

NOTE: This order is nonprecedential.

# United States Court of Appeals for the Federal Circuit

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**IN RE RAMBUS, INC.,**

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2013-1597

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Appeal from the United States Patent and Trademark Office, Patent Trial and Appeal Board in Reexamination No. 95/001,188.

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## **ON MOTION**

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Before MOORE, LINN, and O'MALLEY, *Circuit Judges*.  
LINN, *Circuit Judge*.

## **O R D E R**

The parties jointly move to remand this appeal for further proceedings.

Rambus, Inc. appeals from a decision of the Patent Trial and Appeal Board ("Board") rejecting reexamined claims 1-3, 8, 10-16, 18, 23-30, 36-38 and 40 of U.S. Patent No. 6,304,937 as obvious over the combination of prior art references iAPX and Inagaki.

Subsequent to the Board's decision here on appeal, this court issued *Rambus Inc. v. Rea*, 731 F.3d 1248, 1255-1258 (Fed. Cir. 2013), which vacated the Board's

obviousness rejection of claims of a related patent based on a similar combination of the iAPX and Inagaki references, and remanded for further proceedings.

Because this court agrees with the parties that it would be in the best interest for all involved to remand this case to the Board for reconsideration of its decision in light of *Rambus*, the motion to remand is granted.

Accordingly,

IT IS ORDERED THAT:

- (1) The motion is granted. The case is remanded for additional proceedings consistent with this order.
- (2) Each side shall bear its own costs.
- (3) All other pending motions are moot.

FOR THE COURT

/s/ Daniel E. O'Toole  
Daniel E. O'Toole  
Clerk of Court

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ISSUED AS A MANDATE: January 31, 2014