

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC., EVENTBRITE INC., and STARWOOD HOTELS &
RESORTS WORLDWIDE, INC.,
Petitioner,

v.

AMERANTH, INC.,
Patent Owner.

CBM2015-00080 (Patent No. 6,384,850)
CBM2015-00081 (Patent No. 8,146,077)
CBM2015-00082 (Patent No. 6,871,325)

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

PETRAVICK, *Administrative Patent Judge*.

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

A conference call was held on May 1, 2015, between Judges Lee, Petravick, and Rice, counsel for Petitioner, and counsel for Patent Owner. Counsel for Petitioner in related proceedings CBM2015-00095, CBM2015-00096, and CBM2015-00097 (collectively, “the Expedia proceedings”) also participated in the conference call, because Petitioner in the Expedia

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proceedings filed motions seeking to join a related proceeding with each one of these proceedings. *See e.g.*, CBM2015-00096, Paper 10. The Board initiated a conference call to inquire about the motions to join in the Expedia proceedings, and to inquire whether claim 12 was or was not included in the ground based upon obviousness over DeLorme in the Petition of CBM2015-00082.

Regarding the motions to join, counsel for Petitioner indicated that they agree to cooperate with counsel for Petitioner in the Expedia proceedings in the manner indicated in the motions should the proceedings be joined. Counsel for Petitioner, further, indicated that they would be willing to be responsible for filing all consolidated papers for both Petitioners and to take the lead for both Petitioners, and counsel for Petitioner in the Expedia proceedings indicated that this was agreeable.

Patent Owner indicated that it would not oppose the motions to join and, upon inquiry from the Board, indicated that it would be willing to move the due date for its Preliminary Responses in the Expedia proceedings to June 10, 2015, which is the due date for its Preliminary Response in these proceedings.

Regarding the Petition in CBM2015-00082, Petitioner clarified that claim 12 is not included in the ground based upon obviousness over DeLorme and that the reference to claim 12 on pages 62 and 63 was a typographical or clerical error. Thus, the obviousness grounds based upon DeLorme in CBM2015-00082 and CBM2015-00097 are the same.

As an additional matter, in each Petition of these proceedings, Petitioner requests authorization to file a motion for *pro hac vice* admission

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of Mr. Robert C. Williams. *See e.g.*, CBM2015-00082, Paper 1, 4. Motions for *pro hac vice* admission, however, were authorized in the Notice of Filing Date Accorded (*see id.* at Paper 5, 2), and Petitioner, therefore, does not require any further authorization to file such a motion. Motion for *pro hac vice* admission must be filed in accordance with the “Order -- Authorizing Motion for Pro Hac Vice Admission” in Case IPR2013-00639, Paper 7, a copy of which is available on the Board Web site, <http://www.uspto.gov/PTAB>, under “Representative Orders, Decisions, and Notices.”

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