

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

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

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 August 15, 2017, we ordered that the deadline for Patent Owner, Regents of the University of Minnesota, to file its Preliminary Response be extended until one month after the issuance of an order deciding Patent Owner's Motion to Dismiss ("Motion to Dismiss," Paper 10). Paper 17. On December 19, 2017, we issued a Decision denying the Motion to Dismiss. Paper 19. The deadline for Patent Owner's Preliminary Response is, accordingly, set for January 19, 2018.

On December 20, 2017, Patent Owner requested, via electronic correspondence, a call with the Board to discuss the handling of this proceeding in view of Patent Owner's stated intention to file a notice of appeal seeking immediate judicial review of our Decision by the U.S. Court of Appeals for the Federal Circuit. Patent Owner notes in its correspondence that we stated in our August 15, 2017, Order that, "[i]n the event that Patent Owner's Motion to Dismiss is denied, Patent Owner may seek authorization to file a motion to stay this proceeding at that time" (Paper 17, 2), and Patent Owner indicates that it requests such a stay at this time. Counsel for Petitioner, LSI Corp. and Avago Technologies U.S., Inc., responded on December 22, 2017, also via electronic correspondence, stating Petitioner's opposition to Patent Owner's request.

On December 22, 2017, the Board requested the availability of counsel during the first week of January 2018 for a conference call to discuss Patent Owner's requests. In the meantime, we hereby suspend the deadline for Patent Owner to file its Preliminary Response pending further determination following the conference call.

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Accordingly, it is

ORDERED that the deadline for Patent Owner to file its Preliminary Response is suspended pending further determination.

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