

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ZTE CORPORATION AND ZTE (USA), INC.,
Petitioner,

v.

CELLULAR COMMUNICATIONS EQUIPMENT LLC,
Patent Owner.

Case IPR2017-01079
Patent 8,457,676 B2

Before BRYAN F. MOORE, GREGG I. ANDERSON, and
JOHN A. HUDALLA, *Administrative Patent Judges*.

MOORE, *Administrative Patent Judge*.

ERRATA

The Board substitutes the following for the text starting at “IV.
ORDER” on pages 6–8 of the Decision to Institute in this case, entered on
October 4, 2017 (Paper 10):

IPR2017-01079
Patent 8,457,676 B2

IV. ORDER

For the reasons given, it is

ORDERED that ZTE's Motion for Joinder is granted;

FURTHER ORDERED that IPR2017-01079 is instituted and ZTE are joined with IPR2016-01501;

FURTHER ORDERED that the ground on which IPR2016-01501 was instituted remains unchanged and no other grounds are included in the joined proceeding;

FURTHER ORDERED that the Scheduling Order (Paper 8) in IPR2016-01501 shall govern the schedule of the joined proceeding;

FURTHER ORDERED that, throughout the joined proceeding, HTC shall file all papers as a single consolidated filing;

FURTHER ORDERED that ZTE are bound by any discovery agreements between Patent Owner and HTC in IPR2016-01501 and that ZTE shall not seek any discovery beyond that sought by HTC;

FURTHER ORDERED that ZTE shall not take an active role in these proceedings without prior authorization of the Board;

FURTHER ORDERED that HTC in the joined proceeding shall designate attorney(s) to conduct the cross-examination, redirect, and any other discovery, within the timeframes set forth by the rules in the joined proceeding, including 37 C.F.R. § 42.53(c), or as the parties otherwise agree upon;

FURTHER ORDERED that HTC in the joined proceeding shall designate attorney(s) to present argument at the oral hearing in the joined proceeding, if requested and scheduled, in a consolidated argument;

FURTHER ORDERED that IPR2017-01079 is terminated under 37 C.F.R. § 42.72 and all further filings in the joined proceedings will be in

IPR2017-01079
Patent 8,457,676 B2
IPR2016-01501;

FURTHER ORDERED that a copy of this Decision will be entered into the record of IPR2016-01501; and

FURTHER ORDERED that the case caption in IPR2016-01501 shall be changed to reflect joinder of this proceeding in accordance with the attached example.

For PETITIONER:

Steven A. Moore
Brian Nash
Rene Mai
PILLSBURY WINTHROP SHAW PITTMAN LLP
steve.moore@pillsburylaw.com
brian.nash@pillsburylaw.com
rene.mai@pillsburylaw.com

For PATENT OWNER:

Terry A. Saad
Nicholas C. Kliewer
BRAGALONE CONROY P.C.
tsaad@bcpc-law.com
nkliewer@bcpc-law.com

IPR2017-01079
Patent 8,457,676 B2

Example Case Caption for Joined Proceeding

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HTC CORPORATION, HTC AMERICA, INC.,
ZTE CORPORATION, AND ZTE (USA), INC.,
Petitioner,

v.

CELLULAR COMMUNICATIONS EQUIPMENT LLC,
Patent Owner.

Case IPR2016-01501¹
Patent 8,457,676 B2

¹ ZTE Corporation and ZTE (USA), Inc. filed a petition in (now terminated) IPR2017-01079, and have been joined to the instant proceeding.