

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

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 NATIONAL 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.

CBM2015-00095 (Patent No. 8,146,077)
CBM2015-00096 (Patent No. 6,384,850)
CBM2015-00097 (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

CBM2015-00095 (Patent No. 8,146,077)
CBM2015-00096 (Patent No. 6,384,850)
CBM2015-00097 (Patent No. 6,871,325)

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 CBM2015-00080, CBM2015-00081, and CBM2015-00082 (collectively, “the Apple proceedings”) also participated in the conference call, because Petitioner filed motions seeking to join each one of these proceedings with one of the Apple proceedings. *See e.g.*, CBM2015-00096, Paper 10. The Board initiated a conference call to inquire about the motions to join, 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 in the Apple proceedings indicated that they agree to cooperate with counsel for Petitioner in the manner indicated in the motions should the proceedings be joined. Counsel for Petitioner in the Apple proceedings, 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 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 these proceedings to June 10, 2015, which is the due date for its Preliminary Response in the Apple proceedings.

Regarding the Petition in CBM2015-00082, Petitioner in the Apple proceedings 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

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and 63 was a typographical or clerical error. Thus, the obviousness grounds based upon DeLorme in CBM2015-00082 and CBM2015-00097 are the same.

It is:

ORDERED that the Patent Owner's Preliminary Response in each of CBM2015-00096, CBM2015-00097, and CBM2015-00095 is due on June 10, 2015.

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