

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE LLC, CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS,
T-MOBILE USA, INC., AT&T SERVICES, INC.,
NOKIA OF AMERICA CORP., AND ERICSSON INC.
Petitioner,

v.

PEGASUS WIRELESS INNOVATION LLC,
Patent Owner.

IPR2025-00292
Patent 9,894,644

Before Andrew Kellogg, *Deputy Chief Clerk, Trials*

NOTICE
Extending Deadline for Discretion Briefing

Under the *Interim Processes for PTAB Workload Management Memorandum* (“Memorandum”) issued on March 26, 2025,¹ the decision whether to institute review in this proceeding will be bifurcated between (i) discretionary considerations and (ii) merits and other non-discretionary statutory decisions. Memorandum 1. The Memorandum provides that, within two months of the entry of the Notice of Filing Date Accorded, a patent owner may file a brief explaining any bases for discretionary denial. *Id.* at 2. A petitioner may file an opposition brief no later than one month after the patent owner files its brief. *Id.*

The processes described in the Memorandum apply to any *inter partes* review or post-grant review proceeding where the: (1) deadline for the patent owner to file a preliminary response has not yet passed; or (2) deadline for the patent owner to file a preliminary response has not yet passed and the time for filing discretionary briefing has elapsed. *Id.* at 3. The Memorandum does not address the circumstance in which the time for filing discretionary briefing has not yet elapsed, but will elapse in one month or less—that is, petitions accorded a filing date between January 27, 2025 and February 27, 2025. *Id.* The petition for *inter partes* review filed in the above-referenced proceeding was accorded a filing date between January 27, 2025 and February 27, 2025. To address this situation, in this case, Patent Owner may file a brief for discretionary denial within one month of the date

¹ Available at https://www.uspto.gov/sites/default/files/documents/InterimProcesses-PTABWorkloadMgmt-20250326.pdf?utm_campaign=subscriptioncenter&utm_content=&utm_medium=email&utm_name=&utm_source=govdelivery&utm_term=.

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of this notice. Petitioner may file an opposition no later than one month after Patent Owner files its brief.

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For PETITIONER:

Patrick Keane

Roger Lee

Andrew Koopman

Tanya Gaylord

Samuel Harrod

Matthew Fedowitz

BUCHANAN INGERSOLL & ROONEY PC

patrick.keane@bipc.com

roger.lee@bipc.com

andrew.koopman@bipc.com

tanya.gaylord@bipc.com

samuel.harrod@bipc.com

matthew.fedowitz@bipc.com

Scott Pleune

J. Ravindra Fernando

Christopher Douglas

ALSTON & BIRD LLP

ben.pleune@alston.com

ravi.fernando@alston.com

christopher.douglas@alston.com

For PATENT OWNER:

Wayne Helge

James Wilson

BUNSOW DE MORY LLP

whelge@bdiplaw.com

jwilson@bdiplaw.com