

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*.

HARLOW, *Administrative Patent Judge*.

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

On May 24, 2017, in view of the pending motion to dismiss on Eleventh Amendment sovereign immunity grounds filed by Patent Owner, Regents of the University of Minnesota, and the agreement between Patent Owner and Petitioners, LSI Corporation and Avago Technologies U.S., Inc., to extend the deadline for Patent Owner to file its Preliminary Response by one month, we issued an Order extending until July 29, 2017, the deadline for Patent Owner to file its Preliminary Response. Paper 12. In that Order, we invited the parties to contact the Board in the event that any concerns regarding the briefing schedule should arise. *Id.*

On July 11, 2017, Patent Owner requested, via electronic correspondence, a call with the Board to request authorization to seek an additional 30 day extension of the deadline to file its Preliminary Response. That same day, Petitioner informed the Board, also via electronic correspondence, that it opposed Patent Owner's request, and further, that Petitioner does not consent to any further extensions of time.

Because Patent Owner's motion to dismiss remains pending, for efficiency, and to preserve resources, we extend the deadline for filing of the Patent Owner Preliminary Response from July 29, 2017, to August 28, 2017, without the need for a conference call. In due course, if either party has any concerns or questions regarding the schedule, the parties may contact the Board for a conference call.

Accordingly, it is

ORDERED that the deadline for Patent Owner to file its Preliminary Response is extended to August 28, 2017.

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