

No. \_\_\_\_\_

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**In the Supreme Court of the United States**

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DRAGON INTELLECTUAL PROPERTY, LLC,  
*Petitioner,*

v.

DISH NETWORK L.L.C. and SIRIUS XM RADIO INC.,  
*Respondents.*

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*On Petition for Writ of Certiorari to the  
United States Court of Appeals for the Federal Circuit*

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**PETITION FOR WRIT OF CERTIORARI**

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**QUESTION PRESENTED**

Whether *inter partes* review—an adversarial process statutorily created in 2011 and used by the Patent and Trademark Office (PTO) to analyze the validity of existing patents—violates the Constitution by extinguishing private property rights through a non-Article III forum without a jury, especially for patents granted before *inter partes* review was created.

This petition presents the same question which this Court is considering in *Oil States Energy Services, LLC v. Greene’s Energy Group, LLC*, 639 F. App’x 639 (Fed. Cir. 2016), cert. granted, 2017 WL 2507340 (U.S. June 12, 2017) (“*Oil States Energy Services*”). Because this petition implicates the same issues to be decided in *Oil States Energy Services*, and because the Court will soon decide the power of the Patent Trial and Appeal Board of the USPTO to determine validity of patent rights, Petitioner asks that the Court hold its decision on this petition pending that decision.

**PARTIES TO THE PROCEEDINGS  
AND RULE 29.6 STATEMENT**

The parties to the proceedings include those listed on the cover.

Dragon Intellectual Property, LLC, is a limited liability company formed in the State of Delaware.

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