

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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FANDANGO, LLC, OPENTABLE, INC.,  
APPLE INC., DOMINO'S PIZZA, INC.,  
AND DOMINO'S PIZZA, LLC,  
Petitioner,

v.

AMERANTH, INC.,  
Patent Owner.

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Case CBM2014-00013  
Patent 6,982,733

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Before JAMESON LEE, MEREDITH C. PETRAVICK, RICHARD E. RICE, and  
STACEY G. WHITE, *Administrative Patent Judges*.

LEE, *Administrative Patent Judge*.

Order  
Conduct of Proceedings  
37 C.F.R. § 42.05

On April 15, 2014, an initial telephone conference call was held between respective counsel for the parties and Judges Lee, Petravick, Rice, and White. Neither party filed a proposed motions list. Counsel for each party expressed that the party is not contemplating filing any motion. Both parties, however, desired an opportunity to see the Supreme Court's decision in *CLS Bank International v. Alice Corporation Pty. Ltd.* (Docket No. 13-298), prior to submitting further substantive papers in this case. The parties represent that the Supreme Court's decision is expected by the end of June 2014.

Counsel for the parties explained that they do not need the Board to reset any due date. Instead, they can stipulate to a seven week extension of Due Dates 1 and 2, as is authorized in the Scheduling Order of March 26, 2014 (Paper 24). The Scheduling Order provides that the parties are authorized to stipulate to different Due Dates 1-3, so long as the extended due dates do not extend beyond Due Date 4. Paper 24, 2.

We noted that the parties can proceed to stipulate to the desired seven-week extension of Due Dates 1 and 2, and that that does not require approval of the Board. We further authorized the parties to stipulate to extensions of Due Dates 1-6, so long as the extended due dates do not extend beyond Due Date 7.

Neither party had any other issue to discuss in the initial conference call. We further noted that in the event the parties file their briefs in this proceeding and the Supreme Court subsequently renders a decision impacting the proceeding, the parties may ask for authorization to file supplemental briefing.

It is

ORDERED that the parties are authorized to stipulate to extensions of Due Dates 1-6, so long as the extended dates do not extend beyond Due Date 7.

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Patent 6,982,733

For Petitioner:

Richard Zembek  
Gilbert Greene

[richard.zembeck@nortonrosefulbright.com](mailto:richard.zembeck@nortonrosefulbright.com)  
[bert.greene@nortonrosefulbright.com](mailto:bert.greene@nortonrosefulbright.com)

For Patent Owner:

John Osborne  
Michael Fabiano

[josborne@osborneipl.com](mailto:josborne@osborneipl.com)  
[mdfabiano@fabianolawfirm.com](mailto:mdfabiano@fabianolawfirm.com)