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IPR2017-00350, Paper 40
IPR2017-00351, Paper 40
IPR2017-00352, Paper 41
Entered: May 21, 2018

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FREDMAN BROS. FURNITURE COMPANY, INC.,
Petitioner,

v.

BEDGEAR, LLC,
Patent Owner.

Cases¹

IPR2017-00350 (Patent 8,887,332 B2);
IPR2017-00351 (Patent 9,015,883 B2);
IPR2017-00352 (Patent 8,646,134 B1)

Before HYUN J. JUNG, BART A. GERSTENBLITH, and
AMANDA F. WIEKER, *Administrative Patent Judges*.

JUNG, *Administrative Patent Judge*.

ORDER

Conduct of the Proceeding
Granting Joint Motion to Limit the Petition
37 C.F.R. § 42.5

¹ We exercise our discretion to issue one order to be entered in each case.

IPR2017-00350 (Patent 8,887,332 B2)
IPR2017-00351 (Patent 9,015,883 B2)
IPR2017-00352 (Patent 8,646,134 B1)

Pursuant to our Order (Paper 38 in IPR2017-00350; Paper 38 in IPR2017-00351; Paper 39 in IPR2017-00352), the parties filed a Joint Motion to Limit the Petition in each of these proceedings (Paper 39 in IPR2017-00350; Paper 39 in IPR2017-00351; Paper 40 in IPR2017-00352) (collectively, “Motions” or “Mot.”). In particular, the parties “jointly move for an order to limit the grounds in this proceeding to those instituted in accordance with the Decision on Institution.” Mot. 1. “The parties reached agreement to limit this proceeding to the Originally Instituted Grounds.” *Id.* at 1–2.

We agree with the parties that trials having been instituted as to all challenged claims and the current stage of the proceedings favor granting the Motions. *Id.* at 2. Also, removing grounds from these proceedings, pursuant to the joint requests of the parties, serves the Board’s goal of, and the parties’ desire for, resolving these proceedings in a just, speedy, and inexpensive manner. *See id.*; 37 C.F.R. § 42.1(b). Accordingly, we grant the Joint Motion to Limit the Petition in each of these proceedings. The grounds remaining in dispute are identified in the Decisions on Institution. *See* Paper 8, 37–38 in IPR2017-00350; Paper 8, 31–32 in IPR2017-00351; Paper 8, 35 in IPR2017-00352.

It is hereby:

ORDERED that the Joint Motion to Limit the Petition in each of these proceedings is *granted*; and

FURTHER ORDERED that the Petitions are limited to the grounds set forth in the Decisions on Institution (Paper 8, 37–38 in IPR2017-00350; Paper 8, 31–32 in IPR2017-00351; Paper 8, 35 in IPR2017-00352).

IPR2017-00350 (Patent 8,887,332 B2)
IPR2017-00351 (Patent 9,015,883 B2)
IPR2017-00352 (Patent 8,646,134 B1)

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