

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC,
Petitioner,

v.

DIALECT, LLC,
Patent Owner.

IPR2024-00752
Patent 8,849,652 B2

Before KRISTEN L. DROESCH, HYUN J. JUNG, and
GEORGE R. HOSKINS, *Administrative Patent Judges*.

HOSKINS, *Administrative Patent Judge*.

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

Oral argument in this proceeding is scheduled for Tuesday, August 5, 2025. *See* Paper 29.

In preparing for the oral argument, the PTAB panel has reviewed the Patent Owner Response. *See* Paper 15 (“PO Resp.”). That paper informs the Board that the United States District Court for the Eastern District of Virginia, in *Dialect, LLC v. Amazon.Com, Inc. and Amazon Web Services, Inc.*, Case No. 1:23-cv-00581, has construed several claim terms in five patents assigned to Patent Owner. *See* PO Resp. 12–14 & n.1 (citing Ex. 2007). Those five patents do not include the ’652 patent at issue in this proceeding, but they include a child of the ’652 patent and another patent related through a continuation. *See id.* at 11 n.1. One of the construed claim terms is “context stack,” which the court construed to mean “a data structure that stores or references contexts in a manner *that can be ordered*.” *Id.* at 13 (emphasis added) (quoting Ex. 2007, 1).

Patent Owner cites Exhibit 2007 which is the Court’s “**ORDER (Construing Claim Terms)**” issued on April 29, 2024. Ex. 2007 (“Order”). The Order cross-references “the reasons set forth in the accompanying Memorandum Opinion” (*id.* at 1) and then sets forth the Court’s claim constructions (*id.* at 1–2). Neither party has entered the Memorandum Opinion into the record of this proceeding. Therefore, we enter it into the record as a new Exhibit 3002 (“Memorandum Opinion”) along with this Order.

The term “context stack” also appears in the challenged claims of the ’652 patent, and Patent Owner’s arguments discuss Coffman’s context stack. *See, e.g.*, PO Resp. 28–36. Therefore, the parties are invited, during the upcoming oral argument, to comment on whether and how the Memorandum

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Opinion’s discussion of the claim term “context stack” affects arguments presented in this proceeding. *See, e.g.*, Ex. 3002, 20–24. If a party would prefer to stand silent on this issue, it may do so.

IT IS SO ORDERED.

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