

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BMW OF NORTH AMERICA, LLC AND MERCEDES-BENZ USA, LLC,
Petitioner,

v.

STRAGENT, LLC,
Patent Owner.

IPR2021-00418 (Patent 10,031,790 B1)
IPR2021-00419 (Patent 9,705,765 B2)¹

Before STACEY G. WHITE, DANIEL J. GALLIGAN, and
JASON M. REPKO, *Administrative Patent Judges*.

GALLIGAN, *Administrative Patent Judge*.

ORDER
Authorizing Additional Briefing on Rehearing
37 C.F.R. §§ 42.5, 42.71(d)

¹ This Order applies to both cases. The parties may not use this style heading unless authorized.

IPR2021-00418 (Patent 10,031,790 B1)
IPR2021-00419 (Patent 9,705,765 B2)

On July 19, 2021, we exercised discretion under 35 U.S.C. § 325(d) and denied institution of *inter partes* review in both of these cases. IPR2021-00418, Paper 12; IPR2021-00419, Paper 14. On August 18, 2021, BMW of North America, LLC and Mercedes-Benz USA, LLC (collectively, “Petitioner”) filed a Request for Rehearing of the decisions denying institution (IPR2021-00418, Paper 13; IPR2021-00419, Paper 15) (“Rehearing Request”) and also requested Precedential Opinion Panel (POP) review of the decisions (Ex. 3001, “POP Request”). In each case, the POP Request was denied on December 8, 2021, and the Rehearing Request was returned to us for consideration. IPR2021-00418, Paper 15; IPR2021-00419, Paper 17.

On rehearing, we authorize the parties to file limited additional briefing in each of these cases as follows: (1) no later than January 14, 2022, Petitioner may file a paper no longer than seven pages limited to addressing discretion to deny under 35 U.S.C. § 325(d); (2) no later than January 28, 2022, Patent Owner Stragent, LLC may file a responsive paper no longer than seven pages. No new evidence may be submitted.

It is so ORDERED.

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