

Paper No. \_\_\_\_\_

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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EXPEDIA, INC., FANDANGO, LLC, HOTELS.COM, L.P., HOTEL TONIGHT, INC., HOTWIRE, INC., KAYAK SOFTWARE CORP., OPENTABLE, INC., ORBITZ, LLC, PAPA JOHN'S USA, INC., STUBHUB, INC., TICKETMASTER, LLC, LIVE NATION ENTERTAINMENT, INC., TRAVELOCITY.COM LP, WANDERSPOT LLC, AGILYSYS, INC., DOMINO'S PIZZA, INC., DOMINO'S PIZZA, LLC, HILTON RESORTS CORPORATION, HILTON WORLDWIDE, INC., HILTON INTERNATIONAL CO., MOBO SYSTEMS, INC., PIZZA HUT OF AMERICA, INC., PIZZA HUT, INC., and USABLENET, INC.,

Petitioner

v.

AMERANTH, INC.,

Patent Owner

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Case No.: CBM2015-00096

Patent No. 6,384,850

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**PETITIONER'S RESPONSE TO NOTICE OF FILING DATE ACCORDED  
TO PETITION AND TIME FOR FILING PATENT OWNER  
PRELIMINARY RESPONSE (PAPER NO. 5)**

This paper is filed in response to the Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response that was mailed on March 25, 2015 (Paper No. 5) (the "Notice"). The Notice requests that Petitioner correct a defect concerning improper usage of claim charts under 37 C.F.R. § 42.6(a)(2)(iii), which apparently relates to alleged improper argument contained in Petitioner's claim charts. However, the Notice does not identify the page(s) or specific portion(s) of the Petition that contain the alleged improper argument.

Petitioner has reviewed the claim charts in the Petition (Paper No. 1) and is unable to identify any improper argument. Petitioner has contacted the Board by telephone several times since receiving the Notice to request clarification on where the alleged improper argument is located in the Petition, but thus far Petitioner has been unable to obtain such clarification from the Board. Accordingly, Petitioner respectfully reiterates its requests that the Board provide clarification on the location of the alleged improper argument so that Petitioner may be afforded a fair opportunity to comply with the Notice.

Petitioner believes that no fee is due in connection with this paper. The Commissioner is hereby authorized to charge any fee which may be required in

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connection with this submission to Deposit Account No. 06-2380, under Order No. 11208752 from which the undersigned is authorized to draw.

April 1, 2015

Respectfully Submitted,  
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Hut of America, Inc. and Pizza Hut, Inc.,  
and Usablenet, Inc.

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing Petitioner's Response to Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response (Paper No. 5), was served on April 1, 2015 on PO, PO correspondent, and others as follows:

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