

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD., and
SAMSUNG ELECTRONICS AMERICA, INC.,
Petitioner,

v.

CELLECT, LLC,
Patent Owner.

IPR2020-00559
IPR2020-00560
IPR2020-00561
Patent 6,982,742 B2

Before JAMESON LEE, PATRICK M. BOUCHER, and
TERRENCE W. McMILLIN, *Administrative Patent Judges*.

BOUCHER, *Administrative Patent Judge*.

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

In its Preliminary Responses for each of these proceedings, Patent
Owner asks that we deny the respective Petitions under 35 U.S.C. § 325(d)

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in light of the Board's recently designated precedential decision in *Advanced Bionics, LLC v. MED-EL Elektromedizinische Geräte GmbH*, IPR2019-01469, Paper 6 (PTAB Feb. 13, 2020) (precedential). *See* IPR2020-00559, Paper 6, 20–49.¹ Because *Advanced Bionics* was designated as precedential only after the Petitions were filed, we provide Petitioner an opportunity to address its impact on these proceedings.

It is

ORDERED that Petitioner is authorized to file a Reply, in each of the three proceedings, limited to 10 pages and limited to addressing the impact of *Advanced Bionics* on Patent Owner's argument under 35 U.S.C. § 325(d), by June 17, 2020; and

FURTHER ORDERED that Patent Owner is authorized to file a Sur-Reply, in each of the three proceedings, limited to 5 pages and similarly limited in scope, by June 24, 2020.

¹ Substantially similar arguments are made in all three proceedings.

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