

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

On July 13, 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, we extended, for a second time, the deadline for Patent Owner to file its Preliminary Response. Paper 15; *see also* Paper 12.

On August 9, 2017, Patent Owner requested, via electronic correspondence, a call with the Board to request authorization to seek further extension of the deadline to file its Preliminary Response. Patent Owner states in its request that Petitioners, LSI Corporation and Avago Technologies U.S., Inc., oppose this request.

Patent Owner's request is *denied*. We will issue our decision on Patent Owner's motion to dismiss in due course. However, while we are mindful of Patent Owner's position, the panel will not further extend the deadline for Patent Owner to file its Preliminary Response. Accordingly, to the extent Patent Owner intends to file a Preliminary Response in this matter, it should be prepared to do so by August 28, 2017, as set forth in our prior Order (Paper 15).

It is

ORDERED that the deadline for Patent Owner to file its Preliminary Response is August 28, 2017, as set forth in Paper 15.

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Patent 5,859,601

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