

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PNC BANK, N.A. and JP MORGAN CHASE & CO.
and JP MORGAN CHASE BANK, N.A.
Petitioner

v.

MAXIM INTEGRATED PRODUCTS, INC.
Patent Owner

Cases CBM2014-00038 (Patent 5,940,510)
CBM2014-00039 (Patent 5,949,880)
CBM2014-00040 (Patent 6,105,013)
CBM2014-00041 (Patent 6,237,095)¹

Before SALLY C. MEDLEY, MITCHELL G. WEATHERLY, and
MIRIAM L. QUINN, *Administrative Patent Judges*.
MEDLEY, *Administrative Patent Judge*.

ORDER
Conduct of the Proceeding
37 C.F.R. § 42.5

¹ This order addresses a similar issue in the four cases. Therefore, we exercise discretion to issue one order to be filed in each case. The parties, however, are not authorized to use this style of heading in subsequent papers.

Cases CBM2014-00038, -00039, -00040, and -00041

On March 27, 2014, a conference call was held including counsel for the respective parties and Judges Medley, Weatherly, and Quinn. The purpose of the call was for Petitioner to seek authorization to withdraw PNC Bank, N.A. (“PNC”) from the proceeding.

PNC Bank, N.A. (“PNC”) and JP Morgan Chase & Co. and JP Morgan Chase Bank, N.A. (“JP Morgan”) are the real parties-in-interest for Petitioner. *See, e.g.*, CBM2014-00038, Paper 3 at 2. Counsel for Petitioner explained that PNC, but not JP Morgan, seeks to withdraw from the proceedings pursuant to 37 C.F.R. § 42.73(b)(4). As such, Petitioner requests authorization to file a motion requesting adverse judgment against PNC. Counsel for Patent Owner did not oppose the filing of such motion, but did indicate that Patent Owner would oppose the motion.

Based on the record before us, Petitioner is authorized to file a motion requesting adverse judgment against PNC pursuant to 37 C.F.R. § 42.73(b)(4). Patent Owner will have an opportunity to oppose. Accordingly, it is

ORDERED that Petitioner is authorized to file a motion, in each of the four proceedings, requesting adverse judgment against PNC pursuant to 37 C.F.R. § 42.73(b)(4);

FURTHER ORDERED that the motion is limited to five pages and is due April 1, 2014;

FURTHER ORDERED that Patent Owner is authorized to file, in each of the four proceedings, a five page opposition to the motion due April 4, 2014; and

FURTHER ORDERED that Petitioner is authorized to file, in each of the four proceedings, a two page reply due April 7, 2014.

Cases CBM2014-00038, -00039, -00040, and -00041

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