

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GOOGLE INC.,
Petitioner

v.

PATRICK ZUILI,
Patent Owner.

Case CBM2016-00022
Patent 8,326,763 B2

Before JAMESON LEE, GLENN J. PERRY, and MIRIAM L. QUINN,
Administrative Patent Judges.

LEE, *Administrative Patent Judge.*

Conduct of Proceedings
Notice of Not Having Trial Hearing
37 C.F.R. §§ 42.5, 42.70

On June 1, 2016, we instituted trial. Paper 11. In a Scheduling Order, we set December 22, 2016, as the due date for the parties to request oral argument. Paper 12. Neither party filed a request for oral argument by December 22, 2017. Petitioner, however, filed a Request for Oral Hearing on December 23, 2016. Paper 34. In a telephone conference call held on January 9, 2017, Patent Owner confirmed that it did not request oral argument and stated that it does not want to have oral argument in this proceeding. In the same telephone conference call, Petitioner requested authorization to file a Motion to Excuse Lateness in Filing Request for Oral Argument, under 37 C.F.R. 42.5(c)(3). We authorized Petitioner to file such a motion, by January 12, 2017. Paper 38.

On January 10, 2017, Petitioner sent an email communication to the Board, informing the Board and Patent Owner that “Petitioner will not be filing a motion to excuse late filing of Paper 34 under 37 CFR 42.5(c)(3).” The email communication has been entered as Exhibit 3006.

ORDER

Under the circumstances of this case, it is
ORDERED that no oral argument will be held in this proceeding; and
FURTHER ORDERED that we will proceed to render a Final Written Decision without having oral argument.

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