

NOTE: This disposition is nonprecedential.

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

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**FOCAL IP, LLC,**  
*Appellant*

v.

**CISCO SYSTEMS, INC.,**  
*Appellee*

**ANDREI IANCU, UNDER SECRETARY OF  
COMMERCE FOR INTELLECTUAL PROPERTY  
AND DIRECTOR OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE,**  
*Intervenor*

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2018-1627, 2018-1628

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Appeals from the United States Patent and Trademark  
Office, Patent Trial and Appeal Board in Nos. IPR2016-  
01254, IPR2016-01257.

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**FOCAL IP, LLC,**  
*Appellant*

v.

**YMAX CORPORATION,**

*Appellee*

**ANDREI IANCU, UNDER SECRETARY OF  
COMMERCE FOR INTELLECTUAL PROPERTY  
AND DIRECTOR OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE,**

*Intervenor*

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2018-1630, 2018-1645

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Appeals from the United States Patent and Trademark  
Office, Patent Trial and Appeal Board in Nos. IPR2016-  
01258, IPR2016-01260.

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**FOCAL IP, LLC,**

*Appellant*

v.

**BRIGHT HOUSE NETWORKS, LLC,  
WIDEOPENWEST FINANCE, LLC, KNOLOGY OF  
FLORIDA, INC., FUSION CLOUD SERVICES, LLC,  
FKA BIRCH COMMUNICATIONS, INC.,**

*Appellees*

**ANDREI IANCU, UNDER SECRETARY OF  
COMMERCE FOR INTELLECTUAL PROPERTY  
AND DIRECTOR OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE,**

*Intervenor*

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2018-1646, 2018-1647

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Appeals from the United States Patent and Trademark Office, Patent Trial and Appeal Board in Nos. IPR2016-01261, IPR2016-01262.

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**JUDGMENT**

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HANNA MADBAK, Siber Law LLP, New York, NY, and JOHN P. MURPHY, Nelson Bumgardner PC, Fort Worth, TX, argued for appellant. Also represented by BRENT N. BUMGARDNER.

CHRISTOPHER JOSEPH TYSON, Duane Morris LLP, Washington, DC, argued for all appellees. Appellees Wide-OpenWest Finance, LLC, Knology of Florida, Inc. also represented by PATRICK D. MCPHERSON.

SARAH J. GUSKE, Baker Botts LLP, San Francisco, CA, argued for appellee Cisco Systems, Inc. and represented appellee Bright House Networks, LLC. Also represented by WAYNE O. STACY.

JOSEPH J. RICHETTI, Bryan Cave Leighton Paisner LLP, New York, NY, argued for appellee YMax Corporation. Also represented by ALEXANDER DAVID WALDEN; K. LEE MARSHALL, San Francisco, CA.

KYLE L. ELLIOTT, Spencer Fane LLP, Kansas City, MO, for appellee Fusion Cloud Services, LLC. Also represented by JASPAL SINGH HARE, Plano, TX.

KATHERINE TWOMEY ALLEN, Appellate Staff, Civil Division, United States Department of Justice, Washington, DC, argued for intervenor. Also represented by SCOTT R. MCINTOSH, JOSEPH H. HUNT; THOMAS W. KRAUSE, JOSEPH

MATAL, FARHEENA YASMEEN RASHEED, Office of the Solicitor, United States Patent and Trademark Office, Alexandria, VA.

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THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (NEWMAN, DYK, and WALLACH, *Circuit Judges*).

**AFFIRMED. See Fed. Cir. R. 36.**

ENTERED BY ORDER OF THE COURT

June 20, 2019  
Date

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