

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SYNOPSISYS, INC.
Petitioner

v.

MENTOR GRAPHICS CORPORATION
Patent Owner

Case IPR2012-00042 (SCM)
Patent 6,240,376 B1

Before HOWARD B. BLANKENSHIP, SALLY C. MEDLEY, and
JENNIFER S. BISK, *Administrative Patent Judges*.

MEDLEY, *Administrative Patent Judge*.

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

On September 25, 2013, the following individuals participated in a
conference call:

- (1) Mr. Travis Jensen, counsel for Synopsisys, Inc. (Synopsis);
- (2) Mr. Christopher McKee and Mr. Michael CuvIELlo, counsel for

Mentor Graphics Corporation (Mentor Graphics); and

(3) Howard Blankenship, Sally Medley, and Jennifer Bisk,
Administrative Patent Judges.

The purpose of the call was for Mentor Graphics to seek a three page extension of the five page limit for its motion to amend reply.

Mentor Graphics' reply is due September 26, 2013. Mentor Graphics requested a conference call concerning its reply mid-day September 25, 2013. During the call, counsel for Mentor Graphics explained that because Synopsis relies on six new references in its opposition to the motion to amend, one of which Mentor Graphics intends to antedate, Mentor Graphics needs more pages to fully address all the issues raised by Synopsis. Counsel for Synopsis opposed the request.

An *inter partes* review is a streamlined and focused proceeding, unlike *ex parte* prosecution or patent reexamination. A final determination must be made generally no later than a year after institution of the *inter partes* review. 35 U.S.C. § 316(a)(11). As a result, and pursuant to 35 U.S.C. § 316(b), rules for *inter partes* review proceedings were promulgated to take into account the “regulation on the economy, the integrity of the patent system, the efficient administration of the Office, and the ability of the Office to timely complete proceedings.” The promulgated rules provide that they are to “be construed to secure the just, speedy, and inexpensive resolution of every proceeding.” 37 C.F.R. § 42.1(b). As such, page limit extensions will be granted on rare occasions. Based on the facts presented, Mentor Graphics did not provide a sufficient basis for granting an extension of the page limit for its reply.

Case IPR2012-00042
Patent 6,240,376 B1

Lastly, the Board explained that when a party requests a conference call the day prior to when a paper is due, the party runs the risk that either opposing counsel or the Board may not be available to take the call. The parties are encouraged not to wait until the final hour to arrange a conference call on an urgent matter. *See* 37 C.F.R. § 42.1(c).

Order

It is

ORDERED that Mentor Graphics' request for a three page extension for its reply is *denied*.

PETITIONER:

William H. Wright
Travis Jensen
Orrick, Herrington & Sutcliffe, LLP
Email: wwright@orrick.com
Email: tjensen@orrick.com

PATENT OWNER:

Christopher L. McKee
Michael S. Cuvillo
Banner & Witcoff, Ltd.
Email: mentoripr@bannerwitcoff.com