

NOTE: This order is nonprecedential.

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

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**GOOGLE LLC,**  
*Appellant*

v.

**UNILOC 2017 LLC,**  
*Appellee*

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2020-2040

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Appeal from the United States Patent and Trademark Office, Patent Trial and Appeal Board in No. IPR2020-00115.

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**O R D E R**

Upon consideration of Google LLC's recently-docketed appeal from decisions of the Patent Trial and Appeal Board denying institution of *inter partes* review,

IT IS ORDERED THAT:

(1) Google is directed to show cause, within 14 days of the date of filing of this order, why this appeal should not be dismissed for lack of jurisdiction. *See* 35 U.S.C. § 314(d) ("The determination by the Director whether to institute an inter partes review under this section shall be final and nonappealable."); 28 U.S.C. § 1295(a)(4)(A); *see also* *Cuozzo*

*Speed Techs., LLC v. Lee*, 136 S. Ct. 2131, 2140 (2016) (stating that “the agency’s decision to deny a petition [for *inter partes* review] is a matter committed to the Patent Office’s discretion” (citations omitted)); *St. Jude Med., Cardiology Div., Inc. v. Volcano Corp.*, 749 F.3d 1373, 1375 (Fed. Cir. 2014); *see also Thryv, Inc v. Click-to-Call Techs., LP*, 140 S. Ct. 1367, 1377 (2020) (holding that this court lacked jurisdiction over an appeal from an institution decision because it was barred under § 314(d)). Uniloc 2017 LLC may respond within 14 days thereafter.

(2) The briefing schedule is stayed.

FOR THE COURT

August 27, 2020  
Date

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