

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FACEBOOK, INC.
Petitioner

v.

WINDY CITY INNOVATIONS, LLC
Patent Owner.

Case No. IPR2016-01156¹
Patent No. 8,458,245 B1

**PETITIONER'S RESPONSE TO ORDER
RE PROCEDURES FOLLOWING REMAND**

¹ Case IPR2017-00709 has been joined with this proceeding.

Petitioner respectfully submits the following response to the Board's November 13, 2020 order regarding procedures following remand. (Paper 56.)

Petitioner proposes that the Board hold any further proceedings in abeyance until the time to petition the Supreme Court for a writ of certiorari has passed or until any such petition is resolved. In an order dated March 19, 2020, the Supreme Court extended the deadline to file any petition for a writ of certiorari to 150 days from the date of the lower court judgment.² In this case, the judgment in the appeal issued on September 4, 2020, and therefore the deadline to file a petition for a writ of certiorari is February 1, 2021. *See Facebook, Inc. v. Windy City Innovations, LLC*, Case No. 18-1400, ECF No. 113 (Fed. Cir. Sept. 4, 2020).

Dated: November 20, 2020

Respectfully submitted,

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² See https://www.supremecourt.gov/orders/courtorders/031920zr_d1o3.pdf.

CERTIFICATE OF SERVICE

I hereby certify, pursuant to 37 C.F.R. § 42.6, that a complete copy of the attached **PETITIONER'S RESPONSE TO ORDER RE PROCEDURES FOLLOWING REMAND** is being served on the 20th day of November, 2020, by electronic mail on counsel of record for the Patent Owner as follows:

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DATED: NOVEMBER 20, 2020

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