

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CISCO SYSTEMS, INC.,
Petitioner,

v.

UNILOC USA, INC. and UNILOC LUXEMBOURG S.A.,
Patent Owner.

IPR2017-00058
U.S. Patent No. 7,804,948

JOINT PROPOSED PROCEDURE ON REMAND

I. Introduction

Per the Board's email order on January 18, 2022, the parties have met and conferred regarding the proper procedure for remand in this case.

II. Proposed Procedure on Remand

The parties agree that, since the Federal Circuit's order on January 23, 2020 vacated the final written decision, the procedure on remand should include the issuance of a final written decision.

The parties disagree, however, on whether additional steps are needed beforehand. The parties submit their respective proposals below for the Board's consideration.

Patent Owner's Proposed Procedure: A hearing before a new panel, followed by a final written decision issued by the new panel.

Petitioner's Proposed Procedure: The previous panel may reissue the previous final written decision, after which Patent Owner may seek Director Review if it chooses.

III. Conclusion

If the Board requests, the parties are prepared to file separate one-page statements explaining the legal authorities for their respective proposals, to provide a list of proposed dates and times for a teleconference with the Board, or both.

Respectfully submitted,

Dated: February 1, 2022
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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6, this is to certify that a true and correct copy of the foregoing “Joint Proposed Procedure on Remand” service was made on the Patent Owner as detailed below:

Date of Service: February 1, 2022

Manner of Service: Electronic Mail to: brett@etheridgelaw.com
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Document Served: Joint Proposed Procedure on Remand

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