

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.
and QUALCOMM INCORPORATED,
Petitioner,*

v.

NETWORK SYSTEM TECHNOLOGIES, LLC,
Patent Owner.

IPR2024-00338
Patent 7,373,449 B2

Before CHARLES J. BOUDREAU, JOHN R. KENNY, and
STEVEN M. AMUNDSON, *Administrative Patent Judges*.

AMUNDSON, *Administrative Patent Judge*.

ORDER

Granting Joint Motion for Authorization to Apply for a Subpoena
35 U.S.C. § 24; 37 C.F.R. § 42.50

* Qualcomm Incorporated filed a petition and a motion for joinder in IPR2024-01081 and has been joined as a petitioner in this proceeding. After Qualcomm Incorporated was joined as a petitioner, Samsung Electronics Co., Ltd. was terminated as a petitioner. *See* Paper 17.

Qualcomm Incorporated (“Petitioner”) and Network System Technologies, LLC (“Patent Owner”) jointly move for authorization to apply for a subpoena under 35 U.S.C. § 24 to compel the deposition testimony of Mr. Sean O’Bryan, who submitted declaration testimony (Exhibit 1027) in this proceeding. Paper 28 (“Joint Motion”). The parties state that “Mr. O’Bryan’s employer, the University of Texas, requires a subpoena for any deposition testimony.” *Id.* at 1. The parties also state that they “have met and conferred and in an effort to minimize the burden on the third party agree to” a deposition limited to 60 minutes of cross-examination and 20 minutes of redirect examination. *Id.*

Upon review of the Joint Motion, we grant it. Petitioner and Patent Owner are both authorized to apply for a subpoena under 35 U.S.C. § 24 from the clerk of the United States district court for the district where the testimony of Mr. O’Bryan is to be taken. The deposition of Mr. O’Bryan will be limited to 60 minutes of cross-examination and 20 minutes of redirect examination.

It is so ORDERED.

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