

NOTE: This order is nonprecedential.

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

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**FACEBOOK, INC.,**  
*Appellant*

v.

**WINDY CITY INNOVATIONS, LLC,**  
*Cross-Appellant*

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

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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.

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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 express-  
ing 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