

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.,
Petitioner,

v.

NETWORK SYSTEM TECHNOLOGIES, INC.
Patent Owner.

IPR2024-00339
Patent 8,086,800 B2

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

KENNY, *Administrative Patent Judge*.

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

Petitioner's Reply to Patent Owner's Preliminary Response (Paper 7, "Prelim. Reply") and Patent Owner's Preliminary Sur-reply (Paper 8, "Prelim. Sur-reply") respectively refer to and allude to a determination in *Network System Technologies, LLC v. Samsung Electronics Co.*, No. 2:22-cv-000481-JRG (E.D. Tex.) that claim 12 of the challenged patent is indefinite. Prelim. Reply 4; Prelim. Sur-reply 1. Neither paper, however, cites to the district court's decision that has that determination. Prelim. Reply 4; Prelim. Sur-reply 1. Further, the record does not appear to include such a decision.

Within THREE business days from the issuance of this Order: (i) the parties shall submit a one-page joint paper identifying the decision in case no. 2:22-cv-000481-JRG that held claim 12 of the challenged patent to be indefinite, (ii) if that decision is not currently an exhibit, the parties shall submit that decision as an exhibit, and (iii) to the extent any claim construction decision (other than Exhibit 2022) has been issued by a district court regarding terms in the challenged patent, the parties shall identify that decision in the joint paper and submit that decision as an exhibit.

It is so ORDERED.

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PETITIONER:

F. Christopher Mizzo
Greg Arovas
Alan Rabinowitz
KIRKLAND & ELLIS LLP
chris.mizzo@kirkland.com
greg.arovas@kirkland.com
alan.rabinowitz@kirkland.com

PATENT OWNER:

Jennifer Hayes
Daniel Stringfield
Angelo Christopher
Hang Zheng
NIXON PEABODY LLP
jenhayes@nixonpeabody.com
dstringfield@steptoe.com
achristopher@nixonpeabody.com
hzheng@nixonpeabody.com