

NOTE: This order is nonprecedential.

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

UNILOC 2017 LLC,
Appellant

v.

FACEBOOK, INC., WHATSAPP, INC.,
Appellees

2018-2251

Appeal from the United States Patent and Trademark Office, Patent Trial and Appeal Board in No. IPR2016-01756.

PER CURIAM.

O R D E R

In light of this court's decision in *Arthrex, Inc. v. Smith & Nephew, Inc.*, No. 18-2140 (Fed. Cir. Oct. 31, 2019) and the fact that Uniloc has raised an Appointments Clause challenge in its opening brief in this case,

IT IS ORDERED THAT:

1. The oral argument scheduled for November 4, 2019 is cancelled and the case is removed from the calendar.

2. The Patent Trial and Appeal Board's decision in No. IPR2016-01756 is vacated and the case is remanded to the Board for proceedings consistent with this court's decision in *Arthrex*.

FOR THE COURT

October 31, 2019
Date

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