

UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE DIRECTOR

<b>MediaTek Inc. and MediaTek USA, Inc.</b>	)	
Petitioners,	)	Case IPR2020-01607
	)	Patent No. 7,242,720
v.	)	
	)	Decision on Request
<b>Nippon Telegraph and Telephone Corp.</b>	)	under 37 C.F.R. § 90.3(c)(1)(i)
Patent Owner.	)	
_____	)	

**MEMORANDUM AND ORDER**

On July 19, 2022, Patent Owner Nippon Telegraph and Telephone Corp. (“Nippon”) filed a “Request For Extension Of Time To File An Appeal And Notice of Appeal With The Federal Circuit Under 37 C.F.R. § 90.3(c)(1)(i).”<sup>1</sup> The final decision in the underlying IPR issued on May 18, 2022, making Nippon’s appeal notice due on or before July 20, 2022. Nippon’s request is thus under the “good cause” standard of Rule 90.3(c)(1)(i). Nippon represents that Petitioner does not oppose this request.<sup>2</sup>

On July 20, 2022, Nippon filed a Conditional Notice of Appeal in this IPR,

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<sup>1</sup> While Nippon’s request was timely filed, the USPTO’s Office of the General Counsel’s stamped-in-date shows that Nippon’s request was not received by the Office until August 3, 2022. Thus, the USPTO did not act on Nippon’s request in time.

<sup>2</sup> Rule 37 C.F.R. § 90.3 does not provide for opposing or otherwise responding to a time-extension request.

and the Federal Circuit subsequently docketed the appeal as Appeal No. 22-2101. Given that Nippon timely filed its Notice of Appeal, it is unnecessary to extend the time for doing so. Accordingly, Nippon's request for extension of time is dismissed as moot.

ORDER

Upon consideration of Nippon's request for an extension of time under 37 C.F.R. § 90.3(c)(1)(i), it is ORDERED that the request is dismissed as moot.

KATHERINE K. VIDAL  
Under Secretary of Commerce for  
Intellectual Property and Director of the  
U.S. Patent and Trademark Office

By: /s/ Thomas W. Krause  
Thomas W. Krause  
Solicitor

DATE: August 8, 2022

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