

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE OFFICE OF THE UNDER SECRETARY OF COMMERCE
FOR INTELLECTUAL PROPERTY AND DIRECTOR OF THE
UNITED STATES PATENT AND TRADEMARK OFFICE

NOKIA OF AMERICA CORPORATION,
Petitioner,

v.

ALEXANDER SOTO and WALTER SOTO,
Patent Owner.

IPR2023-00680 (Patent 9,887,795 B2)
IPR2023-00681 (Patent 10,263,723 B2)
IPR2023-00682 (Patent 10,771,181 B2)¹

Before KATHERINE K. VIDAL, *Under Secretary of Commerce for
Intellectual Property and Director of the United States Patent and
Trademark Office.*

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

¹ This Order applies to each of the above-listed proceedings.

IPR2023-00680 (Patent 9,887,795 B2)
IPR2023-00681 (Patent 10,263,723 B2)
IPR2023-00682 (Patent 10,771,181 B2)

In each of these proceedings, the Board issued a decision denying institution of review (Paper 10, “Decision” or, collectively, “Decisions”), and Nokia of America Corporation (“Petitioner”) requested Director Review of the Board’s Decision in each case (Paper 11, “Request”; Ex. 3100).² On January 4, 2024, I ordered Director Review of the Decisions. Paper 12.

On January 9, 2024, Alexander Soto and Walter Soto (collectively, “Patent Owner”) requested leave to respond to Petitioner’s Request. Ex. 3101. According to Patent Owner, the Request includes inaccuracies, misleading statements, and material omissions. *Id.* Patent Owner seeks to brief these issues and explain why the Board’s Decision should not be vacated or reversed. *Id.* Petitioner opposes. *See id.*

I determine that, in this case, additional briefing would be beneficial. Accordingly, I authorize Patent Owner to submit a response limited to the issues raised in the Request, of no more than fifteen pages, to be filed within fourteen days of this Order. Such a response must be filed in each of the above-listed proceedings. I also authorize Petitioner to submit a reply limited to the issues raised in Patent Owner’s response, of no more than five pages, to be filed in each of the proceedings within seven days of Patent Owner’s response. No further briefing will be authorized, and no new evidence is permitted.

² IPR2023-00680, IPR2023-00681, and IPR2023-00682 include similar papers and exhibits and raise similar issues. Unless otherwise noted, all citations are to papers and exhibits in IPR2023-00680 as representative.

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Accordingly, it is hereby:

ORDERED that Patent Owner is authorized to file a response to Petitioner's Request (Paper 11), of no more than fifteen pages, to be filed within fourteen days of this Order; and

FURTHER ORDERED that Petitioner is authorized to file a reply to Patent Owner's response, of no more than five pages, to be filed within seven days of Patent Owner's response.

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