

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FREEWHEEL MEDIA, INC. and
VARIANT TECHNOLOGY LLC,
Petitioner,

v.

INTENT IQ LLC,
Patent Owner.

IPR2024-00421¹
IPR2024-00422²
Patent 7,861,260 B2³

Before NABEEL U. KHAN, SCOTT B. HOWARD, and DAVID COTTA,
Administrative Patent Judges.

HOWARD, *Administrative Patent Judge.*

ORDER

Adjusting One-Year Pendency Due to Joinder
35 U.S.C. § 316(a)(11); 37 C.F.R. § 42.100(c)

¹ Variant Technology LLC was joined as a party to this proceeding via a Motion for Joinder in IPR2025-00128.

² Variant Technology LLC was joined as a party to this proceeding via a Motion for Joinder in IPR2025-00129.

³ The parties are not authorized to use this style caption unless later permitted.

On October 2, 2024 the Board instituted an *inter partes* review of claims 1–5, 7, 11–20, 22, 26–28, 35–38, 41, 44, 54, 56–58, 61, 62, 71–75, 77–80, 83, 84, 86, 90–99, 101, 105, 106, 116, 118, 119, 125, 127, 128, 137–141, 143, 144, 148, 151, and 152 of U.S. Patent No 7,861,260 B2. IPR2024-00421, Paper 9. On March 25, 2025, the Board joined Viant Technology LLC as Petitioner from proceeding IPR2025-00128. IPR2024-00421, Paper 19.

On October 2, 2024 the Board instituted an *inter partes* review of claims 1, 6, 8–10, 21, 23–26, 29–34, 38–40, 42, 43, 45–53, 55, 59–61, 63–70, 76, 81, 82, 85, 87–89, 100, 102–104, 107–115, 117, 120–124, 126, 129–136, 142, 145–147, and 149–150 of U.S. Patent No 7,861,260 B2. IPR2024-00422, Paper 10. On March 25, 2025, the Board joined Viant Technology LLC as Petitioner from proceeding IPR2025-00129. IPR2024-00422, Paper 20.

Pursuant to 35 U.S.C. § 316(a)(11), “the final determination in an inter partes review [shall] be issued not later than 1 year after the date on which the Director notices the institution of a review under this chapter, except that the Director . . . may adjust the time periods in this paragraph in the case of joinder under section 315(c).” The Director has delegated the authority to adjust the one-year period to the Board. *See* 37 C.F.R.

§ 42.100(c). In particular, 37 C.F.R. § 42.100(c) provides:

An inter partes review proceeding shall be administered such that pendency before the Board after institution is normally no more than one year. The time can be . . . adjusted by the Board in the case of joinder.

In accordance with 37 C.F.R. § 42.100(c), the Board adjusts the time of pendency before the Board in the present proceedings, which involve

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joinder, to permit the Board to consider and determine the pending issues. The Board shall issue Final Written Decisions in these proceedings no later than March 25, 2026.

In consideration of the foregoing, it is hereby
ORDERED that the time of pendency in these proceedings, which
involve joinder, is adjusted; and

FURTHER ORDERED that the Board shall issue Final Written
Decisions in these proceeding no later than March 25, 2026.

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