

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE OFFICE OF THE UNDER SECRETARY OF COMMERCE
FOR INTELLECTUAL PROPERTY AND DIRECTOR OF THE
UNITED STATES PATENT AND TRADEMARK OFFICE

MERCEDES-BENZ USA, LLC,
Petitioner,

v.

DAEDALUS PRIME LLC,
Patent Owner.

IPR2023-01343
Patent 8,898,494 B2

Before COKE MORGAN STEWART, *Acting Under Secretary of
Commerce for Intellectual Property and Acting Director of the United States
Patent and Trademark Office.*

ORDER

The Office has received a request for Director Review of the Final Written Decision and an authorized response to the request in the above-captioned case. *See* Papers 22, 23.

I have considered the request and the response, and I have determined that the Decision warrants review by a Delegated Rehearing Panel (“DRP”). Accordingly, I delegate Director Review of the Decision to a DRP to review the Decision and determine whether the Board: (1) misapprehended or overlooked Petitioner’s claim construction arguments for the claim term “workload” (Petitioner’s Reply 9–11) and erred in construing the term, and (2) misapprehended or overlooked White’s¹ disclosure in finding that White does not teach “a core workload monitor configured to determine a core workload for the first core” and “receiving a bus workload for a communication bus and a first processing element workload for a first processing element,” as claims 1 and 4 respectively require.

Absent good cause, the DRP shall issue a decision within 30 days of this Order.

Accordingly, it is:

ORDERED that the request for Director Review is delegated to a DRP.

¹ US 7,263,457 B2, issued August 28, 2007 (Ex. 1006).

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