

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DEFI EDUCATION FUND,
Petitioner,

v.

TRUE RETURN SYSTEMS, LLC,
Patent Owner.

IPR2023-01388
Patent 10,025,797 B1

Before Judges, KEVIN F. TURNER, JEFFREY S. SMITH, and CHRISTA
P. ZADO, *Administrative Patent Judges*.

ZADO, *Administrative Patent Judge*.

ORDER

Conduct of the Proceeding

37 C.F.R. § 42.5

I. INTRODUCTION

A. Background

On March 13, 2024, counsel for Patent Owner True Return Systems, LLC (“Patent Owner”) filed a letter to the Board stating that “Jack Fonss, the sole owner of [True Return Systems], has died.” Paper 14. Patent Owner’s counsel, David Boag, requested a status conference to discuss appropriate next steps. *Id.*

Pursuant to Mr. Boag’s request, on April 11, 2024, a conference call was held, attended by 1) Judges Turner and Zado; 2) Mark DeBoy and Patrick Finnan, counsel for DeFi Education Fund (“Petitioner”); and 3) Mr. Boag, counsel for Patent Owner.

During the call, Mr. Boag indicated that there is a temporary administrator over Mr. Fonss’s estate, but the issue of ownership of True Return Systems, LLC has not yet been resolved, and presently there is not an executor with authority to make litigation decisions on behalf of True Return Systems, LLC. Mr. Boag further indicated that he believes the issue of ownership and/or executorship may be resolved within the next few weeks.

We asked Mr. Boag to file an updated mandatory notice, which he indicated he would do by April 12, 2024. We also indicated we would be issuing an order for a status update concerning ownership of True Return Systems, LLC.

Patent Owner must file with the Board a status update, concerning ownership and/or executorship by an individual with the authority to make decisions on behalf of True Return Systems, LLC, within five (5) business days of a determination of ownership or executorship, or within thirty (30) calendar days of issuance of this Order, whichever occurs first.

II. ORDER

Accordingly, it is

ORDERED that Patent Owner file with the Board a status update, concerning ownership of True Return Systems, LLC and/or executorship by an individual with the authority to make decisions on behalf of True Return Systems, LLC, within five (5) business days of a determination of ownership or executorship, or within thirty (30) calendar days of issuance of this Order, whichever occurs first.

For PETITIONER:

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