

NOTE: This order is nonprecedential.

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

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**IMAGE PROCESSING TECHNOLOGIES LLC,**  
*Appellant*

v.

**SAMSUNG ELECTRONICS CO., LTD., SAMSUNG  
ELECTRONICS AMERICA, INC.,**  
*Appellees*

**UNITED STATES,**  
*Intervenor*

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2018-2156

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Appeal from the United States Patent and Trademark  
Office, Patent Trial and Appeal Board in No. IPR2017-  
00353.

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**IMAGE PROCESSING TECHNOLOGIES LLC,**  
*Appellant*

v.

**SAMSUNG ELECTRONICS CO., LTD., SAMSUNG  
ELECTRONICS AMERICA, INC.,**  
*Cross-Appellants*

2

IMAGE PROCESSING TECHNOLOGIES v. SAMSUNG  
ELECTRONICS CO., LTD.

**UNITED STATES,**  
*Intervenor*

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2019-1408, 2019-1485

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Appeals from the United States Patent and Trademark  
Office, Patent Trial and Appeal Board in No. IPR2017-  
01218.

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**ORDER**

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PER CURIAM.

In light of this court's decision in *Arthrex, Inc. v. Smith & Nephew, Inc.*, No. 18-2140 (Fed. Cir. Oct. 31, 2019), and the fact that Image Processing Technologies LLC has raised an Appointments Clause challenge in its opening brief in both of the above captioned cases,

IT IS ORDERED THAT:

(1) The oral arguments scheduled for January 6, 2020 are cancelled and the cases are removed from the calendar.

(2) The Patent Trial and Appeal Board's decisions in No. IPR2017-00353 and No. IPR2017-01218 are vacated and the cases are remanded to the Board for proceedings consistent with the court's decision in *Arthrex*.

FOR THE COURT

December 5, 2019  
Date

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