

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

FACEBOOK, INC.,
Appellant

v.

WINDY CITY INNOVATIONS, LLC,
Cross-Appellant

2018-1400, 2018-1401, 2018-1402, 2018-1403, 2018-1537,
2018-1540, 2018-1541

Appeals from the United States Patent and Trademark Office, Patent Trial and Appeal Board in Nos. IPR2016-01156, IPR2016-01157, IPR2016-01158, IPR2016-01159, IPR2017-00659, IPR2017-00709.

Before PROST, *Chief Judge*, PLAGER and O'MALLEY, *Circuit Judges*.

PER CURIAM.

ORDER

Oral argument in these cases was held on August 7, 2019. The court now invites the Director of the United States Patent and Trademark Office to file a brief expressing his views on the following issue: what, if any, deference should be afforded to decisions of a Patent Trial and Appeal

Board Precedential Opinion Panel (“POP”), and specifically to the POP opinion in *Proppant Express Investments, LLC v. Oren Technologies, LLC*, No. IPR2018-00914, Paper 38 (P.T.A.B. Mar. 13, 2019). Upon receiving the Director’s response, the parties are also invited to file a brief expressing their views on the same issue.

Upon consideration thereof,

IT IS ORDERED THAT:

The Director’s invited response, not to exceed 15 pages, is due no later than 21 days from the date of filing of this order. If the parties desire to respond to the Director’s filing, their responses, not to exceed 10 pages, shall be due no later than 14 days from the date of filing of the Director’s response. No extensions of time will be granted.

FOR THE COURT

August 12, 2019
Date

/s/Peter R. Marksteiner
Peter R. Marksteiner
Clerk of Court