal@paulhastings.com](mailto:chetanbansal@paulhastings.com)

[paulanderson@paulhastings.com](mailto:paulanderson@paulhastings.com)

PATENT OWNER:

Craig R. Kauffman

Kevin C. Jones

Jerry Chen (admitted *Pro Hac Vice*)

TECHKNOWLEDGE LAW GROUP LLP

[ckaufman@tklg-llp.com](mailto:ckaufman@tklg-llp.com)

[kjones@tklg-llp.com](mailto:kjones@tklg-llp.com)

[jchen@tklg-llp.com](mailto:jchen@tklg-llp.com)