Trials@uspto.gov
Tel: 571-272-7822

Paper 28
Date: February 20, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD., and
SAMSUNG ELECTRONICS, AMERICA, INC.,
Petitioner,

v.

FENDGO, LLC,
Patent Owner.

IPR2024-00113 (Patent 11,265,404 B2)
IPR2024-00114 (Patent 11,265,404 B2)

Before SCOTT C. MOORE, JON M. JURGOVAN, and
AARON W. MOORE, *Administrative Patent Judges*.

JURGOVAN, *Administrative Patent Judge*.

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

I. BACKGROUND

On February 19, 2025, we conducted a consolidated hearing with Petitioner and Patent Owner ("the parties") for IPR2024-00113 and IPR2024-00114 each concerning U.S. Patent No. 11,265,404 B2 ("the '404 patent").

At the hearing, Patent Owner requested additional briefing to provide constructions for certain claim terms. Petitioner indicated that it would leave it to the Board's discretion to decide whether such briefing would be necessary but requested commensurate briefing in the event the Board decided to allow briefing.

We hereby authorize each of the parties to submit five (5) pages of briefing due in seven (7) days to address the proper construction of the following claim terms of the '404 patent:

owner identification information

This term is recited in challenged claims 1, 8, 9, 13, 15. The parties should consider addressing in their briefs whether the term may encompass a telephone number, email address, or database link or key, i.e., information that is not the owner's identity per se but may be associated with it.

specified location

This term is recited in challenged claims 1, 9, 13, and 15. The parties should consider addressing in their briefs whether the location must be specified by a user during an emergency or instead may be specified in advance. The parties should also consider whether the location must be physical or merely a destination for network communications, or both. The parties may also wish to contrast a specified location from a fixed location.

panic button, adapted to, when activated, ready itself

This phrase is recited in challenged claim 1. The parties should consider addressing what it means for the panic button to ready itself.

transmit . . . emergency information . . . along with specific information

This phrase is recited in claims 1, 9, 13, 15 with slightly varied language. The parties should consider addressing whether the phrase means that the emergency information and specific information must be transmitted at the same time or together, for example, in the same message, or instead may be transmitted sequentially or at different times. Also, the parties may wish to address whether the emergency information and specific information may be different messages in the same communication session, and whether this claim limitation is broad enough to encompass the transmission of separate messages by a computer in rapid succession.

The foregoing should not be interpreted as restricting what the parties may address in their constructions for the noted claim language.

The parties should ensure that their proposed constructions comply with 37 C.F.R. § 100(b).

The parties should indicate support for their constructions by specific cites to the record. No new evidence is permitted.

Each party should file identical briefs as papers in each of IPR2024-00113 and IPR2024-00114.

II. ORDER

Accordingly, it is

ORDERED that the parties are authorized to submit claim construction briefs each limited to five (5) pages in total length and due in seven (7) days, i.e., by **February 27, 2025** and otherwise consistent with this Order.

FOR PETITIONER:

Ali R. Sharifahmadian
Patrick C. Reidy
ARNOLD & PORTER KAYE SCHOLER LLP
ali.sharifahmadian@arnoldporter.com
patrick.reidy@arnoldporter.com
xSamsungFendgoAP@arnoldporter.com

FOR PATENT OWNER:

James R. Nuttall
Katherine Johnson
Katherine D. Cappaert
STEPTOE LLP
jnuttall@steptoe.com
kjohnson@steptoe.com
kcappaert@steptoe.com