

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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Case IPR2017-00038  
Case IPR2017-00039<sup>1</sup>  
Patent 6,195,302

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Before JAMESON LEE, KEVIN F. TURNER, and JOHN A. HUDALLA,  
*Administrative Patent Judges.*

TURNER, *Administrative Patent Judge.*

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

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<sup>1</sup> This Order pertains to both of these cases. Therefore, we exercise our discretion to issue a single Order to be filed in each case. The parties are authorized to use this style heading in responding to this order.

A conference call in above-cited *inter partes* reviews occurred on August 1, 2017. Respective counsel for Petitioner and Patent Owner, and Judges Lee, Turner, and Hudalla were on the call. The purpose of the call was to discuss proposed changes to the Scheduling Order.

Petitioner indicated that Patent Owner's Responses (Paper 10) in both proceedings do not raise any substantive arguments other than reserving Patent Owner's rights pending the outcome of the Supreme Court granting certiorari in *Oil States Energy Servs., LLC v. Greene's Energy Grp., LLC*, No. 16-712, 2017 WL 2507340 (U.S. June 12, 2017). On the conference call, Patent Owner did not dispute the characterization. Based on this, Petitioner asserted that these proceedings are ripe for issuance of final written decisions.

On the conference call, both parties indicated that they do not intend to request oral hearing, and that there are no subsequent filings to be made by the parties, save short Replies to Patent Owner's Responses to be filed in short order by Petitioner. After conferring, the panel indicated that the parties may file a joint notice of stipulation as to the remaining Due Dates, including Due Dates 6 and 7. That stipulation should also memorialize that both parties are waiving their right to seek an oral hearing in these proceedings in conjunction with Due Date 7.

Accordingly, it is

ORDERED that both parties shall file a joint notice of stipulation as to the remaining Due Dates in these proceedings; and

FURTHER ORDERED that the joint notice of stipulation must indicate that both parties waive their rights to oral hearing in these proceedings.

IPR2017-00038, IPR2017-00039  
Patent 6,195,302

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