

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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UNITED SERVICES AUTOMOBILE ASSOCIATION,  
Petitioner,

v.

NADER ASGHARI-KAMRANI and KAMRAN ASGHARI-KAMRANI,  
Patent Owner.

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Cases CBM2016-00063 and CBM2016-00064  
Patent 8,266,432 B2<sup>1</sup>

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Before JONI Y. CHANG and JUSTIN T. ARBES,  
*Administrative Patent Judges.*

CHANG, *Administrative Patent Judge.*

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

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<sup>1</sup> This Order addresses the same issues in the above-identified covered business method patent review (“CBM”) proceedings. Therefore, we exercise our discretion to issue one Order to be entered in both cases. The parties, however, are not authorized to use this style heading in any subsequent papers.

CBM2016-00063 and CBM2016-00064  
Patent 8,266,432 B2

On July 26, 2016, a conference call was held between counsel for both parties, and Judges Chang and Arbes. Patent Owner initiated the conference call to request authorization to file a motion to file: (1) a request for a certification of correction pursuant to 37 C.F.R. § 1.323 for Patent 8,266,432 B2 (“the ’432 patent”), which is the involved patent in both above-identified CBM proceedings; and (2) a petition under 37 C.F.R. § 1.78(e) to accept an unintentional delayed benefit claim of a prior-filed application. Petitioner opposed.

In view of the particular facts presented in these proceedings, we determined additional briefing on the issue would be helpful.

It is hereby:

ORDERED that, within five business days, Patent Owner is authorized to file a motion to file a request for a certification of correction and to file a petition to accept an unintentional delayed benefit claim, in each above-identified CBM proceeding, explaining specifically why filing a request for certificate of correction and such a petition is appropriate;

FURTHER ORDERED that, within five business days from the filing of Patent Owner’s motion, Petitioner is authorized to file an opposition to the motion in each above-identified CBM proceeding;

FURTHER ORDERED that each motion and each opposition are limited to five pages; and

FURTHER ORDERED that no reply is authorized at this time.

CBM2016-00063 and CBM2016-00064  
Patent 8,266,432 B2

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