

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LSI CORPORATION and
AVAGO TECHNOLOGIES U.S., INC.,
Petitioners,

v.

REGENTS OF THE UNIVERSITY OF MINNESOTA,
Patent Owner.

Case IPR2017-01068
Patent 5,859,601

Before ROBERT J. WEINSCHENK, CHARLES J. BOUDREAU, and
JACQUELINE T. HARLOW, *Administrative Patent Judges*.

PER CURIAM.

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

I. INTRODUCTION

On January 3, 2018, Judges Weinschenk, Boudreau, and Harlow held a telephone conference call with counsel for LSI Corp. and Avago Technologies U.S., Inc. (“Petitioners”) and counsel for Regents of the University of Minnesota (“Patent Owner”). A court reporter was present on the conference call. This Order summarizes statements made during the conference call. A more complete record may be found in the court reporter’s transcript, filed by Patent Owner as Exhibit 2003.

II. ANALYSIS

Patent Owner requested that we stay the instant proceeding pending appellate review of the Order Denying Patent Owner’s Motion to Dismiss (Paper 19) based on Eleventh Amendment immunity. Petitioners opposed Patent Owner’s request. After considering the respective positions of the parties, we hereby authorize Patent Owner to file a motion to stay, and we adopt a briefing schedule consistent with that outlined during the conference call. Specifically, we authorize Patent Owner to file a 10-page motion to stay by January 9, 2018; Petitioners to file a 10-page opposition to Patent Owner’s motion to stay by January 16, 2018; and Patent Owner to file a 3-page reply to Petitioners’ opposition by January 23, 2018.

III. ORDER

In consideration of the foregoing, it is hereby:

ORDERED that Patent Owner is authorized to file a 10-page motion to stay by January 9, 2018;

FURTHER ORDERED that Petitioners are authorized to file a 10-page opposition to Patent Owner’s motion to stay by January 16, 2018;

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FURTHER ORDERED that Patent Owner is authorized to file a 3-page reply to Petitioners' opposition by January 23, 2018; and

FURTHER ORDERED that the deadline for Patent Owner to file a Preliminary Response in this proceedings is suspended pending our ruling on Patent Owner's motion to stay.

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